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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

SENATE—Friday, February 15, 2013

The Senate met at 12:01 p.m. and was called to order by the Honorable TIM Kaine, a Senator from the Commonwealth of Virginia.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Leahy).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 15, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM Kaine, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. Kaine thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

ORDER OF PROCEDURE

Mr. LEVIN. Mr. President, I ask unanimous consent that it be in order to consider H. Con. Res. 15, which was received earlier today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONDITIONAL ADJOURNMENT OR RECESS OF THE HOUSE AND SENATE

Mr. LEVIN. Mr. President, I ask unanimous consent that H. Con. Res. 15 be agreed to.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 15) was agreed to, as follows:

H. CON. RES. 15

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday, February 15, 2013, through Thursday, February 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 25, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Friday, February 15, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 25, 2013, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the

House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

UNANIMOUS CONSENT AGREE- MENT—READING OF WASH- INGTON'S FAREWELL ADDRESS

Mr. LEVIN. Mr. President, I ask unanimous consent that notwithstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 25, following the prayer and pledge; further, that Senator AYOTTE be recognized to deliver the address, and that following the conclusion of the reading, the Senate proceed to morning business under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 25, 2013, AT 2 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 2 p.m., Monday, February 25, 2013, pursuant to the provisions of H. Con. Res. 15.

Thereupon, the Senate, at 12:02 and 26 seconds p.m., adjourned until Monday, February 25, 2013, at 2 p.m.

HOUSE OF REPRESENTATIVES—Friday, February 15, 2013

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. FORTENBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 15, 2013.

I hereby appoint the Honorable JEFF FORTENBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:
God of the universe, thank You for giving us another day.

Quicken our spirits so that we will know the blessings of living together in unity and peace. We have our personal aspirations and ideas of what is best. Grant that we might know the satisfaction of sharing our common concerns and experiencing the joy of mutual accomplishment.

Bless the Members of the people's House with success in bringing fruition to all efforts to work toward common solutions to the issues facing our Nation, solutions which seem so distant in these days.

During the days of the coming week, may the American people be able to communicate their hopes for the efforts of their Congress men and women. May they understand as well that a unified Nation is equally the work of each of us where we live.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. CARTWRIGHT) come forward and lead the House in the Pledge of Allegiance.

Mr. CARTWRIGHT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

IMMIGRATION REFORM

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I had a career in the military with a combined 21 years between the United States Army, the Army Reserve, the United States Marine Corps, and the Marine Corps Reserve.

During the course of my military career, I met so many extraordinary young men and women who served our country in uniform and who made tremendous sacrifices in defense of our freedom. I strongly believe that the highest expression of citizenship in America is exemplified by those who serve in our Armed Forces.

In my hometown of Aurora, Colorado, I've recently met young people who grew up in Aurora, went to school in our community, and know of no other country than America. Some of them want to join the military, but because of their immigration status, they cannot.

Mr. Speaker, I believe that they should be allowed to join and given an opportunity to earn their citizenship by serving our country, their country, in the military.

ENVIRONMENTAL ISSUES SHOULD BE A TOP PRIORITY

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, I rise today in advance of the Forward on Climate Rally this Sunday here in Washington, D.C., to support the thousands of people en route to this town right now and to urge this Congress to keep environmental issues among our top priorities.

As President Obama stressed in his State of the Union address earlier this week, there is an undeniable trend of warmer climates and a rise in the fre-

quency of natural disasters which cause devastation across this Nation.

We are headed in the wrong direction, and we need serious action to protect our planet. We can fight global warming while still growing our economy. We can do it by investing in clean, renewable resources like wind and solar with equipment produced right here in the United States of America.

By dealing seriously with environmental issues, we can boost our economy, decrease our reliance on foreign oil, and leave a better world for our children. These should be our top priorities as Members of Congress, as citizens, and as parents, and it is time these issues receive the attention that they deserve.

FEDERAL LAND GRABBING OF UTAH

(Mr. STEWART asked and was given permission to address the House for 1 minute.)

Mr. STEWART. Today I rise in defense of the people of Utah as I introduce the Utah Land Sovereignty Act, a bill that will prohibit the establishment of national monuments in Utah except by the express authorization of Congress.

More than 60 percent of the State is controlled by the Federal Government. This is not uncommon in western States. And now we know that President Obama intends to use the Antiquities Act to further extend these Federal landgrabs.

Recently, the former Secretary of the Interior suggested and encouraged him to do this. This is another example of the arrogance of the Federal Government and their cavalier attitude towards those of us in western States.

It's time for the President to realize that Federal landgrabs have real consequences for real people.

TERRELL BENTON, JR.

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, I rise to honor the 50 years that Terrell W. Benton, Jr., has served as a member of the State Bar of Georgia.

Terrell Benton earned both undergraduate and law degrees from the University of Georgia and, as one colleague put it, is "the very model of what a lawyer should be."

Terrell Benton believes that all deserve effective representation in our courts. That may be common today, but in 1964, my daddy's first year on the bench, not everybody felt that way. In that year, Terrell defended a black man the State was trying to put to death for killing a white man. He was convicted of the crime he committed, but he was spared the death penalty thanks to Terrell. That would have been no small feat for the most accomplished lawyer in that time and place, but considering that Terrell was just 1 year out of law school made it all the more remarkable.

Today, Terrell is general counsel to three school districts and serves on a host of civic boards.

I know I speak for lawyers everywhere when I thank Terrell Benton for his commitment to equal justice for all and for his 50 years of service to our profession.

THE PATH TO PROSPERITY IS STILL ACHIEVABLE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, during Tuesday night's State of the Union address, the President spoke to the American people, and Michael Gerson in yesterday's Washington Post has judged "it was a pervasive lack of substance and seriousness."

Four years ago this month, the President explained that the deficit was unsustainable, but then proceeded to triple the deficit, putting American families at risk. Sadly, his words do not reflect his actions.

House Republicans recognize the urgency in putting our fiscal house back in order. Over \$16 trillion in national debt is irresponsible. Not only does it threaten senior citizens with the value of the dollar, it places an undue burden on future generations at risk for higher taxes, and it destroys job creation due to economic uncertainty.

The path to prosperity is still achievable. Now is the time for the President to change course and work with Congress to secure solutions enabling small businesses to create jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

□ 0910

ACHIEVING THE REPUBLICAN POLICY OF SEQUESTER

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, we are on the brink of achieving the Republican

policy of sequester. Why do I say it's the Republican policy?

Because on July 19 of 2011, 229 Republicans voted for their Cut, Cap, and Balance bill, which said that the alternative to cutting spending in a rational way would be the irrational imposition of sequester, which cuts across the board irrespective of priorities. It's the wrong thing to do. It will hurt America. It will hurt our economy. It will hurt the growth in jobs.

I am here to tell you, if Democrats were in charge of the House of Representatives, that sequester would not happen; but we've been here 6 weeks, and not a single piece of legislation has been brought to this floor by the majority to stop sequestration from happening, to substitute a rational fiscal policy for an irrational one.

So when sequester hits, as unfortunately as it may, as tragically as it may, as unacceptably as it may, the American people need to know this is Republican policy included in legislation for which 98 percent of them voted on July 19, 2011.

COUNTERING A NUCLEAR NORTH KOREA

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Mr. Speaker, North Korea's nuclear test earlier this week signals an increasingly dangerous and defiant stance that the United States and our allies must confront and defeat.

The resolution before the House today condemns the North Korean Government's flagrant and repeated violations of multiple United Nations Security Council resolutions and condemns its repeated provocations that threaten international peace and stability. I urge my colleagues to support this resolution.

I must add that the constraints we face in countering a nuclear North Korea highlight the urgent need to prevent Iran from obtaining nuclear weapons capabilities. Iran already exports murder around the world, props up illegitimate regimes like Bashir al-Assad in Syria and supports and sponsors terrorist organizations like Hezbollah and Hamas. Imagine what Iran would do when acting under the umbrella of a nuclear deterrent.

The United States already faces in North Korea one outlaw regime with nuclear weapons. We cannot allow a second outlaw regime to join them.

NATIONAL ENGINEERS WEEK

(Mrs. NEGRETE McLEOD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. NEGRETE McLEOD. Mr. Speaker, today I rise in support of a resolu-

tion authored by Mr. LIPINSKI of Illinois honoring National Engineers Week.

In his State of the Union address, the President emphasized the importance of educating students in the sciences, technology, engineering, and math fields so that they are prepared for the high-tech and high-paying jobs of the future.

STEM education is vital for the economic growth of my district and for the Nation. Just last month, a new report found that in the past 11 years high-tech jobs in my district and in the surrounding areas have grown by 18.6 percent. Many of these jobs are requiring engineers and students who pursue STEM education.

Yet while most parents of school-aged students believe that STEM education should be a priority in the United States, only half agree that it is actually a top priority. That is why I ask my colleagues to support the celebration of National Engineers Week in order to raise awareness of STEM education and its importance to our country's economic future.

EMPORIA STATE UNIVERSITY

(Mr. HUELSKAMP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUELSKAMP. Mr. Speaker, I rise today to recognize the 150th anniversary of the founding of Emporia State University in Emporia, Kansas.

Founded on this very day in 1863, with a mission of providing outstanding educators for the State of Kansas, Emporia State is much recognized to this day for its outstanding teachers college. One-third of the degrees earned each year at Emporia State are graduate degrees—the highest rate of any university in Kansas.

Today, I join more than 5,900 current students and 75,000 alumni in congratulating Emporia State University on their first 150 years, and I wish them the very best in the next 150 years.

VOTING RIGHTS ACT CHALLENGE

(Mr. SCOTT of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Speaker, our right to vote is the very foundation of our democracy. In passing the Voting Rights Act, Congress relied on an extensive record of discrimination in voting.

Section 5 is one of the act's most important provisions. It requires covered jurisdictions to submit planned changes in their election laws to Federal officials and judges for prior approval. The areas covered by section 5 were covered the old-fashioned way—they earned it—by implementing poll

taxes, literacy tests, gerrymandered election districts, and other schemes.

If the Supreme Court invalidates section 5 in its upcoming decision in *Shelby County v. Holder*, it would essentially allow jurisdictions with a history of discrimination to implement any discriminatory voter scheme and to then place the burden on the victims to raise the money to bring a lawsuit and to, meanwhile, suffer under the discriminatory scheme until the Court rules. Then, without section 5, those same jurisdictions could create another scheme and repeat the whole process.

Mr. Speaker, at a time when America has staked so much of its international reputation on the need to spread democracy around the world, we must ensure its vitality here at home and preserve section 5 of the Voting Rights Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

CONDEMNING NORTH KOREAN NUCLEAR TEST

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 65) condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 65

Whereas, on February 12, 2013, North Korea exploded a nuclear device;

Whereas reports indicate that the nuclear test was apparently more powerful than North Korea's previous tests in 2006 and 2009;

Whereas North Korea's nuclear test, and its recent ballistic missile test, are violations of United Nations Security Council Resolution 1695 (2006), Resolution 1718 (2006), Resolution 1874 (2009), and Resolution 2087 (2013);

Whereas North Korea's ballistic missile program poses a threat to United States allies and interests in the Asia Pacific region;

Whereas North Korea's ballistic missile program has demonstrated an increasing ability to reach the United States, and could constitute a grave threat to the security of the American people;

Whereas North Korea has violated the July 27, 1953, Armistice Agreement that ended the Korean War, and has since committed

unprovoked acts of war against South Korea by sinking the warship *Cheonan*, killing 46 of her crew, and by attacking civilian targets on the island of Yeongpyeong, killing four residents, among many other willful violations and outrages;

Whereas the Government of North Korea has been implicated repeatedly in the illicit laundering of monetary instruments, in international narcotics trafficking, and in the counterfeiting of United States currency and intellectual property;

Whereas North Korea has demonstrated a willingness and ability to proliferate its ballistic and nuclear technology to a variety of countries, including Iran and Syria, both United States designated state sponsors of terrorism;

Whereas the Government of North Korea commits gross human rights violations against the North Korean people, including maintaining a system of gulags that imprison thousands of citizens, and policies that have resulted in starvation deaths of over 2,000,000 people; and

Whereas the Government of North Korea has repeatedly violated its commitments to the complete, verifiable, and irreversible dismantlement of its nuclear weapons program, including the Agreed Framework of 1994, the Joint Statement of September 19, 2005, and the agreement of February 13, 2007: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device;

(2) expresses solidarity with the people of North Korea who suffer severe oppression, denial of basic human rights and political liberties, and material deprivation;

(3) reaffirms the commitment of the United States to its alliances with Japan and South Korea, which are critical for the preservation of peace and stability in Northeast Asia and throughout the region;

(4) calls upon the People's Republic of China, North Korea's closest ally and trading partner, to pressure North Korean leaders to curtail their provocative behavior, abandon and dismantle their nuclear and missile programs through the curtailing of vital economic support and trade to North Korea that support the Government of North Korea, and comply with all relevant international agreements and United Nations Security Council and International Atomic Energy Agency resolutions;

(5) calls on the People's Republic of China to take immediate actions to prevent the transshipment of illicit technology, military equipment, and dual-use items through its territory, waters, and airspace that could be used in North Korea's nuclear weapons and ballistic missile programs; and

(6) calls on the United States Government—

(A) to apply all available sanctions on North Korea, cooperate with United States allies and other countries to impose additional sanctions on North Korea, and secure a new United Nations Security Council resolution imposing stronger sanctions;

(B) to utilize aggressively the range of available legal authorities and resources to defend United States interests against North Korean illicit activities; and

(C) to support the President's commitment to strengthen the United States ballistic

missile defense system to protect the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

What I want to share with the body is that, on February 12 of 2013, North Korea successfully carried out a nuclear test—a test in flagrant violation of numerous international sanctions and of numerous agreements that North Korea has made in the past.

This test, which is the third time that North Korea has exploded a nuclear device, is a stark reminder that Kim Jong Un is determined to develop his nuclear arsenal while depriving North Koreans of their most basic human rights. When I say their “most basic human rights,” we had an opportunity to speak with the former propaganda minister of North Korea, who told us that 1.9 million North Koreans starved while this regime, in violating every agreement it had made with the international community, plowed forward with a plan to develop nuclear weapons.

North Korea has literally spent billions on its nuclear and its three-stage ICBM program, and that is all money that could have provided enough food to feed this country for years. If you've ever been in North Korea, you've seen that the children there are malnourished. As a matter of fact, up to 50 percent of the children are so malnourished that it is estimated that it's going to affect their future development and their ability to really think conceptually because of the degree of deprivation there.

In the meantime, it also continues to build up its military. This week's test comes only 2 months after the launch of a North Korean intercontinental missile, leaving no doubt in my mind that decades of fruitless negotiations, frankly, have been a failure.

North Korea is a pariah state that has attacked its neighbors many times. Just last month, Ranking Member ELIOT ENGEL of New York and I had the opportunity to visit the wreckage of the South Korean naval vessel *Cheonan*, and there we saw the evidence where 46 South Korean sailors lost their lives in 2011—victim to a North Korean torpedo that was fired at

that ship. I cannot imagine the anguish that this despicable act has caused for so many of those parents of those young sailors in South Korea.

□ 0920

The shared sacrifice that South Koreans and Americans have endured as a result of North Korean aggression is a sacred, inseparable bond between our two peoples. This resolution appropriately stands by South Korea and Japan, our allies in northeast Asia.

As North Korea continues to disregard international norms, it's important for this House to speak out, but we must do more. In the coming weeks, I will introduce legislation that targets North Korea's ability to access hard currency.

In my conversations with President Lee Myung-bak of South Korea and President-elect Park Geun-hye, I have always stressed the importance of targeted sanctions so that we can bring about change inside North Korea. When dictators cannot pay their generals, they cannot test nuclear weapons and launch missiles. This was an important lesson of the financial sanctions we put on Banco Delta Asia and other banks in the past that have dealt with the North Korean regime's; and, as a result of that imposition at the time, it brought to a halt the ability of the North Korean regime to pay its generals.

Mr. Speaker, America's policy on North Korea has been a bipartisan failure. We can no longer just hope that North Korea is going to give up its weapons in exchange for aid. It is time we come together to hold this regime responsible for all the pain and suffering that it has caused, and do so by imposing this access to hard currency restriction. I cannot envision a scenario where Kim Jong Un voluntarily gives up the one weapon that, frankly, keeps his dynasty in power.

Reports indicate that North Korea's nuclear program is getting more powerful and its missiles are flying further. If North Korea is allowed to continue down this path, frankly, we all lose. The time to act is now.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume.

I rise in strong support of H. Res. 65, as amended. I would like to thank our chairman of the Foreign Affairs Committee, Mr. ROYCE, for his leadership in addressing the threat posed by North Korea. I'm proud to be the lead Democratic cosponsor of this resolution. I believe it's very important for the House to speak with a strong bipartisan voice in condemning North Korea's recent nuclear test.

This test was an unnecessary provocation that raises tensions in northeast Asia and poses a threat to the national security of the United States and our

allies in the region. The test also violates numerous U.N. Security Council resolutions, and I urge the Security Council to promptly pass a new resolution with additional sanctions to punish the North Korean regime.

In particular, I call on China and Russia to work constructively with other members of the Security Council to show the world that the world is united in opposing North Korea's unacceptable behavior. I recently traveled to Asia with Chairman ROYCE, and this is one of the key issues we discussed with senior Chinese leaders. China must do more. They're the ones that can rein in North Korea. They must do so, and they must do so immediately.

The North Korean regime must understand that the development of ballistic missiles and nuclear weapons will never make it a strong and prosperous nation. Instead of wasting millions of dollars on these weapons of mass destruction, it should focus on feeding its own impoverished people.

I have visited North Korea, the capital of North Korea, Pyongyang, on two occasions, and I can tell you that the North Korean regime would do better to help its own people, give them the things that they deserve, rather than spend its time and money on exploding nuclear devices in violation of what the international community believes. The new young dictator of North Korea, Kim Jong Un, must understand that the United States and our allies will not stand idly by and allow them to continuously violate what the international community thinks is acceptable.

I agree with Chairman ROYCE that for too long they have played this game. They have talked and talked and gone on and gone on and nothing has really been done, and they continue to violate international law. Unfortunately, Iran is playing the same game, and we cannot allow that to happen either—Iran getting a nuclear weapon.

So given the threat posed by North Korea, the United States must remain vigilant and further strengthen cooperation with our allies of South Korea and Japan. As the chairman said, we were in South Korea just a few days ago and we saw the evidence of provocation, of North Korea torpedoing a ship from South Korea, killing 50-some-odd members of the military of South Korea in an unprovoked attack. This is an outlaw regime, and it really must be handled properly.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I just want to take a moment and thank Mr. ENGEL for the forceful leadership that he gave us on this issue as we were meeting with the Governments of China and Japan and South Korea.

Mr. Speaker, I would now yield 2 minutes to the gentlelady from Florida

(Ms. ROS-LEHTINEN), chairman of the Foreign Affairs Subcommittee on the Middle East and North Africa and our chairman emeritus, who has been very engaged on North Korea policy.

Ms. ROS-LEHTINEN. I thank our esteemed chairman of the House Foreign Affairs Committee, as well as our ranking member, my good friend, Mr. ENGEL of New York.

Mr. Speaker, I rise in strong support of this resolution, authored by Mr. ROYCE and Mr. ENGEL, condemning North Korea for its most recent nuclear test.

Kim Jong Un, like his father and his grandfather before him, continues to thumb his nose at the United States, at South Korea, and Japan—indeed, the international community as a whole—by flagrantly violating U.N. Security Council resolutions. Pyongyang continues to pursue its goals of nuclear armament while leaving its citizens malnourished, starving, and suffering from diseases.

Without an appropriate response, North Korea will continue to launch rockets, as it did this past December, will continue to conduct nuclear tests, and will continue to undermine U.S. national security interests, as well as threaten our allies in the region. It is clear that North Korea is not now, nor has it ever been, an honest broker and has never lived up to its international obligations.

The time for engagement has long since passed, Mr. Speaker. Kim Jong Un has made his priorities clear: to obtain a nuclear weapon and to support, finance, and equip rogue regimes such as Iran and Syria. Such support to these state sponsors of terrorism should be more than enough for us in the United States to redesignate North Korea on the terrorist list.

I introduced a bipartisan bill earlier this week, the North Korea Sanctions and Diplomatic Nonrecognition Act of 2013, that would do exactly that. This is a critical moment for our allies in Asia, and the United States must reaffirm our unwavering support to our allies, South Korea and Japan.

I urge my colleagues to join us in condemning North Korea for its repeated provocations and violations of U.N. Security Council resolutions.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROYCE. I yield the gentlelady an additional minute.

Ms. ROS-LEHTINEN. I thank the gentleman for the time.

So, therefore, I call upon the administration to take appropriate action necessary and stand in solidarity with our South Korean and Japanese allies as they continue to live under the increasing threat of a nuclear North Korea.

I thank the chairman and the ranking member for their leadership on this issue, and our Foreign Affairs Committee will continue to pursue this terrible, vexing problem doggedly.

Mr. ENGEL. Mr. Speaker, in closing, I just want to say that we can hear that Members on both sides of the aisle are speaking with one voice in unison, and I urge, again, the Congress to speak on a bipartisan basis to say that this is not acceptable and that we condemn in the strongest possible terms what North Korea has done.

I yield back the balance of my time.

Mr. ROYCE. If I might yield, Mr. Speaker, 2 minutes to the gentleman from Ohio (Mr. CHABOT), chairman of the Foreign Affairs Subcommittee on Asia and the Pacific.

□ 0930

Mr. CHABOT. I'd like to add my voice to thanking the leadership, Chairman ROYCE, Ranking Member ENGEL, and former full chair, Ms. ROSELEHTINEN, for their leadership on this very important issue.

I rise in strong support of this resolution condemning the actions of a pariah state and its dictatorial leader for brazenly violating international sanctions, multiple United Nations Security Council resolutions, and repeatedly threatening the peace and stability of the Korean Peninsula.

North Korea's test of a nuclear bomb on February 12, following its test of a ballistic missile in December, was a clear indication that it is continuing its quest for the ability to threaten the United States, South Korea, and other neighbors in the region.

It has become evident that the current international sanctions are not working, but rather, emboldening Pyongyang to expand its arsenal and proliferate nuclear and ballistic technologies to dangerous allies in the Middle East.

This resolution is only the first step in an effort to cripple the North Korean regime's ability to carry on with its illicit nuclear activities. I look forward to working with Chairman ROYCE and my colleagues on additional legislation that puts in place much tougher and more effective sanctions to sever Kim Jong Un's ability to threaten the international community.

Mr. Speaker, the long-suffering people of North Korea are starving and being deprived of the most basic of human rights while their latest dictator squanders the nation's precious resources and threatens his neighbors and the surrounding region. The civilized world must take notice and take action.

I thank the chairman for his leadership on this issue, and I urge support of the resolution.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to urge my colleagues to support this resolution condemning North Korea's nuclear test. This threat, I would point out, is not just a threat to Northeast Asia; it's a global threat that demands our attention.

North Korea has demonstrated a willingness—in the past they've demonstrated a clear ability to proliferate nuclear and missile technology. We think about their proliferation to countries, nuclear proliferation to Syria. We think about their nuclear technology and their missile technologies for proliferation to Iran.

We cannot wait for the next nuclear test, Mr. Speaker, or the news that North Korea has successfully miniaturized a nuclear weapon. We already saw the statement that this was a smaller nuclear weapon in the past. We saw the official KCNA news outlet for the North Korean regime make the statement that their target for their ICBM program was the United States.

Lastly, many of us remember the video that came out last week, that very odd video that shows a North Korean sleeping, dreaming about an ICBM attack. The ICBM is launched. It ends up following the curvature of the Earth and hitting New York City in this video with that very odd background music playing. But it just shows an attitude.

I think that we cannot stand idle and tell ourselves that further sanctions have no prospect of success, especially when we saw how effective, for that brief period of time where the Treasury Department was so concerned about the counterfeiting of \$100 bills that they actually forced deployment of those financial sanctions on those institutions which the North Koreans used in order to have access to hard currency.

We saw, at that time, the result and the protest from North Korea, and the result inside North Korea when there was not the money to pay the military or carry out the types of programs that they do in terms of their missile and nuclear testing.

So it's time to be honest with the American people that, frankly, our current North Korean policy is not working. It hasn't worked for a long time. Going forward, we need to move away from that failed North Korean policy to one with energy and creativity and focus. And I think we need to learn from what worked in the past until, unfortunately, those sanctions were lifted shortly after they were deployed because of the protests from North Korea.

So let's tackle North Korea's illicit activities, its missile and drug proliferation, where, between that and its counterfeit currency program, that's how it gets close to 50 percent of its hard currency. This regime will do anything for money, obviously. As South Koreans will tell you, it's a gangster regime.

But let's interfere with those shipments. Let's disrupt the bank accounts that are used. Let's ramp up the radio broadcasts into the country, where there is evidence the information wall

is cracking. Thirty-seven percent of those people that flee the regime today say they're listening to broadcasts or they're accessing information that is telling them about what's happening in the outside world and what's really going on in their own country. And that's the kind of information we have to get into this regime.

Let's help the refugees who are literally dying to escape the prison above the 38th parallel. Weakening the regime is the only way to make the Korean Peninsula secure. So we must come together and do whatever is necessary to deprive Kim Jong Un of his nuclear weapons.

I yield back the balance of my time.

Mr. PASCARELL. Mr. Speaker, I rise today in strong support of H. Res. 65 and I strongly condemn the most recent North Korea nuclear weapons test.

It is unacceptable that the North Korean regime continues to ignore repeated calls from the United Nations Security Council and the international community to halt its pursuit of nuclear weapons. Despite repeated overtures from the international community, the North Korean regime continues to blatantly ignore all attempts to create a permanent peace on the Korean Peninsula.

By conducting this nuclear weapons test, the North Korean regime has decided to brazenly disregard the Agreed Framework of 1994, the Joint Statement of September 19, 2005, the Agreement of February 13, 2007, and four United Nations Security Council resolutions. On February 12, 2013 the United Nations Security Council met again and unanimously condemned the North Korean regimes most recent nuclear weapons test.

This most recent test threatens to destabilize the entirety of Northeast Asia and is a direct threat to U.S. national security. That is why I encourage President Obama and the international community to take swift action against this irresponsible and dangerous behavior. I support new and stronger sanctions against North Korea to show that we mean business. We cannot simply continue to expand previously passed sanctions—they are not working.

My heart goes out to the people of North Korea. On a daily basis, the North Korean people are subject to countless violations of their human rights including forced labor, starvation and wrongful imprisonment. Ignoring the plight of their own people, the North Korean regime would rather continue to isolate themselves, instead of reengage the international community to find meaningful and commonsense solutions. It is my hope that for the sake of their starving people, that the North Korean regime will halt any additional nuclear weapons tests.

Mr. Speaker, as the proud Representative of one of the largest Korean American populations in the country, many of whom fear for the safety of their friends and family abroad, I urge my colleagues to support this vital resolution. We must not stand idly by as North Korea continues to threaten U.S. national security and our friends and allies in the region.

Mr. HOLT. Mr. Speaker, all of us condemn this reckless, provocative nuclear test by North

Korea. North Korea's pursuit of a nuclear capability is destabilizing and not in the interest of the people of that nation, who suffer daily under one of the worst dictatorships the world has seen.

Yet even as we condemn this test and seek to prevent future ones, we must not make the mistake of believing—as this resolution asserts—that supporting more money for a ballistic missile defense system is the answer. America has wasted literally tens of billions of dollars since the 1980s in pursuit of a ballistic missile shield that is not technically feasible and is viewed as destabilizing by our international partners, especially Russia. While I support this resolution's condemnation of North Korea's test, I do not support its call for spending more money on a failed missile defense effort.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H. Res. 65 and to thank Representatives ROYCE, ENGEL and ROS-LEHTINEN for their leadership on this important issue and for working together to bring this bipartisan resolution to the floor today. H. Res. 65 condemns the government of North Korea for its flagrant and repeated violations of multiple U.N. Security Council resolutions, for its repeated provocations that threaten international peace and for its test of a nuclear device on February 12, 2013.

Since 2006, the U.N. Security Council has passed three resolutions condemning North Korea for its illegal missile tests, most recently the resolution passed last month. Then, on Tuesday, in further defiance of U.N. resolutions, the North Korean government detonated an underground nuclear device. Taken together, these events are clear indications of North Korea's flagrant disregard for international law, regional stability and for the welfare of its own people.

Instead of feeding the millions of North Koreans who are starving, the government chooses to squander what little resources it possesses on an illegal nuclear weapons program. Its actions are reckless and dangerous and the international community cannot stand by silently as it continues to oppress its people to deny their human rights and political liberties and to permit them to suffer material deprivation just so that they can pursue a nuclear weapons program at their expense.

I stand with my colleagues in condemnation of the government of North Korea for its reckless disregard for international law, for threat its actions pose to the stability of the region and for its contempt for the welfare of its own people. And I call on China, as a party of the Six-Party Talks and the closest ally of North Korea, to use its considerable influence to encourage the North Koreans to abandon their illegal nuclear weapons program.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 65, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ELIMINATION OF 2013 PAY ADJUSTMENT

Mr. ISSA. Mr. Speaker, pursuant to House Resolution 66, I call up the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 66, the bill is considered read.

The text of the bill is as follows:

H.R. 273

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIMINATION OF 2013 PAY ADJUSTMENT.

(a) IN GENERAL.—Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111-242; 5 U.S.C. 5303 note), as amended by section 114(a) of the Continuing Appropriations Resolution, 2013 (Public Law 112-175; 126 Stat. 1316), is amended—

(1) in subsection (b)(1), by striking the matter after “ending on” and before “shall be made” and inserting “December 31, 2013,”; and

(2) in subsection (c), by striking the matter after “ending on” and before “no senior executive” and inserting “December 31, 2013.”.

(b) ELIMINATION OF DELAYED ADJUSTMENT.—Section 114(b) of the Continuing Appropriations Resolution, 2013 is repealed.

The SPEAKER pro tempore. The gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 273 and to include extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Good-paying, full-time jobs should not be limited to those fortunate enough to work for the Federal Government.

At a time when hardworking American taxpayers are struggling to find work and keep their heads above water, the Federal Government offers its workforce sufficient and generous pay and job security. This is not to imply that they're overpaid. This is not to imply that they're overcompensated. That's a discussion for another day.

But certainly, at a time in which the American people saw their household

income drop by \$4,000, that has not happened in the Federal workforce. Year after year, the Federal workforce has received step increases and other pay increases. And with the exception of a relatively limited pay freeze done under President Obama's executive order, they, in fact, have received consistent pay increases and their benefits have been maintained.

At this time, we are faced with sequestration. Sequestration for our men and women in uniform means aircraft do not fly, ships do not get maintained, and, yes, furloughs may very well happen. To avoid furloughs, to avoid arbitrarily cutting the most junior individuals or stripping away our military's ability to protect us, it is a small price to pay to, consistent with the President's previous pay freeze, to hold pay increases of Federal employees for one more year.

□ 0940

It is my sincere hope that, working together, we will both resolve the budget shortfalls and get America working again over the next year. But at a time when most—a great many—of the average Federal workers make more than their private sector counterparts, when a great many make more than \$100,000 a year, at a time in which Members of Congress, appropriately, have frozen their own pay year after year, it is a price that we have the authority—and we ask the Federal workforce to agree with us that in fact this is a year not to raise the pay of Federal workers. Last year, we spent \$11 billion on non-merit pay increases for Federal workers. It's the right time to say no increases other than those specifically deemed by specific merits under statute are important.

My colleagues on the other side of the aisle will not agree with this, I have no doubt. But let me say one thing. I know that Mr. CUMMINGS and I do agree that we have to find viable alternatives to stripping away the capability of our military to maintain our safety. We have to find viable alternatives to cutting the important work on medicines and other lifesaving Federal programs that in fact our seniors and all of our citizens rely on. We could do this today, or we could cut the National Institutes of Health. We could do this today, or we could park two or three of our aircraft carriers and lay off the crews. I don't think the other side has any question that a viable alternative to those kinds of across-the-board cuts are clearly important.

So I ask the minority to join with me today in realizing that this is not what we want to do. This is what we need to do if we're going to prevent arbitrary cuts that in fact will touch Americans, in many cases, in all the wrong ways.

I reserve the balance of my time.

Mr. CUMMINGS. I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to H.R. 273. Given the many critical challenges our Nation faces, I and many of my colleagues hope that the 113th Congress would bring a new era of shared purpose that would enable us to work together to grow the Nation's economy, create jobs, and invest in our country's future. There are only 5 legislative days, Mr. Speaker, left before the across-the-board cuts required by sequestration will take effect. Rather than seeking solutions to the urgent challenges we face, our Republican friends are wasting 2 days simply renewing their attacks on middle class, hardworking Federal employees.

H.R. 273 has one purpose: it would extend the current freeze on Federal employees' pay for a third consecutive year. Mr. Speaker, Federal workers—the same Federal workers who care for our veterans, the same ones that clean our offices, the same ones that find cures to devastating diseases at NIH, the same ones that secure our borders, the same ones that regulate our drug supply—have already contributed more than \$100 billion towards reducing the deficit and funding unemployment benefits for millions of American workers. No other group of Americans has contributed more to reducing the deficit. No other group has contributed more to ensuring our government remains strong. No other group has worked harder to ensure we're securing our Nation from threats. No other group has worked harder to provide the services on which our fellow citizens depend.

If H.R. 273 becomes law, the same middle class, hardworking workers would be required to contribute another \$11 billion towards deficit reduction, for a staggering total of nearly \$115 billion. These are the same workers who have had their pay frozen for years. And these are the same workers who are now facing the very real threat of furloughs and layoffs if Congress fails to resolve sequestration by March 1. It's estimated that 1 million employees will suffer furlough days. The administration estimates that the arbitrary across-the-board budget cuts for Federal agencies that would be required under sequestration will result in the furlough of, again, a million employees.

We are at a tipping point in our Nation. The American people have re-elected President Obama and voted in favor of policies that will support continued growth, create new and expanded job opportunities, and ensure the safety and health of our great Nation. However, here in the House, the voters are not being heard, and we continue to waste time considering measures that will only make our fellow Americans less financially secure, less secure in their health care, less secure in their children's education, and less secure in their jobs.

One of the arguments that we consistently hear is that we need certainty. People need to know exactly what is going to happen in their lives. We've heard that argument over and over and over again. Yet when it comes to Federal employees, we leave them in the lurch, not knowing how much the next paycheck will be. At the same time, House Republicans have refused to consider asking the richest among us to contribute a dime more. And that's one of the most painful things about this entire thing. A lot of times when I'm interviewing people to come to our staff, a lot of them tell me, Congressman, we don't mind not taking paychecks from the private sector because we want to do good for the public sector. And they say that they want to simply feed their souls. They want to do something significant. They want to affect broad groups of people. But yet this is what they get.

We could have spent today considering a proposal to eliminate tax breaks used by oil and gas companies and hedge fund managers. We could have spent today considering a limit to itemized deductions for the wealthiest Americans. Instead, House Republicans continue to return to the same hardworking middle class American workers over and over and over again.

The problem is that these repeated cuts will impair the ability of the government to carry out its mission and service to the American people. Social Security is located in my district, and I have seen and talked to our Social Security employees, as they are my neighbors. And they tell me that they have seen cut after cut with regard to employees. And now you've got people who once had three people doing a job, now there's one. And the cuts continue. They don't mind working, they don't mind sacrifices. But they said that if you're going to make us sacrifice, then let's have some equal sacrificing from people who can afford the cuts.

As President Obama has emphasized, "our economy succeeds and our economy grows when everybody's getting a fair shot and everybody's getting a fair shake." I urge my colleagues to move beyond this partisan agenda of denigrating our Nation's public servants and join together to address the real issues Americans elected us to solve.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

The loyal opposition is entitled to their opinion but they're not entitled to their facts. Let's go through some facts.

The ranking member may not remember January 1. I know it was a long time ago—over a month. On January 1, with the President's blessing and insistence, we raised the taxes on the highest income producers and on family businesses by 5 percent on their ordinary income and by 5 percent on

their capital gains. Capital gains would be a 33 percent increase, from 15 to 20 percent.

These were not small increases. These were huge. I didn't vote for them. My ranking member did. I didn't vote for them because in fact the President deliberately said, Oh, no, we're not going to touch anything else in taxes, except to stick it to the rich. And he did. And this body did. That was a decision. But I hope my ranking member will remember that a month ago and a few days we had a huge tax increase—of the President's choosing.

□ 0950

It had been offered up by Republicans to work together to find loopholes, but that was rejected in favor of a stick-it-to-the-rich tax increase that he chose.

There was \$500 billion worth of revenue that would have been generated per year—\$5 trillion over 10 years—if the President had been willing to go back to Bill Clinton-level taxes on all. He was not. So it is the height of hypocrisy to come in 30 days—actually, in about 1 day—and begin talking about the next round of tax increases on a relatively limited group of our population, the 1 percent or 3 percent, and in fact start reducing their ability to have working capital for new oil exploration, for new natural gas exploration, the things that the President, just a few days ago, standing in front of where you are today, lauded as great. We're becoming oil self-sufficient. We are natural gas self-sufficient. We are, in fact, able to move to cleaner fuels for our energy.

But let's break something else down. My opponent—and I keep saying opponent, he's my ranking member, but he is the loyal opposition here—he talks about \$100 billion. I think we need to break it down. That's \$100 billion over 10 years. It's not even \$10 billion in the first year. His \$100 billion of sacrifices, many of those sacrifices won't even occur because people aren't going to necessarily be here for all 10 years, because next year or the year after, this Congress might be able to increase pay to make up for what we have to hold back this year. We may have that good time and good employment and good ability to do that, and I would join with the Member to try to find that way.

But the fact is what actually is being asked to be given up by the typical Federal worker—the one that the President is calling such a huge sacrifice—is \$274 per employee per year.

With that, I yield 5 minutes to the gentleman from Florida (Mr. ROSS), who has been a leader on this issue and who understands the hardworking men and women of the Federal workforce and why this is necessary.

Mr. ROSS. Mr. Chairman, I thank you for your efforts and leadership on this particular issue.

Mr. Speaker, at a time when our country is more than \$16 trillion in debt, I rise today in support of H.R. 273 and in support of my colleague from Florida's efforts to hold the Federal Government more accountable to taxpayers.

As a former chair of the Oversight and Government Reform Subcommittee on the Federal Workforce, I held hearings about the discrepancies in compensation and benefits between Federal employees and private sector employees. And it's interesting to see what we found out. For example, the Congressional Budget Office found that the total compensation for Federal employees was 16 percent greater than that for the private sector employees. The CBO has also reported that Federal employee benefits were 48 percent more costly than the private sector employees' benefits.

As a former small business owner, I'm shocked to learn how serious these discrepancies truly are. In the private sector, I've had the responsibility to make a payroll, balance my budget, and reduce spending during difficult economic times. At a time when our children and our grandchildren are funding the Federal Government with a credit card, Members of Congress have a responsibility to make the tough choices and reduce spending. That is why, during my time as chairman, I oversaw 2 years of Federal pay freezes.

However, these Federal pay freezes were not my idea. In fact, it was a bipartisan idea. The President, in his Simpson-Bowles Commission on Fiscal Responsibility, recommended a 3-year pay freeze for Federal employees. As a proponent of the Simpson-Bowles plan, I am happy that the House will be following through today on this recommendation.

Our talented Federal workforce performs exceptional duties critical to the effective day-to-day operation and functioning of our government. However, the government must also examine every area of its budget during these difficult economic times in order to become more accountable to taxpayers.

Just so we're clear, this legislation also freezes pay for Members of Congress—that's right, Members of Congress, including my own—for the remainder of the year. If we are asking families of the Federal workforce to bear some of this burden and to live within their means, so should we, as Members of Congress, do the same.

With that in mind, Mr. Speaker, I ask my colleagues to join me in supporting this bipartisan Bowles-Simpson recommendation and vote "yes" on the bill.

Mr. CUMMINGS. Mr. Speaker, the Republicans keep citing the Simpson-Bowles Commission in support of the bill. The Simpson-Bowles Commission was a comprehensive deficit-reduction

proposal that called for shared sacrifice from all groups of Americans. I see only one group of Americans being asked to sacrifice in this bill, and that's Federal employees.

The studies conducted by the Congressional Budget Office, the American Enterprise Institute, and the Heritage Foundation rely upon U.S. Census Bureau's current population survey, which consists of self-reported data from surveys of households. This data is not as reliable as the data tracked by the Bureau of Labor Statistics, which is used by the President's Pay Agent to set the annual Federal pay adjustments.

I now yield 2 minutes to the distinguished gentlelady from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank my friend from Maryland for yielding.

In furtherance of a point he was making, you can cite different studies on this question, so let me cite the authoritative study, the Federal Salary Council, 2012, a finding that Federal employees were paid nearly 35 percent less than employees in similar occupations in the private sector. This study was compiled by experts in labor relations and pay policies, and it used data from the Bureau of Labor Statistics.

Federal employees have not asked for a pass, but there is no way to justify singling them out as a solitary target alone, repeatedly picked out and picked on for cuts, apart from the rest of the Federal budget.

Three years of frozen pay is a punishing cut in pay. Yet our Federal workforce—although much smaller than it was 25 years ago—is so efficient that they are serving millions more here and abroad. Each of these hard-working civil servants, the best educated and most specialized public employees in the country, either themselves perform essential services the country cannot do without, or render vital support for these services.

The majority has graduated from demonizing Federal employees; they now want their pay. They don't have the support from the country to cut Federal pay, so for 3 years they have found a backdoor way to do exactly that with never-ending pay freezes.

Mr. Speaker, if enough was ever enough, enough freezes is enough this year.

Mr. ISSA. Mr. Speaker, I'd now like to yield 5 minutes to the gentleman from Florida (Mr. DESANTIS), a member of the committee and a newcomer, but not someone who hasn't watched this play out time and time again as people call \$274 a catastrophe for the Federal workforce.

Mr. DESANTIS. Thank you, Mr. Chairman, for your leadership on this issue.

Mr. Speaker, we must change the way this government spends money. We have to be responsible with the

money that the government makes our citizens send to Washington, D.C. Taxpayers deserve our best efforts to put our Nation on a sustainable fiscal path.

Now, this bill represents a small, but commonsense, measure that will save taxpayers \$11 billion. It reverses the President's executive order at the end of last year which provides an automatic pay increase for nonmilitary Federal employees, the Vice President, and members of the President's Cabinet.

□ 1000

It also extends the freeze on pay for Members of Congress through the rest of the calendar year. This policy, as has been pointed out by some of my colleagues, implements one of the recommendations of the bipartisan Simpson-Bowles Commission. Many government employees do great work. Forestalling an automatic pay increase is not a reflection on their work, but simply recognizes our current fiscal reality and the fact that government salaries must bear some relationship to the private sector salaries that support them.

It should be stressed that this is a modest measure. This does not prevent pay increases based on promotion or longevity or bonuses for Federal employees from their agencies. Indeed, during the last 2 years when this freeze has been implemented, the average Federal salary increased by an average of \$3,328, while the average private sector employee saw an increase of just \$1,404—if she was even lucky enough to have a job at all.

I hope this body will make decisions in the coming weeks that will put the Federal Government on a path to a budget that will reach balance within the next 10 years. If we can get our fiscal situation stabilized, we can lay a foundation for robust economic growth and private sector job creation which will benefit employees of all stripes, government and private alike.

Mr. CUMMINGS. I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I thank the gentleman from Maryland for yielding.

Mr. Speaker, I want to get away from the abstract here about studies that talk about who's making what. I've got three VA facilities in my district: the Brockton VA Hospital, the Jamaica Plain Veterans Hospital and the West Roxbury Veterans Hospital. I spend a lot of time at the VA. Earlier this week, I had a chance to go through and talk to a lot of my VA folks: the nurses, the docs, the therapists, the nursing assistants, and the orderlies.

Right now, we are trying to deal with the traumatic brain injury and PTSD issue at the VA, which is increasingly pernicious. We've got a lot of folks who are doing a lot of tours in Iraq and Afghanistan coming home, four, five, six

tours of duty, and they've got problems. So we're relying on our folks at the VA to take care of our sons and daughters who are coming home, and they're hurting.

Well, I just want to talk about one young woman who is a nursing assistant down in Brockton at the VA. She's a GS-3. That's who we're talking about. We're going to freeze her pay for the 3rd year in a row. And she is trying her hardest to take care of our veterans. She's a GS-3 under the system. She makes \$27,322 a year. That's what that young woman makes. She's a nursing assistant. She's working in a psychiatric ward trying to take care of our sons and daughters who are coming home who need help, and we're freezing her pay by this bill. I'm talking about real people doing real work for brave Americans.

This is a disgrace. This is an absolute disgrace that we're doing this. I thought that maybe after the President's election and the new Congress coming in we'd get by this stuff. It is just disheartening to see this thing go on. This is the 3rd year in a row that this young lady's pay is going to be frozen. Not only that, but we don't have enough folks coming into the VA system because we're keeping the wages down. We can't compete with the private hospitals that are paying a lot more money. The docs at the private hospitals in my district, and I've got a bunch of them, the nurses and the therapists, they're all making a lot more money than the folks at the VA. And we're driving down the wages of these people and not taking care of them.

I don't want to point out the stuff about the pay for Congress. We ought to have our pay frozen. I have voted six times to freeze Congress' pay since I've been here in Congress, and we should do that. We shouldn't do it for a few months, like this bill does. We should freeze it right through the end of the Congress, because we should lead by example. I really believe that. We should freeze congressional pay.

I have a bill here that will do that right through the end of the Congress. I know it doesn't make some of my colleagues happy and their spouses happy, but I think it's something we ought to do. So let's get away from this stuff, beating up Federal employees. Let's try to do the right thing. It's an honorable thing, public service. We ought to take care of our folks at the VA. Don't freeze their pay.

I ask my friends across the aisle to please join with me in voting against this measure.

Mr. ISSA. Mr. Speaker, I said earlier, and now I have to repeat it, the other side is entitled to their opinion but not their facts.

Mr. Speaker, that's the number. Almost half a million out of 2 million of our Federal workforce receive over

\$100,000, but the gentleman from Massachusetts chose to pick a GS-3. Okay, fine. This is an entry-level, unskilled position. But let's understand something. It still pays better than the minimum wage job that you're hoping to get in some cases, and it pays more than an awful lot of jobs out there. As a matter of fact, it pays about the average for somebody who has no special skills coming in. But we won't even debate that. We won't debate any of that.

Let's have the facts, the truth. That woman receives a step increase every year. She has gotten a pay increase every year, like the rest of most of the workforce. As a 3 level, she's getting a step increase. So to say that she didn't get a pay raise is just not true. If my colleague from Massachusetts were better informed, he would have said that himself rather than leaving that fact out of the pay raise that was achieved, because step increases occur even during pay freezes.

With that, I will yield 5 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the chairman in bringing this forward and the comments that have been had.

Mr. Speaker, I rise to support this legislation because I believe the American people have had enough hypocrisy. This is not about Federal workers. This is about financial reality. This is what we've got to look at right now. What I have told my staff, and I have told many in our district too many times that we cannot let the emotion of the moment miss the honesty of the moment.

Last month, many Americans saw their own paychecks decrease as a result of a payroll tax increase. While average Americans were feeling the effects of this tax increase at home, the President was pushing through a pay raise for Federal employees and, yes, including Members of Congress.

There are hardworking men and women in my district who are struggling to make ends meet. They would love a raise, but, unlike the administration, they don't have the power to unilaterally take taxpayer dollars and increase their own paycheck. Instead, they have sacrificed, made cuts, and they've gotten rid of the extras in their daily lives and found ways to live within their means.

They have done these things using a process that the President could learn from. Families across the State of Georgia and across the Nation sit down and decide their priorities, and they make tough decisions on how to spend their money. I cannot support the government taking on more debt to give raises to Members of Congress and the Federal employees at this time.

I submitted an amendment on this to Rules Committee extending this pay freeze through the end of next year.

I'm glad to see my friend from across the aisle from Massachusetts would agree with me on that, because I believe we need to resolve this issue and move forward with serious reforms to address our Nation's fiscal crisis. Just as millions of Americans have done for their entire lives, Washington needs to learn to make do.

America does not need pay raises for bureaucrats. They need real leadership. They need real reform and a real commitment to putting our country back on a path of prosperity. American taxpayers deserve no less.

Mr. CUMMINGS. Mr. Speaker, Mr. LYNCH mentioned a nurse taking care of veterans. I just want to say that it's not about somebody being unskilled. She's taking care of some folks who have served us and need skillful workers, and \$27,000, I don't know whether anybody has looked at daycare here lately, but just daycare can cost you \$27,000.

Mr. ISSA. Will the gentleman yield for a question?

Mr. CUMMINGS. I don't have much time, unless you're going to give me some time. If you give me some time, I'd be happy to yield. I've got a number of speakers.

Mr. ISSA. I'll wait.

Mr. CUMMINGS. I yield 2 minutes to my distinguished colleague, the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, I thank my friend from Maryland for yielding.

I rise today in strong opposition to H.R. 273, a deeply flawed bill that punishes all Federal workers across the Nation by not even allowing them to have a half of a percent salary increase.

Once again, the majority is showing America that they do not care about the suffering of middle class Federal employees after they have already accepted a 2-year pay freeze and a freeze on retirees' cost-of-living adjustments.

□ 1010

Federal employees are intelligence analysts who defend America's borders; they are nurses and doctors who care for our veterans; they are scientists who conduct lifesaving research, which is producing remarkable results and generating new jobs across this country; and they provide countless other Federal services to all of our constituents.

It is wrong to intentionally target our Nation's best and brightest public servants by giving them good reason to quit their government job and move to the private sector.

My friends, the sad truth is that this bill is not really about deficit reduction. It is just the latest act in more bad political theater that does nothing to strengthen our economy.

My honorable colleague, Federal employees are my constituents and your constituents. They are hurting. We

should not be wasting time on political nonsense like this.

I urge my friends on both sides of the aisle to put our country before our politics. Let's defeat this reckless and unfair bill, and then let's sit down together to force a reasonable compromise that will reduce the deficit, avoid the sequester, and restore economic security for middle class families.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Speaker, again the facts speak louder than the rhetoric. The .4 percent is less than a quarter of the exit rate in the Federal workforce of the private sector, one of the reasons people in the private sector are fighting to figure out how to get a job that pays better. This is our exit in the public sector.

They're not leaving because they weren't paid enough. There's no draconian cuts.

Mr. CLAY. Will the gentleman yield?

Mr. ISSA. Not any more than your Member did.

The fact is this is the truth, and the facts speak louder. Only 22 percent of the Federal workforce believes that their pay is linked to performance. Of course the Federal workforce doesn't like not getting \$274 more for the remainder of this year. Neither do I.

Mr. CLAY. Will the gentleman yield?

Mr. ISSA. You'll have your time.

Mr. CLAY. I don't have time.

Mr. ISSA. The fact is we have a problem, and the problem is everyone wants to call a total of about \$1 billion of not increases as somehow draconian.

The .4 percent, they're not leaving the workforce. That's the important thing.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I would like to know how much time we have.

The SPEAKER pro tempore. The gentleman from Maryland has 15½ minutes remaining.

Mr. CUMMINGS. I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my friend from Maryland.

The distinguished chairman of this committee says that we're entitled to our opinions, but not our own facts while he calls upon our friend from Florida, a former member of our committee, who cherry-picks from the Simpson-Bowles committee, the same committee that said we need a \$4 trillion hit on the debt over the next 10 years and it has to be a balance between revenue and spending cuts. My friend from Florida and my friend from California fail to cite that fact. That's a fact.

The chairman just put up a sign talking about the exit rate in the Federal workforce. What he doesn't tell you is that 47 percent of the existing Federal workforce is eligible for retirement

over this next decade because of the baby boom demographic. How will we replace them, especially the higher-skilled set?

My friend from California, like me, came from the private sector before he came here. He was more successful than I. Very successful. I applaud him for that. But I would hope that in that success we don't lose sight of that GS-3 making \$27,000 a year serving our veterans at a veterans hospital.

It's easy when we don't suffer low wages to perhaps lose perspective about the real need, even in our Federal workforce. And at the higher end, the more we disparage our Federal workforce, the more we make it less attractive. The more we treat them like a piggy bank, the less attractive that service will be.

We are a far, far distance from when John Kennedy called Americans to public service because he saw it, as did so many of that generation, as a noble calling.

We haven't just asked for a few hundred dollars from every Federal worker. We have attempted or succeeded in freezing their wages 3 years in a row. Another fact that my friend from California, the distinguished chairman of our committee, conveniently does not point out is that we have done more than that, and we've attempted to do more than that. We've funded the payroll tax cut with \$15 billion of cuts for prospective Federal employees in the pension programs. We attempted for the first time ever—unheard of, no nexus—to fund transit in the transportation bill to the tune of \$50 billion in cuts from existing pension programs, breaking an existing contract. That's a fact too. Maybe an inconvenient one.

Federal workers deserve the dignity of the work they provide. Federal workers need to be respected for serving our constituents. The losers in this debate won't just be them; it will be the people they serve.

Mr. ISSA. Mr. Speaker, I yield 1 minute to myself.

It is the minority's job to find facts that, in fact, we may not have said. I appreciate them doing that rather than flinging opinions and statements about people's intent.

Mr. ROSS stood here, though, and he told us facts. And he has a bill, a Simpson-Bowles-type bill that is comprehensive. He isn't just here picking facts. He picked apart Simpson-Bowles and put together a comprehensive savings bill that, in fact, was modeled after Simpson-Bowles. If he were here, I would have given him time to say just that, because he's a leader in our Congress.

I reserve the balance of my time.

Mr. CUMMINGS. I yield just 1 minute to myself.

I just want to say, Mr. Speaker, I hope that our Members before they vote on this bill will take a moment

and talk to their own employees and find out why they're in Federal Government and why they really work for the government. That's all I want them to do. And I guarantee you nine out of 10 of them will say, because we love what we do, because we want to make a contribution.

With that, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. I rise in opposition to the bill.

I saw the movie "Zero Dark Thirty." In the movie, the woman, Maya, who is working for 10 years to find Osama bin Laden and the entire team, Maya's pay raise and pay has been frozen—and the team—for the last 10 years.

There's a scene in the movie—I don't want to ruin it if you haven't seen it—but seven CIA employees were killed in Khost, Afghanistan. I went to the memorial service in my congressional district in Langley where I watched the young kids. One little kid had a blazer on and khakis. I watched him come in. The team that replaced the team that was killed in Khost had a pay freeze for 3 years. The FBI agent who stopped that young boy from being killed down in Alabama and just ran up a Taliban terrorist up in California, pay raise? No. A freeze for 3 years.

Over the last 5 years, one ICE agent killed, one Secret Service agent killed, three ATF agents killed, one DEA agent killed, two U.S. Marshals killed, air traffic controllers that put the safety for my family and your family and our constituents as they fly through the sky, the NIH.

My family has been devastated by cancer. My father and mother died of cancer. Cancer has impacted my family. Dr. Collins mapped the human genome system that will save many of you and the lives of your sons and daughters because of basically following that system, working on liver cancer, prostate cancer, breast cancer, ovarian cancer, which my mom died of. You will drive people like that—Dr. Collins and his team will have been frozen for 3 years.

With regard to NASA, we just went through the 10th anniversary of the *Challenger* explosion. Those astronauts that sit on that rocket, those now and in the future, if you have NASA facilities in your district and they sit on that Soyuz rocket that goes up, they froze their pay for 3 years.

□ 1020

The firefighters out in the West who you'll call on and beg to come and fight when the storms come this summer—and they're coming—have been frozen. There's the Weather Service. For those of you from Florida and in the tornado area and in the hurricane area, the weathermen stay around the clock, working—frozen for 3 years. There was Border Patrol Agent Brian Terry and the people who worked with him, who

are on the border where violent gangs come across the border—frozen for 3 years. There is the DEA and others.

There are the doctors out at Walter Reed. If you go out and visit Walter Reed or go visit your VA hospitals, the doctors and the nurses who are working with the wounded warriors, people who have lost their limbs in Afghanistan and Iraq—frozen for 3 years.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman an additional 15 seconds.

Mr. WOLF. I recognize the good intentions of the gentleman in what they're trying to do. It's not justice and it's not fair. I urge a "no" vote for this bill.

Mr. ISSA. I yield myself just 1 minute.

I know the gentleman didn't mean to when he was talking about Maya, but he did say that her pay has been frozen for 10 years. I'm sure he meant 2 years and, if we enact this, a third year. Mr. WOLF is a dedicated servant of this country, but he did say a couple of things that I'd like to touch on.

First of all, when we talk about the men and women of Congress and when they say they do it for the right reasons—they do it because they care—we're doing it with 11.5 percent less money in the House on both sides of the aisle. So, in fact, in many cases, we're paying the same or less than we were paying before. We've made those cuts. The Federal workforce has not seen an 11.5 percent reduction in actual dollars spent, but our offices have made those cuts under the Speaker's leadership.

Lastly, I certainly believe when we talk about Walter Reed that we should include what the commander of Walter Reed told me on Monday of this week, and that was that he is now in the process of planning whom to let go.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. I yield myself an additional 15 seconds.

He, in fact, is in a situation—a commander there, a two-star—of dealing with the possibility of furloughing for a 20 percent reduction. With the number he has been given, he cannot possibly maintain the same level of care for those men and women—those wounded warriors and those veterans. It will be devastating if we do not find ways to deal with alternatives.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ISSA. I yield myself an additional 10 seconds.

I was at Walter Reed. Walter Reed has a problem, and this is a small part of the solution. Every man and woman at Walter Reed would rather have a pay freeze than, in fact, see people disappear from their rolls and not be able to service the needs of those people.

I reserve the balance of my time.

Mr. CUMMINGS. The gentleman talked about the employees on our committees taking a pay cut. That's true that they took a pay cut, and every single one of my employees who took a 5 percent pay cut—and sometimes a little bit more—said one thing to me: We don't mind sacrificing. We will. This was from every single one of them. But they said: Others have sacrificed, too.

With that, I yield 2 minutes to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. CUMMINGS, thank you very much.

We all talk about our heroes in this country, and there are some real ones. There are 103 names at the CIA—we don't talk much about CIA officers, FBI officers, State Department officers—who gave their lives. Benghazi, still fresh in our minds, brought the country to its knees in horror, in agony, in mourning. There are State Department officers who lost their lives, and we have the audacity to tell them that we're going to deny them—I don't care if it's \$1. At Camp Chapman, Afghanistan, six CIA officers and the chief of station were brutally murdered, and six were seriously injured.

I have the honor of being on the House Intelligence Committee. I've been to Camp Chapman. I've been to these forward operating bases. I've been to Africa. I've talked to these CIA officers who are putting their lives on the line every single minute of every day. They don't know when an attack is coming on them, and they don't know from which direction. Yet we're going to tell them that they should not get even a single dollar?

Shame. That's not what we should be about. That's never what we should be about.

If we can't put those who are protecting this country at the top of the list and understand, then shame on us. If we didn't understand this was in the bill, shame on us. If we did understand it was in the bill and if we did it anyhow, then even more shame on us. This is wrong and we should not do it.

Mr. ISSA. I yield myself such time as I may consume.

The gentleman from New Jersey is right. He is right when he said that we, in fact, have to make these tough decisions. This isn't freezing the pay of our men and women in uniform, and perhaps we should scrutinize in detail as to the station chiefs and the others in harm's way their combat pay, their special hazard pay and so on. We held a hearing on Benghazi, and we were very aware that, in fact, they weren't paid enough to die for their country needlessly because we didn't do the right thing. I have no doubt about it.

I represent Camp Pendleton. The Marines of Camp Pendleton—the First Marine Expeditionary Force—have de-

ployed more than anybody. They have been in Iraq, they have been in Afghanistan, and they have been on those FOBs. In fact, we need to make sure we support them. That's the reason we're looking for alternatives to sequestration every day, and we would love to have people on the other side of the aisle.

So, when we talk about the men and women in harm's way, it's not, in fact, those in the towers helping to get our planes safely landed, and it's not the people inspecting our food. We have to make tough choices, and I join with anyone who wants to make tough choices on behalf of those in harm's way. Let's remember that we are talking here of the vast majority. These are Federal civil servants who, in fact, are paid pretty darned well, who are not leaving, and we are asking for a small sacrifice.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time both sides have.

The SPEAKER pro tempore. The gentleman from Maryland has 6½ minutes. The gentleman from California has 9½ minutes.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

My good friend, the chairman of our committee, has several times talked about loyal opposition. I am not the loyal opposition. I am someone who believes in what I'm talking about, and I'm not standing here opposing legislation just to be opposing it because I'm a Democrat.

We have to put a human face on all of this. I live in an area in Baltimore where a lot of these employees who are making \$40,000, \$45,000 or less take the early bus, and they are the ones who believe in what they do. The Social Security Administration is smack dab in the middle of my district.

I think about the people who make \$100,000 or more, but we have to remember who those employees are. Many of them we see every day. These are employees who are highly skilled professionals, and I think Mr. WOLF and Mr. LOBIONDO talked about them. These are folks, such as doctors on staff at the Department of Veterans Affairs, who treat our wounded warriors. They're the lawyers at the Department of Justice and at the Securities and Exchange Commission, and we've heard their testimony before our committee. These are folks who deal with some very, very complex issues, and almost any law firm would be willing to pay them far more than what they are earning to work for the agencies for which they work. These are the folks who investigate and prosecute complex fraud and criminal cases. These are some of the most famous scientists in the world and air traffic controllers who help navigate our planes.

Just a few months ago, the ranking member and the chairman of the committee and I went to an awards ceremony at which Federal employees, who contribute so much to our society and who could earn far more than what they're earning, were getting awards for doing some very magnificent and awesome things.

□ 1030

I want to just spend some time on this one issue. It's not so much again that Federal employees don't mind sacrificing. They don't mind sacrificing. The question is will others sacrifice, too, those who are making far more money than they're making. But yet and still they're asked over and over and over again to pay more and more and more.

And so this is a very deep-felt situation with most of the people who have spoken—all of them. And as I listened to Mr. LOBIONDO and I listened to Mr. WOLF, what they were basically doing was making a case and reminding us that Federal employees go into the business of being our Federal employees because they want to make a difference.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. I yield myself 30 seconds.

Earlier there was a statement made about a nurse making \$27,000. After checking, we discovered that's a nurse's assistant. I think it is important to understand that a nurse at the Veterans Administration would make a lot more. A nursing assistant is paid a modest salary, \$27,000, plus probably another 10 or \$11,000 in direct benefits. It's still more than the national average for somebody with that skill level. It is still a steady job, and it still would have had a step increase.

With that, I reserve the balance of my time.

Mr. CUMMINGS. I yield 3 minutes to the gentleman from Maryland, a fellow Marylander, Mr. HOYER.

Mr. HOYER. Mr. President, Mr. Speaker, there is not time to debate in the time I have available how we determine Federal pay. I was a sponsor of the Federal Employee Pay Comparability Act which George Bush signed back in 1990. I know a little bit about this.

America is confronting a sequestration that will have a devastating impact on our economy, on every individual in America, and on international confidence in America's ability to manage itself. And what have we spent 2 days on? A quarter percent cap on cost-of-living adjustment for Federal employees. A quarter of a percent. Some of us in this body earn that in about 10 minutes. Not all of us, but some of us. Uh-huh.

Yet we fiddle while America faces a sequester burn. And sequester is Republican policy. July 19, 2011, Cut, Cap

and Balance brought to this floor; 98 percent of Republicans, 229, voted for it. What was the fallback position? Sequester, an irrational policy that cuts across the board irrespective of the priority. And so what does the majority in this Congress do? It has now wasted 2 weeks on debate of nickel-diming the people we rely on to protect our domestic safety, our international security, our food and drugs, our health care, our borders.

I join in the remarks of my good friend, FRANK WOLF. He and I have been here 32 years. We have some understanding of what is proper and not proper in terms of managing the government.

Now, the sponsor of this legislation has been here approximately 45 days—45 days—and he introduces a bill to cap, by a quarter of a percent, Federal employees. The animosity directed at our Federal employees is so great that we have now taken 2 weeks to try to diminish their pay and benefits—how sad—while the sequester looms 14 days from today, putting at risk, as I've said, America's economy, creation of American jobs, the sense of confidence in our country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield an additional 1 minute to the gentleman.

Mr. HOYER. I thank the gentleman.

And the perception around the world that America is a serious situation. How sad. How shameful.

The SPEAKER pro tempore. All time of the gentleman from Maryland (Mr. CUMMINGS) has expired.

Mr. ISSA. Mr. Speaker, I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from California has 9 minutes.

Mr. ISSA. I yield 2 minutes to the chairman of the Rules Committee, a person very knowledgeable of how this law that the President signed came to be passed.

Mr. SESSIONS. Mr. Speaker, I appreciate the chairman of the Committee on Oversight and Government Reform yielding me this time this morning.

Mr. Speaker, there is a lot being said about this deal that we're now engaged in, sequestration. But I believe, looking back, and I believed it at the time, that the people who engaged in the idea did this because they never really wanted to live up to it. They put forth an idea, the President of the United States, the White House, and our friends on the other side of the building, and some, I'm sure, on this side. They cut a deal to avoid the reality that the President of the United States was engaged in with us trying to resolve differences that we had about excessive spending.

The facts of the case are a deal was cut. This came directly out of the White House, and it was to avoid having to make a tough decision at the

time. And I don't know this—I wasn't in the meetings—but I'm sure it was something that they thought would never happen. That's not serious. When the President of the United States offers a compromise that was his idea and it's signed into law, that's law, and that's what we're counting on and that's what the American people count on.

We in this body, Republicans, stood by a deal that was cut. Now, I don't like the deal, but this House twice, the House of Representatives has twice passed a plan that says we think there's a better way to do it. There's been nothing that's been countered by the White House or by the Senate. We've not been engaged. The President of the United States is engaged in spinning, by traveling on Air Force One around the country, the ideas that don't help us solve the problem but that make matters worse.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. I yield an additional 15 seconds to the gentleman.

Mr. SESSIONS. I think what we did then was a tough decision, and I'm sorry to hear now that we're being blamed for accepting a compromise out of the White House. I know what's happening, and so do you, Mr. Speaker.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, the gentleman from Texas was right. The President signed sequestration; the President asked for sequestration; the President negotiated sequestration; and the President has had from this body alternatives to sequestration repeatedly. The minority in this body has not offered viable alternatives to sequestration. The Democratic majority in the Senate has done nothing to block sequestration.

Mr. HOYER. Will my friend yield on that point?

Mr. ISSA. I yield to the gentleman.

Mr. HOYER. Is the gentleman aware that 2 weeks ago and this week the majority has denied us the opportunity to offer an alternative?

Mr. ISSA. I'm not aware of that, but this is not a new bill. You've had alternatives in the past.

Mr. Speaker, I noticed that I was closing, and I do believe the other side is completely out of time; is that correct?

The SPEAKER pro tempore. All time of the gentleman from Maryland has expired.

Mr. ISSA. Thank you, Mr. Speaker.

As I close, I think it is important that we take Mr. HOYER's very words.

First of all, he said "Mr. President" before "Mr. Speaker," which got me to remind myself that the President is responsible for sequestration, something we're trying to avoid. The President has offered no viable alternative to sequestration. The President avoided \$5 trillion worth of new revenue because

he wanted to say he was only sticking it to the rich or, as Mr. HOYER would say, those people who earn more money in 10 minutes than this amount.

□ 1040

The thing that I want everyone to understand that the gentleman from Maryland said that is so right, this is only a quarter of a percent. He's right, this is a very small amount. It's \$1 billion total over the Federal workforce for the remainder of this fiscal year. And over the last 2 years, this is how much the increase has been: \$3,328 or about \$1,500, \$1,600 a year is how much the Federal workforce has got in a pay increase while they were under a freeze.

The reason it's only a quarter of a percent when you see about a 5 percent increase in the last 2 years in actual compensation is the Federal workforce system, Mr. Speaker, includes basically automatic step increases for the vast majority of employees, meaning so many people who talked about how this was being devastating are forgetting the fact that while the American worker got little or no pay increase, the American family saw a reduction in their actual revenue, the Federal workforce enjoyed 2½ percent increases while under a freeze. And, yes, Mr. Speaker, they will get another 2½ percent increase this year even though we forego this one-quarter percent automatic pay increase.

That's the amazing thing that can only happen here in Washington is people can come and talk about devastation, great sacrifice, a willingness to sacrifice, but not so much. Well, in fact, every year that dedicated employee, the GS-3 there as a nurse assistant, she got this kind of an increase year after year after year, even during a pay freeze.

We're not here to talk today about the dedicated men and women both in and out of uniform, but we have. And I want to commend all of those men and women who serve our country. But I want to commend them while saying that this is a small sacrifice. As Mr. HOYER said, as the whip, the Democratic whip, a representative of the party of the President, this third-year pay freeze called for initially by the President, in fact, is not an absence of increases—the increases are significant to anyone listening in America. These are real increases they're getting while we're foregoing in this bill a quarter of a percent.

So I want to thank the Democratic whip. He made it very, very clear that, in fact, this is miniscule. To him, \$1 billion, \$11 billion over 10 years, is not enough to even spend 2 days of the Congress on. And perhaps he's right; perhaps we should have done much more. Perhaps this small amount, this incredibly small amount, \$274 on an average employee for the remainder of this fiscal year, is too little to pick up.

But if it's too little to bother with, isn't it also too little to have so much opposition to? The fact is, and the facts are stubborn, this is a small reduction in what would otherwise be a significant increase that they're going to get anyway.

So, Mr. Speaker, as I urge my colleagues to vote for this, I remind them that we have asked for this time and time again, that the President has not seen fit to keep up his own request, the President has not, in fact, been aware or willing to deal with the rest of the increases. He takes credit for what you would call a small quarter percent reduction and calls it a freeze.

Well, the Federal workforce received a good compensation. The fact is when you go from \$69,000 for a typical or median income of Federal workers, to \$72,000 during the period of a pay freeze, it reminds me of a can of soda—that when you freeze it, it doesn't change, but the can ruptures because it has swelled.

We have increased the actual compensation, of payroll compensation, to the Federal workforce by an average of \$3,300 during a time in which the American people are told there's a freeze. And we will increase their pay an average of about \$1,600 during this freeze if it becomes law.

So, Mr. Speaker, this is small, as the whip said. It is so small that I call on the members of the loyal opposition to be the kind of Democratic Party that understands that this is so small that they certainly should vote for it. It is not a great sacrifice; it is a very small sacrifice. Every Federal worker eligible for step increases will see compensation increases, an average of \$1,600 this year, when we're only foregoing \$274.

At a time like this the President and Congress must face reality.

We cannot keep spending money that we do not have.

H.R. 273 stops an \$11 billion expense for non-merit based raises that has no business moving forward.

The economy is struggling, hard-working taxpayers are suffering—it is fundamentally wrong to reward government workers while everyone else is trying to make ends meet.

The idea of giving raises to government workers at a time like this highlights how out-of-touch Washington has become with the rest of the country.

The truth is government pay and classification systems, many designed in the 1940s, lack the flexibility needed to keep pace with the current work environment and demands.

That is why the President's top pay advisors continue to point to the need for reform.

The numbers don't lie. Once people get a government job, they rarely leave it.

The private sector quit rate is 4½ times higher than that of the federal sector.

Moving fully to a merit-based pay system would give agencies needed flexibility to use appropriated funds to better compensate our hardest working federal employees and attract those with critical skills.

The responsible conversation we should be having is about pay reform, not across-the-board raises with no measure of performance.

Simpson Bowles recommended a three year pay freeze.

Anyone who claims to be serious about reducing the debt and reigning in Washington's out-of-control spending could not in good conscience support this \$11 billion spending measure.

With that, I urge support for this bill, and I yield back the balance of my time.

Mr. LANGEVIN. Mr. Speaker, I rise today in opposition to this short-sighted, unnecessary, and ill-conceived bill. H.R. 273 imposes yet another pay freeze on federal employees, many of whom have not seen a cost of living adjustment in over two years. The men and women who have dedicated their careers to public service—the majority of whom earn middle-class wages—have already made sacrifices in pay and benefits totaling more than \$100 billion to help reduce our Nation's debt.

Federal employees in several sectors already earn less than their private-sector counterparts. These are the men and women who care for our veterans, keep our airplanes flying and ensure our food is safe to eat. They work in every Congressional district, from the Centers for Disease Control in Atlanta to the Department of Veterans Affairs in Providence. In fact, 85 percent of federal employees live outside of the Washington, DC, area, with 18,000 located in my home state of Rhode Island.

Not only does this bill prevent hard-working federal employees from receiving a modest pay adjustment in an attempt to keep pace with the rising cost of living, it sends the unfortunate message to bright young people that they will not be valued if they choose a career in public service. At this time of national crisis, when we are facing so many challenges, we should be encouraging the brightest minds in the country to help solve these problems.

I support and have cosponsored the bill introduced by Mr. CUMMINGS and Mr. CONNOLLY to extend the pay freeze for members of Congress. But just because I do not believe this body deserves a pay raise does not mean we must also punish the talented men and women who have dedicated their careers to supporting the United States of America.

It's time to get serious about moving this country forward. We only have five legislative days left until automatic budget cuts go into effect, costing us a projected 750,000 jobs this year alone and threatening to plunge our economy back into a recession. Instead of dealing with the looming sequester, House Republicans have us voting on a bill that has no chance of passing the Senate, and then sending us home for a week-long recess.

I have already co-signed a letter urging Speaker BOEHNER to keep members in Washington until we have averted the impending across-the-board spending cuts and put our budget on a fiscally sustainable path. I repeat that message again today: Mr. Speaker, it is time to stop with these phony messaging bills and get to work.

I urge my colleagues to join me in rejecting this unnecessary bill and bringing up legislation that will actually address our immediate fiscal problems. Our constituents are counting on us to act, and we must not let them down.

Mr. BLUMENAUER. Mr. Speaker, it is extraordinarily frustrating for me that we have spent all week avoiding opportunities to make progress on areas on which we agree to avoid or minimize the effects of the sequester meat axe and instead singled out, again, our federal employees.

Suffice it to say, making them a repeated target is unfair, unproductive, and avoids the hard decisions we should be tackling.

Mr. CONYERS. Mr. Speaker, I rise today to oppose H.R. 273. This legislation is wrong-headed, unnecessarily antagonistic to federal workers, and it creates consequences which will be felt much longer than the 0.5 percent pay raise due to Federal employees starting in April.

There are multiple problems with this legislation—here are a few that anyone can understand:

First, federal employees have contributed their fair share to reduce our deficit and debt. Through the pay freeze and increased contributions to their pensions, they have cut \$103 billion over ten years—that is roughly \$50,000 per employee. The 0.5 percent increase in their pay that they have been given after two years of stagnant wages only costs \$11 billion over ten years. That is not what is driving our nation's National debt.

Second, federal employees have not only seen their wages stagnate, they have also seen their compensation—their wages and benefits—go down, even as the private sector has seen wage growth of 3.3 percent and compensation growth of 4.1 percent.

Third, the proposed savings H.R. 273 promises are likely to never be realized. The best federal employees will leave for greener pastures, and the most qualified candidates will seek opportunities elsewhere. The deficit reduction this bill promises will require increased training in the short term and may lead to a less efficient, and therefore more expensive Federal government for decades to come.

I oppose this bill, H.R. 273, because our country simply cannot afford to drive our best federal employees out of our country's service.

Instead, I have cosponsored and I urge the passage of a bill offered by Mr. CONNOLLY of Virginia, which freezes Members of Congress' pay at current levels. I do not want a pay raise; I do not need a pay raise. However, our federal employees have paid far more than their fair share and do not deserve this additional unnecessary and punitive treatment from this Congress. I urge my colleagues to oppose the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in opposition to H.R. 273, a bill that would extend the pay freeze on federal employees' salaries for the third consecutive year. By bringing H.R. 273 to the floor for a vote, House Republicans have once again singled out federal employees and their families as they look to place the burden of reducing the deficit squarely on the backs of middle class families.

Like their private-sector counterparts, federal employees are subject to the same economic trends as any other worker in America. Federal employees have families just as their counterparts in the private sector, and have the same responsibilities to provide for them. With federal employees currently under a pay

freeze for the past two years, it would be unfair to ask for continued sacrifice from only this select group of middle-income workers.

Federal employees have already contributed \$103 billion toward reducing our deficit through a series of pay freezes and reductions in benefits. The critical role of federal employees is often overlooked, and demanding further cuts to pay and benefits will diminish our ability to deliver on this government's promise to protect the American people.

Mr. Speaker, I am not opposed to reining in wasteful government spending. However, I am opposed to continually placing an undue burden on federal workers to make up for wasteful spending in other areas of the federal budget. If we are serious about addressing our budget deficits, this Congress should focus more on passing a comprehensive budget that reflects shared sacrifices by all Americans.

Mr. WAXMAN. Mr. Speaker, I rise in strong opposition to this latest attack on federal workers.

H.R. 273 is not a responsible approach to deficit reduction.

Federal employees have already been asked to make significant sacrifices to help reduce our debt. So far, they have contributed \$103 billion toward deficit reduction through pay freezes and changes to retirement benefits. And, we have yet to take into account the prospect of furloughs and layoffs should the ill-advised, across the board cuts mandated by the Budget Control Act take effect in March.

H.R. 273 would freeze federal employees' salaries for the third consecutive year, forcing federal workers to forego an additional \$15 billion in pay over the next decade even though study after study has shown that federal employees actually earn less than their private sector counterparts when factors such as skill and education level are taken into account.

H.R. 273 is not a serious attempt to address the budget deficit. The \$15 billion it would raise represents barely a fraction of projected deficits over the next decade. True deficit reduction will need to be balanced and sacrifice will need to be shared.

H.R. 273 is also shortsighted policy.

The federal government should not be an employer of last resort. Our citizens depend on our ability to recruit the most qualified individuals to treat our wounded veterans, inspect our food, oversee nuclear power plants, protect us from terrorism, and provide a broad range of other critical services. H.R. 273 is yet another attempt by the Republican Majority to find a scapegoat for the deficit that shields the wealthiest individuals and corporations from making any kind of contribution. While this legislation would do virtually nothing to improve our budget outlook, it would force more economic harm on our dedicated federal workers and have a devastating long-term effect on the quality of government services and operations.

I urge my colleagues to vote against this legislation.

Mrs. ROBY. Mr. Speaker, I rise today in support of H.R. 273, a bill that would prevent the President's pay hike for federal workers and Members of Congress.

H.R. 273 is a good bill that deserves our support. In a time of historic budget difficulty, the bill rightly seeks to limit federal spending on the government workforce. The bill also

recognizes what the American People know to be true: too many private sector employees remain without work during this protracted period of high unemployment. I will vote in support of H.R. 273 later today.

While this legislation is a step in the right direction, we should go further to prevent excessive spending by also suspending the automatic step increases that federal employees will continue to receive even if H.R. 273 is enacted into law.

I have been disappointed that over the past two years of the President's so-called "freeze" on federal pay, federal employees have continued to receive step increases. According to the Office of Personnel Management, these increases have resulted in a median pay increase of approximately \$3,164 per federal employee—all during the so-called pay freeze.

These step increases are not based on merit, and there are serious flaws with this system. For example, all employees in the Government Service pay plan who completed their "waiting period" received a three percent raise in pay during this period.

Mr. Speaker, do private sector workers receive a three percent salary increase for simply completing a "waiting period?"

No, of course not.

During this time, salaries in the private sector only increased by \$1,404, less than half of what federal salaries gained on average, according to the Bureau of Labor Statistics.

If the President is going to say he is freezing pay, he must do exactly that—freeze pay. Anything less is a budget gimmick that creates only the illusion of savings.

Last Congress I worked to stop budget loopholes like this in a bill I introduced, the Honest Budget Act. Working with the Senate, I aimed to enact changes that would bring more honesty and transparency to budgeting process. I authored an amendment to H.R. 273 based on the provisions of the Honest Budget Act, but unfortunately this chamber is not able to consider it today under the closed procedural rule for H.R. 273. I intend to continue to pursue the issue later this year.

Since I've been in Congress, we have fought to reduce excessive spending to get our nation's deficits under control. We've enjoyed successes, but we have also seen firsthand the tricks of trade—gimmicks used to distort the truth and hide new spending. Soon I will be re-introducing the Honest Budget Act in the 113th Congress, and I ask my colleagues to join me in this fight for honesty and accountability in the budget.

A budget is a plan for the future and a financial report to the stockholders of the company—in this case, the American people. I am convinced that we can do better in the future.

Ms. BONAMICI. Mr. Speaker, I rise in opposition to H.R. 273 because it once forces middle class workers to bear the burden of Congress's inability to come together and solve our fiscal woes.

This bill would result in a freeze on federal civilian employee pay for a third consecutive year by repealing the modest 0.5 percent increase scheduled to take effect next month. This miniscule raise would be their first since 2010, despite the fact that inflation has increased by 5.3 percent in that same time period.

These federal employees are hard-working people who deserve to be treated fairly for all they give in service to our constituents. They are the hotshot crews that fight our wildfires every summer. They are seismologists who will warn us about an approaching tsunami. They are the inspectors who ensure the safety of our food supply. They are the air traffic controllers who keep us safe when we fly. They are the VA doctors and nurses who treat our war veterans. And they are the officers who protect our borders, our airports, and our nuclear facilities.

At the same time, this bill asks nothing of the companies whose government contracts may award hundreds of thousands of dollars in salary per employee. And despite the protests of the bill's supporters, it does nothing to freeze pay for Members of Congress—that pay freeze, which I support, is already in effect.

This bill is just another political game that does nothing to meaningfully reduce spending or get our debt under control. I have said it before and I'll say it again: We've been governing by crisis for far too long. It's time to rally around common sense. It's time to take a seat at the bargaining table. This bill will not get us there, and it's time we all stop pretending that it will. I urge my colleagues to join me in opposing H.R. 273.

Mr. RUIZ. Mr. Speaker, today I had to make the difficult decision of voting for a pay raise for myself or against continuing a pay freeze for federal workers. I voted for H.R. 273 because although I believe it is unfair to balance the budget on the backs of hard working middle-class families, I could not accept a pay raise for myself. I recognize the critical contributions federal employees make every day to the health and well-being of our country and I thank them for their service. I am honored to serve the people of California's 36th Congressional District and I will continue to work to do the right thing for my district and to ensure that the American dream is attainable for everyone.

Mr. VAN HOLLEN. Mr. Speaker, this legislation is nothing more than an attempt to penalize hardworking federal employees who are doing our nation's business. I support extending the freeze on Congressional pay, but there is no reason we should block federal civil servants from receiving a partial COLA of a 1/2 of 1 percent.

Federal workers have already contributed \$103 billion toward lowering our deficit through pay freezes and increases in their retirement contributions. A full pay freeze for a third year in a row would take another \$11 billion out of the pockets of these dedicated public servants.

And let's be clear: this bill does not cut spending by one dime because it does not change the overall spending caps. As a result, these dollars will be spent elsewhere in the budget. So while this bill does nothing to reduce the deficit, it does punish people doing essential work for our country. It punishes: Nurses caring for our wounded warriors; the FBI agents who helped rescue the young boy in Alabama; air traffic controllers who keep our skies safe to fly; scientists doing lifesaving medical research; meat and food inspectors who keep our food safe; the individuals who

helped get the intelligence to track down Osama bin Laden; and the individuals who keep our border safe, ensure Social Security payments arrive on time, and so many others who do the work of America.

All that is bad enough. At the same time, this bill does nothing to avoid the hit to the economy and jobs that will begin on March 1, just over two weeks from today.

I want everyone to remember two numbers. First, 750,000. That is the number of jobs that will be lost between March 1 and the end of the year if we don't stop the sequester. This number doesn't come from me; it comes from the nonpartisan, independent Congressional Budget Office, CBO.

That job loss is equal to wiping out all the job gains from October 1 of last year through last month—5 months—of job gains. Additionally, the sequester will cut economic growth this year one-third. So, we should prevent this needless action from taking place. And House Democrats have repeatedly offered a plan to do so.

The second number to remember is 4. That is the number of times Democrats have tried to get a vote on our plan to replace the sequester with the same amount of long term deficit reduction without hurting jobs or the economy. Our Republicans colleagues have not lifted a finger in the 113th Congress to prevent these impending job losses.

In fact, Tea Party Republicans like Senator RAND PAUL are cheering for this job cleaver to come down.

Our plan would replace the \$120 billion sequester for the remainder of the year, with an equal amount of long-term deficit reduction without harming jobs and disrupting the economy.

The key elements of our plan are as follows: cut direct payment subsidies to agribusiness by \$29 billion; cut Big Oil tax subsidies by \$38 billion; implement the Buffet Rule, which brings in \$54 billion in revenue. That totals \$121 billion of offsetting deficit reduction that won't hurt the economy or kill jobs.

So instead of penalizing hard working federal employees, let's focus on preventing the loss of 750,000 American jobs and let's pass the Stop the Sequester Job Loss Act now.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 66, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ISSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. SESSIONS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 15

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on any legislative day from Friday, February 15, 2013, through Thursday, February 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 25, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Friday, February 15, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 25, 2013, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CUMMINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Concurrent Resolution 15 will be followed by 5-minute votes on passage of H.R. 273, and the motion to suspend the rules on House Resolution 65.

The vote was taken by electronic device, and there were—yeas 222, nays 190, not voting 19, as follows:

[Roll No. 43]

YEAS—222

Aderholt	Bridenstine	Cole
Alexander	Brooks (AL)	Collins (GA)
Amash	Brooks (IN)	Collins (NY)
Amodel	Broun (GA)	Conaway
Bachmann	Buchanan	Cook
Bachus	Bucshon	Cotton
Barletta	Burgess	Cramer
Barr	Calvert	Crawford
Barton	Camp	Crenshaw
Benishek	Campbell	Daines
Bentivolio	Cantor	Davis, Rodney
Bilirakis	Capito	Dent
Bishop (UT)	Carter	DeSantis
Black	Cassidy	DesJarlais
Blackburn	Chabot	Diaz-Balart
Bonner	Chaffetz	Duffy
Boustany	Coble	Duncan (SC)
Brady (TX)	Coffman	Duncan (TN)

Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn

NAYS—190

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Ciilline
Clarke
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley

Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi

Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)

Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Viscosky
Walz
Wasserman
Schultz
Waters
Watt
 Waxman
Welch
Wilson (FL)

NOT VOTING—19

Bishop (GA)
Cárdenas
Culberson
Davis, Danny
DeLauro
Denham
Esty

Farr
Frankel (FL)
Gallego
Gutiérrez
Hinojosa
Holt
Hurt

Jackson Lee
Rush
Schock
Yarmuth
Young (AK)

□ 1107

Messrs. RYAN of Ohio and FITZPATRICK changed their vote from “yea” to “nay.”

Messrs. LANCE, WHITFIELD, CHAFFETZ, and Ms. GRANGER changed their vote from “nay” to “yea.”

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 43, had I been present, I would have voted “yea.”

Mr. HURT. I was not present for rollcall vote No. 43. Had I been present, I would have voted “yea.”

Stated against:

Mr. GALLEGO. Mr. Speaker, on rollcall No. 43, I was meeting with constituents from District 23 and arrived in the Chamber just as the vote was closed. Had I been present, I would have voted “nay.”

ELIMINATION OF 2013 PAY ADJUSTMENT

The SPEAKER pro tempore (Mr. YODER). The unfinished business is the vote on passage of the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 154, not voting 16, as follows:

[Roll No. 44]

YEAS—261

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Black
Blackburn
Bonner
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Daines
Davis, Rodney
DeFazio
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
Loeb sack
Lofgren
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes

Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—154

Andrews
Bass

Beatty
Becerra

Bishop (NY)
Bishop (UT)

Blumenauer
Bonamici
Brady (PA)
Brooks (AL)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
DeGette
Delaney
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Fattah
Forbes
Fudge
Gabbard
Grayson
Grijalva
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Hoyer

Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
LoBiondo
Lowenthal
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney
Carolyn
Marino
Markay
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meeks
Meng
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascarell
Pastor (AZ)
Payne

Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Price (NC)
Rangel
Richmond
Rigell
Roybal-Allard
Ruppersberger
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swallow (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf

NOT VOTING—16

Bishop (GA)
Culberson
Davis, Danny
DeLauro
Esty
Farr

Frankel (FL)
Gutierrez
Horsford
Jackson Lee
Quigley
Rush

Schock
Speier
Yarmuth
Young (AK)

□ 1118

Ms. ESHOO and Mr. BEN RAY LUJÁN of New Mexico changed their vote from “yea” to “nay.”

Mr. GARCIA changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HORSFORD. Mr. Speaker, on rollcall No. 44 I was unavoidably detained. Had I been present, I would have voted “nay.”

Mr. YOUNG of Alaska. Mr. Speaker, on rollcall No. 44 I was unavoidably detained. Had I been present, I would have voted “nay.”

CONDEMNING NORTH KOREAN NUCLEAR TEST

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 65) condemning the Government of North Korea for its flagrant and repeated violations of

multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 2, not voting 17, as follows:

[Roll No. 45]

YEAS—412

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishak
Bentivolio
Bera (CA)
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
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Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)

Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Dimes
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
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Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Fudge
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Gallego
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Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
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Hahn
Hall
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Hastings (FL)
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Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
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Lofgren
Long
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Marchant
Marino
Markay
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
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Nugent

Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
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Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Walz
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin

Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
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Southernland
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Swallow (CA)
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Thompson (CA)
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Tsongas
Upton
Valadao
Van Hollen
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Velázquez
Visclosky
Wagner
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Walorski
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Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—2

Amash

Massie

NOT VOTING—17

Bishop (GA)
Culberson
Davis, Danny
DeLauro
Esty
Farr

Frankel (FL)
Gutierrez
Jackson Lee
Larson (CT)
Quigley
Rush

Schock
Speier
Turner
Yarmuth
Young (AK)

□ 1126

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on February 15, 2013, I was not present for rollcall vote 45. If I had been present for this vote, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for one vote on February 13, 2013 and votes today. I would like the record to show that had I been present, I would have voted "yea" on rollcall vote 40, "nay" on rollcall votes 43 and 44, and "yea" on rollcall vote 45.

PERSONAL EXPLANATION

Ms. SPEIER. Mr. Speaker, I was unfortunately unable to cast a vote on rollcall No. 44 and rollcall No. 45 on February 15, 2013. On rollcall No. 44 I would have voted "nay." H.R. 273 would extend the current pay freeze for federal workers by another nine months. Continued freezes, budget cuts to agencies, and ideological attacks on federal workers undermine the federal government's ability to recruit and hire a talented and high-skilled workforce while bringing us no closer to a responsible approach to deficit reduction. The men and women who have dedicated their careers to public service already have made sacrifices in pay and benefits totaling more than \$100 billion to help reduce our nation's debt. On rollcall No. 45, H. Res. 65 condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device, I would have voted "yea."

MOMENT OF SILENCE IN MEMORY
OF FORMER CONGRESSWOMAN
CARDISS COLLINS

(Mr. RANGEL asked and was given permission to address the House for 1 minute.)

Mr. RANGEL. Mr. Speaker, I rise today to ask my colleagues to acknowledge the life and the legacy of the late Congresswoman Cardiss Collins.

Congresswoman Collins was the first African American woman to represent a Midwestern district in this Congress. During her more than 20 years in service here, she boldly represented the Seventh Congressional District of Illinois after the untimely death of her husband, Congressman George Collins. She also led her peers with distinction as the chair of the Congressional Black Caucus.

Now I ask, Mr. Speaker, for all of my colleagues to join me in a moment of silence to honor Congresswoman Cardiss Collins.

THE STATE OF THE UNION
ADDRESS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Tuesday, the President

stated, "with renewed confidence," the "state of our Union is stronger."

I know that the President would certainly like that to be the case, but I wonder: Is the confidence stronger for the more than 22 million unemployed and underemployed Americans and their family members who remain struggling to make ends meet?

Mr. Speaker, is the confidence of Americans renewed when they fill their gas tanks and oil tanks with fuel at record-high costs?

Mr. Speaker, is their confidence renewed when the most recent economic data show America's economy shrinking for the first time in 3½ years?

The challenges facing the Nation do require smart solutions, but unlike the President, I believe smart solutions mean smarter government, not bigger government. They mean a greater emphasis on promoting individual freedoms, lower taxes, and fewer regulations in order to grow jobs and opportunities for those struggling and searching for greater opportunity. They mean fewer restrictions on accessing energy under Federal lands, which can dramatically increase domestic supply and lower energy costs for all. These are among the solutions we need.

THE SAFE CLIMATE CAUCUS

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker and my colleagues, today, 22 Members of the House have banded together to create a Safe Climate Caucus to end the conspiracy of silence in this House of Representatives about the dangers of climate change and the Republican denial of its existence and their rejection of the science.

We are committing to talk every single day on the House floor about the urgent need to address climate change. President Obama is leading the way. He says we must respond to climate change because to do otherwise would be to betray our children and future generations.

We are ready to get to work. We understand the threat facing our children, and we know our Nation has the know-how and the ingenuity to avoid the worst impacts of climate change, but to do so, we must act now.

TRUCKERS AGAINST TRAFFICKING

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Mike, a truck driver, pulled over at a rest stop. He noticed a young girl approaching multiple trucks. The girl, who was clearly under age, came up to his cab and offered him sex for money.

She seemed scared, and he asked her a few questions. She told him that, if she did not bring in enough money for her trafficker, the beatings by him would get worse.

Thank goodness she had the courage to call for help.

Mike understood the signs of human trafficking through an organization called Truckers Against Trafficking. He called the National Human Trafficking Resource Center, and authorities immediately arrived. The trafficker was arrested, put in jail, and the girl was rescued.

I commend Truckers Against Trafficking. It is critical for our citizens to be educated about sex trafficking so we can end this scourge. America cannot continue to be blissfully silent while modern-day slavery is occurring in our communities.

And that's just the way it is.

CLIMATE CHANGE

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today to join my colleagues in addressing the immediate and increasing threat of climate change. States and localities are beginning to respond to this threat, but they can't do it alone. That's why I'm introducing two bills to help our communities prepare for the future impacts of climate change.

The first is the Coastal States Climate Change Planning Act. It provides funding to coastal States and communities so they can plan and implement climate change mitigation projects, such as seawalls, habitat buffer zones, and flood control systems. The second bill is the Water Infrastructure Resiliency and Sustainability Act, which provides funding for local water agencies. Water agencies are very concerned about the need to increase the resiliency of our aging water infrastructure systems because they're going to be impacted by climate change. These critical infrastructure projects will not only improve public health and safety, but they will also help our local economies grow by providing jobs.

Mr. Speaker, it is time to take action on climate change, so I hope we can work together to pass these and other commonsense measures to address such a critical issue.

STRENGTHENING BACKGROUND
CHECKS ACT OF 2013

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to urge my colleagues on both sides of the aisle to support the Strengthening Background Checks Act of 2013.

The tragedy at Sandy Hook Elementary School has rightfully focused our collective attention on the question of how we can best prevent senseless gun violence. An important tool in preventing gun violence is the National Instant Criminal Background Check System, known as the NICS. We put in place this background check system to keep guns out of the hands of dangerous people, but our background check system is failing.

For example, the NICS database of mentally ill individuals has fewer than 20 percent of the records that it should have. This is unacceptable. If you are a violent criminal, you should fail a background check. If you've been involuntarily committed to a mental institution, you should fail a background check. If you've been convicted of domestic abuse, you should fail a background check—no one argues with that—but if the information is not in the database, then these dangerous individuals will get their hands on guns, which could lead to devastating consequences.

Mr. Speaker, my bill will improve incentives for States to partner with the Federal Government, and it will maintain an accurate, accessible, and up-to-date NICS. This is a strong step in the right direction, and it has the support of voices on both sides of the gun debate.

□ 1140

CLIMATE CHANGE IS REAL

(Ms. MATSUI asked and was given permission to address the House for 1 minute.)

Ms. MATSUI. Mr. Speaker, for far too long our country has ignored the blatant warning signals that climate change is real, and its effects are happening all around us, from droughts to wildfires to extreme flooding. The time to act is now. Numerous reports indicate that we are dangerously close to losing the window of opportunity in which we can meaningfully address climate change.

My district of Sacramento has already been working hard to implement commonsense policies that reduce greenhouse gas emissions. By developing cutting-edge clean energy technology and creating energy retrofit programs, my constituents understand the urgent need to tackle this issue head-on.

Now is the time for Congress to follow their lead and show that we, too, are committed to mitigating and reversing the devastating effects of climate change. Failure to heed new warnings and take action will have drastic economic and environmental effects, not just for our generation, but for our children and grandchildren. The time to act is now.

INCREASING POLICE PRESENCE AT SCHOOLS

(Mr. MEADOWS asked and was given permission to address the House for 1 minute.)

Mr. MEADOWS. Mr. Speaker, the recent school massacres at Newtown, Connecticut, sent shock waves across our country. And as a father, I grieved with the families that lost loved ones on that day, but as a legislator, I vowed that I would take action to prevent future tragedies.

According to a recent Gallup poll, 53 percent of Americans believe that increasing police presence at schools would be very effective in preventing future tragedies. After speaking with local law enforcement, superintendents, and principals in my district, I believe it is the best path forward. That is why I will be introducing the Protect America's Schools Act today.

This legislation would revitalize the Cops in Schools grant program, which has not been funded since fiscal year 2005, and fund it at \$30 million annually. The CIS program is specifically designed to assist local law enforcement agencies in the hiring of new officers.

And with a \$16.4 trillion debt, we must take action, but we must be fiscally responsible. The \$30 million to pay for this critical grant program would be offset by taking the unspent funds from the operations budget of the National Oceanic and Atmospheric Administration.

The Protect America's Schools Act is not the only answer, but it is a critical step forward to protect our Nation's children. Keeping our children safe is not only an area where both political parties can find common ground, but as lawmakers, we have a moral obligation to make sure that we do just that.

BROAD AND DEVASTATING EFFECT OF SEQUESTRATION

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, San Diego is the largest metropolitan area for military personnel and base operations. My district is home to seven military installations, and sequestration will have a broad and devastating effect on our military families and economy.

In total, defense spending is responsible for 25 percent of San Diego's GDP. That means 1 out of every \$4 generated in San Diego is achieved as a result of defense spending. The proposed cuts to the defense budget will cost San Diego more than 30,000 defense-related jobs, and the Navy will be forced to put a freeze on hiring civilians, many of whom are veterans.

With 11.5 percent of our community's veterans unemployed and a shocking 25 percent of veterans between 18 and 24

struggling to find employment, any further reduction in job opportunities for our Nation's heroes is unacceptable. We can neither threaten our military readiness with indiscriminate cuts nor can we fail the brave men and women of our Armed Forces and their families who have already sacrificed so much.

Please join with me in bringing an end to the partisan gridlock and finding solutions that do not put undue burdens on those who risk their lives in defense of our freedom.

RECOGNIZING REVA BRITAN

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to recognize Reva Britan for her brilliant 25 years of service to the people of south Florida.

Reva began her career in 1988, after successfully raising five sons, and became a congressional staffer for former Congressman Larry Smith, then worked for former Congressman Peter Deutch, my predecessor, and for the last 8 years, she has been working with me in my district office. Her continuity of service and her depth of experience has benefited thousands of my constituents.

She is a much-loved staffer who brings her joy, her light, and her smile to the Pembroke Pines office every single day. Whether she's helping someone set up a tour or greeting constituents on the phone, she does it all with ease and elegant grace.

On behalf of the constituents of Florida's 23rd Congressional District, we thank Reva for her service and her dedication to our community, our office, and our country.

REJECT THE SEQUESTER

(Ms. LEE of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE of California. Mr. Speaker, in the State of the Union address this week, President Obama laid out a powerful vision for our Nation, one that will create jobs, tear down barriers to prosperity, and lift the most vulnerable out of poverty.

At the same time, the Republican-controlled House has yet to bring a bill to the floor to prevent the unconscionable budget sequester from slashing thousands of jobs and pushing poor and low-income individuals over the edge.

As the President said this week, we cannot grow the economy by shifting the cost of health care or college onto families that are already struggling, or by forcing our communities to lay off more teachers, more firefighters, and more police officers.

We must reject the sequester and reject proposals that would balance the

budget on the backs of seniors, veterans, and low-income families. Everyone should have the opportunity to climb, strive, and reap the rewards of the American Dream. That is how we build our economy for all and create a better world for our children.

ADDRESSING CLIMATE CHANGE

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, I rise today to call on my colleagues on both sides of the aisle to help our communities deal with changing climate. In the last 2 years alone, our country has dealt with destructive wildfires in the West, flooding on the Missouri and Mississippi Rivers, a devastating hurricane in the Northeast, and the worst drought since the Dust Bowl. Climate change preparation and adaptation is about risk management. As Ben Franklin said: an ounce of prevention is worth a pound of cure.

Spending a small amount now saves us much suffering; and we understand, this is going to happen again and again. Because climate change is real, we are going to address this over and over and over again on this floor. Some people might say there is no such thing as climate change. Well, you can say that water is not wet, but it doesn't make it so.

REAUTHORIZING THE VIOLENCE AGAINST WOMEN ACT

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIRKPATRICK. Mr. Speaker, in Arizona's First District, Native Americans make up about 25 percent of my constituents. Unfortunately, Native American women are two and a half times more likely to be assaulted in their lifetime than other women.

Reauthorizing the Violence Against Women Act is important to my district. That's why I'm very concerned about the impact of sequestration cuts on programs supported by the Violence Against Women Act. More than \$20 million in cuts are at stake.

What does a \$20 million cut mean? It means thousands more victims would be denied shelter and legal services. It means thousands fewer police officers, prosecutors, judges, and victim advocates would get specialized training.

As a former prosecutor, I know we need to do all we can to keep victims safe and hold perpetrators accountable, and that means we need to do all we can to stop these sequestration cuts.

□ 1150

CLIMATE CHANGE

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute.)

Mr. HUFFMAN. Mr. Speaker, I'm honored to represent the Second District of California, which spans from the Golden Gate Bridge to the Oregon border. Mine is a district with hundreds of miles of pristine coastline, with numerous rivers, and coldwater fisheries, with ancient forests and redwood trees, with cities located right up against San Francisco Bay.

It's a district where unique climatic factors have combined to create some of the world's greatest wine appellations. And we know, in the Second District of California, that we cannot wait to address the threat of climate change.

On the State level, I have fought to defend and successfully implement California's world-leading greenhouse gas reduction law for the past 6 years, but that is not enough. We need leadership here at the Federal level.

If we fail to act, Mr. Speaker, the livelihoods of fishermen, crabbers, foresters, farmers and others in my district are going to suffer great harm. The cost of Congress continuing to bury its head on the issue of climate change is simply too great.

And so I am proud to be joining other colleagues, with Chairman WAXMAN, in the Safe Climate Caucus, and to take this cause to the national level.

COLORECTAL CANCER AWARENESS MONTH

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Mr. Speaker, yesterday, I introduced a resolution to designate March as National Colorectal Cancer Awareness Month. I want to thank Senators LAUTENBERG, MENENDEZ, and ENZI for introducing a similar resolution in the Senate. I also want to thank the entire New Jersey delegation and all those who signed on to this bipartisan resolution.

This issue is very personal to me, as I lost my father, the late Congressman Donald Payne, Sr., to colon cancer just last March. It became my mission to raise awareness of the importance of cancer screening.

While colorectal cancer is one of the most preventable forms of cancer, it remains the second leading cause of cancer death in the United States. In New Jersey alone, 1,600 people will die of this disease this year.

African Americans and Hispanics are at increased risk. Too many people forego screenings because of the perceptions around testing. But I am here to tell you: be a man; get tested. You just might save your own life.

THANK YOU TO PRESIDENT OBAMA

(Mr. RYAN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN of Ohio. Mr. Speaker, I rise this morning to say thank you, thank you to President Obama. A couple of nights ago at the State of the Union, he mentioned Youngstown, Ohio, and the National Additive Manufacturing Innovation Institute that is a partnership between the Departments of Commerce, Energy, Defense, and private partnerships up to about \$70 million to advance additive manufacturing innovation in the military and energy and health care that will transform and revolutionize manufacturing.

I wanted to rise this morning to also say thank you to all of our partners in the Tech Belt, which ranges from Cleveland to Akron to Youngstown, to Pittsburgh, all the way down into West Virginia. The old Rust Belt has made a comeback, and we are on our way, as we did many, many years ago, to revolutionize manufacturing again.

This will lead to great opportunities for our young people to come back, institutions like Case Western Reserve, Carnegie Mellon, Youngstown State, University of Akron, Lehigh, Penn State, West Virginia University, all coming together, working as a team. And we now have landed this institute, and we will once again be the hub of manufacturing.

Thank you, President Obama, and thank you to all of the men and women who have helped put this thing together.

THE THREAT OF A NUCLEAR IRAN

The SPEAKER pro tempore (Mr. MESSER). Under the Speaker's announced policy of January 3, 2013, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, my comments today are heavily contributed to by the author of "The Nature of War," Ron Tira; and I want to acknowledge him. He's a noted military expert and noted national security expert, and I appreciate so very much his seminal contribution to these comments.

Mr. Speaker, a nuclear Iran poses a severe and unfamiliar risk to the United States and its allies. We have to be very careful not to mistakenly assume that a relatively stable balance of deterrence, similar to the nuclear equilibrium between the United States and the Soviet Union during the Cold War, can be achieved with Iran. A nuclear Iran represents a very different type of threat that simply cannot be managed.

A nuclear Iran would serve to incentivize the development of nuclear

weapons by many other regional powers in the Middle East, such as Saudi Arabia, Egypt and Turkey.

Mr. Speaker, a multi-polar nuclear crisis is much harder to manage than anything we've experienced or did experience during the Cold War. If we could all just imagine for a moment the so-called "chicken game." But instead of two drivers, imagine five drivers, Mr. Speaker, each speeding from different directions to converge on the same intersection.

All of this, in addition to the other characteristics of the Middle East, such as unstable regimes and the danger of nuclear weapons falling into the hands of al Qaeda or other terrorist groups.

Consider Qadhafi's Libya, Mr. Speaker, with several nuclear warheads. Who knows where they might be now? And where would the world be today if Syria's Assad had managed to complete his nuclear bombmaking efforts?

Therefore, Mr. Speaker, the only viable U.S. policy is one of preventing Iran from going nuclear, not this delusional notion of containing a nuclear Iran. Indeed, prevention is the stated policy objective of this President and his top advisers.

However, the problem is not with the stated policy, but with the strategy that is supposed to achieve it. And, Mr. Speaker, the facts on the ground reveal that our policy objectives are not turning into reality.

Nearly all previous red lines demarcated by America and its allies over Iran's nuclear ambition have now been crossed, with very few repercussions to show for Iran's defiance. Iran is now enriching uranium in quantities, enrichment levels and facilities that would have terrified the entire free world only a few years ago.

Indeed, at this very moment, a defiant Iran is forging ahead with the development of ballistic missiles, detonators and other components essential to nuclear weaponization.

Mr. Speaker, why do we find it so challenging to realize our policy objectives?

Why is the world's sole superpower unable to impose its will on a country whose GDP is comparable with that of Argentina and many of those whose significant military assets date back as far as arms deals with the Johnson and Nixon administrations?

Mr. Speaker, one of the key enabling factors for Iran's nuclear weapons development is the perception of a lack of symmetry between Iranian and American seriousness and determination regarding the nuclear program. But for Iran, it is of the utmost importance, and the regime is willing to take risks and to pay high prices to achieve its objectives, or at least this is certainly how it postures.

Mr. Speaker, Iran is successfully deterring its adversaries and positioning

itself as ready to face a confrontation, even if its deep-rooted weaknesses make it unlikely that it could ever withstand such a direct conflict.

Mr. Speaker, it's time for us to be candid in questioning the strategic effectiveness of covert and clandestine operations, as important as they are. While the courage and resourcefulness of our intelligence community is unquestionable, and while covert and clandestine operations may inflict some damage on Iran's nuclear program, they cannot and have not been effective in convincing Iran to abandon its nuclearization policy.

More significantly, covert and clandestine activities create an illusion of "something being done," thus appearing to justify the fact that we continue to let more and more time pass.

So, Mr. Speaker, we have to realize that covert operations simply cannot be the primary means by which we expect to deter Iran. If prevention is our real commitment, and not merely lip service, then we must deal with that Iranian nuclear challenge immediately, and not later.

□ 1200

Every day that passes, Iran grows more dangerously close to realizing its nuclear ambition—and to becoming virtually untouchable militarily. In the face of that reality, the more breathtaking reality is that it seems both the Iranian and American administrations favor wasting more time: Iran, because it allows them to forge ahead toward completion, and the Obama administration, because it allows them to postpone difficult decisions which would necessitate actual leadership from the White House.

Mr. Speaker, the President's disingenuously stated ends are utterly at odds with our actual response, and this raises a host of questions as to the credibility of either the administration's true intent or its chosen strategies. It's almost unimaginable how much further American strategic credibility would deteriorate if Iran actually acquires the bomb in spite of the half-hearted "warnings" of Mr. Obama.

Credibility questions also abound with regard to the administration's reasoning against military action. Time and again administration officials argue that the futility of military action is real since, allegedly, some of the nuclear assets are difficult to reach, and a military action may only postpone the nuclear program by a couple of years. But, Mr. Speaker, this is a peculiar argument, at the very least.

Any nuclear production asset that is destroyed can be eventually rebuilt. Moreover, chasing each and every centrifuge, wherever it is stashed away, is ultimately an ineffective strategy. So why does the administration advocate such a strategy?

Our strategic challenge, Mr. Speaker, is Iran's policy of pursuing a military

nuclear capability. It is not necessarily, not even mostly, that Iran is currently in possession of certain nuclear production assets. It is Iran's policy that must be altered. Production assets will then inherently follow. To realize its objectives, the U.S. must compel Iran to alter its policy of acquiring a military nuclear capability and then enforce the policy change over time.

If we fail to deprive Iran of nuclear weapons, we will ultimately have to face infinitely more dangerous challenges than those associated with preventing it from going nuclear. Consider the dangers for a moment of conducting a second operation to free Kuwait, only this time, once it's been taken over by a nuclear-armed Iran. And none of this even touches upon the grave reality that would emerge once Iran possesses intercontinental ballistic missile capability along with a strategic reach to our own shores.

Mr. Speaker, it's a sad day when the vacuum of leadership in the White House has allowed Iran to posture more credibly than America, in spite of wielding a much smaller stick. In this instance, it has literally allowed Iran to be more strategically effective than we are.

Now, Mr. Speaker, the administration has been trying for a very long time to diplomatically talk its way out of this challenge or to bluff its way out of the challenge by moving military assets up and down the Gulf, and therefore has made it doubtful that any further such statements or deployments can ever suffice to get the job done. Indeed, they may well have the opposite effect, as the demarcation of the administration's risk tolerance, which to any observer of its actions caps the ends it can reasonably expect to realize.

So, Mr. Speaker, this brings us to the critical question that everyone should be asking themselves: If this administration is so deterred by a pre-nuclear Iran, how would it ever face up to a nuclear-armed Iran? This is why, to date, in the only game that matters—that of conflicting policies—Mr. Speaker, the United States has not been able to alter Iran's policy of acquiring nuclear weapons. And, Mr. Speaker, we are running out of time to do things differently.

With that, Mr. Speaker, I yield back the balance of my time.

THREATS TO THE UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 50 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, at this time I yield such time as he may consume to my friend from North Dakota (Mr. CRAMER).

FEDERAL PERMIT STREAMLINING PILOT PROJECT

Mr. CRAMER. Thank you to my colleague from Texas.

Mr. Speaker, today, I dropped in the hopper my first bill as a Member of the United States House of Representatives. And while it's a simple bill, it's a big day for me. It's a bill that simply corrects an oversight in previous legislation.

The Energy Policy Act of 2005 established a Federal Permit Streamlining Pilot Project to improve the processing of oil and gas permitting for onshore Federal lands. The Miles City, Montana, BLM field office was included in this pilot project. But unknown to the drafters of the legislation, the Miles City office also serves North and South Dakota. Without the Dakotas included in the language of the law, North and South Dakota permits are excluded from this program.

Permitting to drill on Federal lands has exceeded 225 days for the past 4 years when State permits on non-Federal lands in North Dakota take only 10 days to process. With the passage of this bill, more land will be opened to a program that seeks to reduce this sluggish pace, and oil and natural gas explorers and their many supporting businesses will have more work to do sooner.

Beyond the immediate benefits of this bill, Mr. Speaker, I hope it begins a conversation on more extensive reform of the permitting process for Federal land. The new oil and gas revolution in the United States has the potential to lead us out of this economic slump. I believe America's national security and America's economic security are tied directly to America's energy security, and I urge my colleagues to pass this bill as my friends work to pass the same legislation in the Senate.

Mr. GOHMERT. Mr. Speaker, I want to follow up on what my friend from Arizona (Mr. FRANKS) was talking about with regard to Iran. It should be pretty clear to most people that Iran is a threat to any group of people who believe that we do not need a religious zealot telling us how we have to live; that we do not need someone taking over, arising out of the chaos to create a one-world caliphate under which we have to live with a ruling religious zealot making sure that we do not get involved in any type of self-government that they believe inevitably leads to depravity. So some of us don't think it's a good idea to give Iran more power to carry out the threats of wiping out Israel, which they refer to as the "little Satan," or to wipe out the United States, which their leaders refer to as the "big Satan."

Yet we have nominated by the President of the United States a man who thinks we need to cozy up to Iran. His idea of national security is cozying up to a country who's made very clear

they want to destroy Israel and they want to destroy us. So for those yesterday who saw that the Senate did not move forward, was not able to get the votes to move forward on a confirmation vote on former Senator Hagel, they must be very upset if they think cozying up to Iran and betraying Israel further than this administration already has is a good idea—get closer to Iran, further betray Israel, yesterday was a bad day, and you should be very angry with most of the Senate Republicans, and especially my friend, Senator TED CRUZ. Because they have to be concerned about our ally, Israel. They have to be concerned about the threats of madmen running the country of Iran.

So look, though, at the speeches that have belatedly come out after all the things were made public. And then this stuff keeps trickling out. Another speech saying, Hey, let's put a consulate in Iran—while they're trying to destroy us.

□ 1210

Apparently, some people just cannot remember past 10 or 12 years. I think it's very important to remember our history. In 1979, I was at Fort Benning, Georgia, in the United States Army, and we were paying attention to what was happening. Some of us haven't forgotten what was happening.

As we have seen new things arise, as we have seen the horrors of what is going on in the Middle East, it is just heartbreaking to see people proposed as leaders who absolutely refuse to learn from history: a man proposed for Secretary of Defense who cannot recall what those of us who were in the military in 1979 recall, and that is that we had a President in Jimmy Carter who thought it was a good idea for the Shah of Iran to be gone—not a nice man, had not treated well the people of Iran, but had been able to hold down the radical Islamic jihadists that want to terrorize everybody who don't believe exactly like they do.

In fact, it was President Carter that, as Ayatollah Khomeini came back from exile and took over control of Iran, it was President Carter that hailed him as a man of peace, not realizing that what President Carter, by his actions and inactions, had allowed to happen was the arising of the radical Islamic jihadists that would bring about, for over 30 years to come, the deaths of thousands and thousands of Americans, some civilians, some from foreign countries, but all innocent; some military; some having to fight the people that President Carter, in his naivete—he had no ill will, he wanted what was best for America, but he was just ignorant of what he was doing. He was a President about whom could have been said, Forgive him, Lord, he knows not what he has done, and he led to the consequences we're suffering still today.

Radical Islam is not our friend. They want to eliminate us from the map. They think that moral depravity is the rule in this Western Civilization and that we need a grand imam. They're anticipating the 12th imam to come and establish the global caliphate.

Now we have a Secretary of Defense proposed who wants to repeat the same errors that led to the deaths of so many Americans. He wants to put a consulate in Tehran. He thinks that would be a grand idea to help our relations. I don't personally understand how it will help the United States' relations to put a consulate back in Tehran, with leaders of Iran saying they want to wipe out infidels like those that would be put at the consulate, like those who were at the consulate in Benghazi, only to have that horrible chapter and nightmare for over a year replayed before new generations.

Yet there are people like Majority Leader HARRY REID, who say it's games being played, schoolboy games being played by people who have a genuine interest in not repeating the errors of our recent history.

Is 34 years ago so far away that we cannot remember, that we want a Secretary of Defense that thinks it's a good idea to try to placate radical jihadists? About the only thing that Senator Hagel hadn't done is repeat the phrase "man of peace," talking about the leader of Iran.

So I am very grateful to all of those, like TED CRUZ, who stood up yesterday and said there's too much information we do not know and what we know causes concern. Now, we have some Senators that say we have to have information about Benghazi and what really happened before we can go forward in voting on this nomination. Some say: What does that have to do with defense, and, therefore, what does it have to do with the Secretary of Defense?

There are some that might be tempted to repeat Secretary Clinton's question of: What difference does it make? As a history major in college who continues to read and study all the history I can—history in the making now—I would like for the Secretary of State and Secretary of Defense to be able to recall 34 years and note the mistakes that have been made that got Americans killed.

1979 was an act of war against the United States. Instead of defending ourselves and putting down what had occurred in the attack on our Embassy—which under everybody's definition of international law is an act of war—instead of doing that, we had a weak administration that simply begged the Iranians to let our people go—please. That is seen as weakness when you're dealing with terrorists, when you're dealing with people who promote terrorism, when you're dealing with people who pay for terrorism

and encourage terrorism. That is what we have reigning in Iran.

So it's a legitimate concern about who the Secretary of Defense will be, and will it be a throwback to the Carter years of thinking the best way to deal with radical Islamic jihadists is to give them whatever they want. That's been tried; it doesn't work. Heck, this administration is still trying to buy off the radical Islamic jihadists that make up the Taliban. This administration has gone so far as to say, look, you don't even have to agree to quit killing Americans if you'll just agree to sit down with us and negotiate. If you'll just do that, you can keep killing American soldiers. That's okay, if you'll just agree to sit down with us. And while you're killing American soldiers, we'll show our good will. We'll buy you an incredibly nice office in Qatar that will give you an international presence and will give you credibility around the world as you keep trying to kill Americans and continue to actually kill Americans.

About 3 years ago, DANA ROHR-ABACHER asked me to go with him to meet with Northern Alliance leaders, and we met with them. These were leaders who put their lives on the line to fight with and for America. They're Muslims, but they did not like the idea of radical Islamic jihadists being in control of Afghanistan. They were and are the enemy of our enemy. So with less than 500 people, 500 Americans put into Afghanistan—after we figured out that's where the attacks emanated because that's where the training occurred, that's where the terrorist camps were—less than 500 Americans, Special Ops and intelligence, those 4 months that followed should be hailed as one of the greatest days for American Special Ops and intelligence. The intelligence community has made plenty of mistakes—continues to make some—but that was a great time in their history and our history.

□ 1220

Without a single loss of American lives, the Northern Alliance, these tribal groups that this administration now refers to as war criminals because they defeated our enemies for us, they fought and defeated the Taliban. By early 2002, the Taliban had been routed. Some people forget nowadays that during the course of the Iraq war, they would refer back to Afghanistan and say, now, that's how you fight in a foreign country like Afghanistan. You let their patriots who know the country, know the terrain and know the tactics of our enemy, let them fight them.

We gave them arms, we gave them aerial support, and they defeated the Taliban for us.

Then, as our Northern Alliance allies told DANA and me—STEVE KING was there for the first meeting—they told us, Look, then, after we had defeated

the Taliban for you, then you tell us we've got to turn back in the arms that gave us the ability to defeat the Taliban because you told us, Look, we're the United States. Now that the Taliban has been defeated, we've got you covered. There won't be any more problems. We're in charge.

Then we added tens of thousands of people to Afghanistan and became occupiers in Afghanistan. Then, again, those who know history, and I do mean distant and more recent history, you know that occupiers really don't do well in that part of the world. Someone said, Well, Alexander the Great conquered the Afghanistan area. And my reply would be, He died on the way out. I don't consider that a real great victory.

But we had a grand strategy letting the enemy of our enemies, the Northern Alliance, defeat the Taliban for us. And, now, 11 years later, we have been occupying Afghanistan, and we forced a constitution on them that required a centralized government in a place where centralized governments have not done well. We forced that on them, and we included the provision that made Afghanistan all under shari'a law.

The results of that grand victory in early 2002 and our ominous occupation for the 11 years since has been that the last Christian public worship service has happened. There are no more public Christian worship services in the country where we have lost so many valiant American heroes. The last person who admits to being Jewish in Afghanistan has left—that's what we've been advised—all under our watch and what we have done in that country.

The President announced right here just Tuesday night of this week about his plans to draw down American troops and to be all out within the next couple of years. I would humbly submit that if he had a better plan, and it is very simple, we could be out of there within the next 6 months. It would be far more effective. As our Northern Alliance friends, former Vice President Massoud, who knows about losing loved ones having lost his brother, the Lion of Panjshir, great hero of Afghanistan, he knows about losing his father-in-law to the Taliban to a man, a Taliban member who was invited to sit down with Massoud's father-in-law to talk about potential peace. Karzai had appointed Massoud's father-in-law to be his peace emissary to deal with, sit down and negotiate with the Taliban to try to work out an agreement.

So the Taliban emissary for peace came in to sit down with Massoud's father-in-law and blew himself and Massoud's father-in-law to pieces—great gesture of peace. That's the kind of people we're dealing with. That's the same kind of people that are in leadership in Iran that Chuck Hagel wants to go have better relationships with.

I would submit that whoever he was willing to see in Tehran as our emissary there, as our ambassador there, would have a high probability of suffering the same consequences that Massoud's father-in-law did, the same that his brother did. His brother, such a great warrior, political figure, great charisma, in his case, he was asked if he would give an interview to a television crew. He consented, not being aware that the television camera was full of explosives and that the cameraman and the reporter were willing to blow themselves up so they could kill such a great Afghani hero. So they did, and he's gone. How many Americans are we going to have to continue to lose in Afghanistan?

I talked to Billy and Karen Vaughn, the parents of great American patriot Aaron Vaughn, a SEAL Team Six member, one of the SEAL teams that went after Osama bin Laden. They don't want publicity while they are SEAL members actively. They don't seek it, don't want it, and there's always been the agreement that no administration will out who goes in and does the kind of actions that SEAL Team Six did, taking out Osama bin Laden. That's classified information, who went and got him, and then we have the Vice President of the United States stand up in front of a crowd and congratulate the SEAL team for taking him out.

One SEAL team member, his father, he's deceased now, but his father said that his daughter-in-law called and said within an hour of the Vice President's outing SEAL Team Six, they had a marine guard outside her quarters because they knew this administration just put a big red target on his entire family.

Billy and Karen say after that happened, Aaron called and said, Mom and Dad, there's been chatter. You're not safe. Take any reference to me off Facebook, off any e-mail, off anything. You cannot have references that you're connected with me, or you will be a target. These people are ruthless.

So after SEAL Team Six was outed and having visited Afghanistan, I was surprised, as widespread as Taliban reach has become again in Afghanistan, missions were run through the Afghan Government so that the Afghans would have known exactly where SEAL Team Six was and where they were being sent.

When one of the surviving parents of one of our heroic SEAL Team Six members asked at the briefing as to what had happened to their loved ones in the Afghanistan ambush of our troops, of our SEAL Team Six members, one of the parents asked, Look, since you knew this was such a hot spot, since you knew this information had been cleared through the Afghan Government, which has Taliban running through it, since you knew all

these things about how desperate the situation was in that space, why didn't you just send in a drone? And the admiral briefing the family members said, Because we're trying to win their hearts and minds.

Now, that sounds like something the new Secretary of Defense might say, since he's all for buddying back up to Iran while they want to destroy our way of life and all Americans: Yeah, we're trying to win their hearts and minds, so let's send more people into Tehran. That's the proposal, or was the proposal, of Secretary of Defense nominee Hagel: Let's send some people, yeah, maybe they'll get blown up. That's what he should have said, because there's a good chance they will.

□ 1230

Some of us warned about the dangers of helping the revolutionaries in Libya. Qadhafi had blood on his hands. But ever since 2003, he had helped suppress radical Islamic jihadist activities. He had become an ally. His own son had been here negotiating with this White House.

Yet the White House has no problem, as they did with our Northern Alliance allies, throwing them under the bus, throwing Mubarak under the bus, throwing Qadhafi under the bus, and even our own Ambassador was a sacrificial lamb.

They should have known. Some of us pointed out, look, this is not a good idea to be helping revolutionaries in Libya when we already know there are al Qaeda involved in this revolution. We don't know how widespread it is, but you can't be helping people that want to destroy us. You're going to give them more arms, you're going to give them more power, they'll have a greater reach to wipe out Israel, or try—and to wipe out us, or to try.

But this President didn't listen. His Cabinet members didn't listen. We were told he didn't care what Congress thought. He was listening more to European members who wanted help protecting their oil they were buying from Libya, and because of the OIC, the 57 states that make up the OIC.

I'm like the President. I get mixed up. He said he had been to all 57 States, our President had, and I get confused. Do we have 57 States and the OIC have 50? Or they have 57, we have 50? It's confusing. I understand the President having that problem, but apparently they have 57 States because they count Palestine.

They don't learn from history. And as a result we helped—we provided weapons—those are the latest reports—and some of those weapons then found their way to Algeria where more Americans were killed even more recently than 9/11 of last year—with people that we helped empower so they could go about killing more people.

I like President Obama as a person. He's a good family man. I was hoping

that with all the disclosures that have come out since 9/11 of last year and since we now know from former Secretary Panetta and from other witnesses that after the President learned that our Ambassador was under attack, he may have known that he had already been abducted and that a long battle was being undertaken by radicals against our Americans in Benghazi. We now know the President did nothing else. He said, well, do what you can, in essence, and went home. Or maybe he was home when he talked to them. And did nothing else.

I have no idea if the President required a sleep aid that night; but if he did, anybody else in America that has trouble sleeping, you better get what he had, because it works well—how the President of the United States could sleep that night as the Ambassador that he put in place, that he put in harm's way, was either under attack, had already been kidnapped, being brutalized, unspeakable things being done to his person, his body.

I remember Senator Clinton running a commercial back in 2008 that asked the question, Who do you want to take that phone call at 3 a.m.? This would have been exactly the kind of situation, except there was no phone call at 3 a.m. The phone call had been at 5-or-so in the afternoon. And there was no effort to find out, by the way, what happened to Ambassador Stevens that I put in harm's way, considered the equivalent of a four-star general in the civilian service, to awake to find out the next day that it had been over 7 hours of attacks, that our last American that we know of killed was killed in the last hour of that 7-hour attack.

And I can appreciate the loyalty of Cabinet members, Joint Chiefs, trying to protect the President, coming forward and saying, well, you know, we didn't have planes. They would have had to be refueled; they would have had to be armed.

Well, I would submit if we can't get a jet that will fly 600 miles or 700 miles an hour, 600 miles or so to Libya, if we can't get them there in an hour, an hour and a half, then it's time to clean house at the top of our Defense Department and get people that can get planes to help our embattled American civilians and Ambassador, get them some help.

I mean, I would think that if you're concerned enough to sit and watch footage of the hurricane coverage, people that you didn't put in the harm's way they were in, that you would at least be concerned about the people you did put in harm's way.

And certainly the President and Secretary Clinton and Secretary Panetta, certainly those people did not want them hurt. But it's important to learn from history. It's important to understand what difference it makes as to what happens about fiascoes that get

Americans killed. It is important. It does make a difference.

We've read reports that Secretary—Ambassador now—Rice may have been involved with the decision not to send more security to our Embassy that was attacked back in the nineties that got Americans killed. And apparently no one learned from that, because if someone in the nineties after our Embassy had been attacked had had adequate hearings and gotten to the bottom of that, they would have learned, uh-oh, what difference does it make? Well, it makes a difference because now we know when an Embassy requests more security and we refuse to provide it, there's a good chance it's going to get hit and they're going to get killed.

And that would have been very helpful to have had that conventional wisdom and that institutional knowledge on 9/10 of 2011 when in Egypt we were hearing that, gee, if you don't release the Blind Sheikh, you're going to get attacked, your Embassy and Embassies may get attacked. And if we had had people in this administration with institutional knowledge from the nineties, and from '79, they would have said, you know what, on 9/9 of 2011, they're giving us a warning, you're about to be attacked unless you release the Blind Sheikh.

We weren't releasing the Blind Sheikh and I hope and pray we don't. He is a killer and will kill again. He doesn't carry them out. He plots and plans them and gives instructions. And under all criminal law in the U.S. or abroad, you plan it, you instruct on it and if your instructions are followed and people are killed, then you committed murder as well.

So the Blind Sheikh is a murderer.

□ 1240

If we'd learned from those lessons of the past, the difference it would have made is Ambassador Stevens should still be alive today, and he could be coming before Congress and explaining what goes wrong so that we'd know the difference that would make, which is that, in the future, we could save other Ambassadors and other consulate workers.

Now, I've read accounts that, apparently, the former SEAL team members—the two who responded—had been advised, Don't go. So it has to be a little bit hurtful for their families to know that their sons, their husbands, their brothers had been ordered not to go help at Benghazi and that they disobeyed their instructions and went and helped anyway and that, as people came before Congress to testify, the military, having given them the instructions not to go—the civilian service giving them instructions not to go—took credit for their disregarding their instructions and going and trying to save lives anyway. How ironic.

American lives are still at stake in North Africa, in the Middle East, in Afghanistan, around the world, and here

at home. If we continue to put people in place in decisionmaking positions who do not understand that you cannot buy off a schoolyard bully and that you cannot buy off radical Islamic jihadists who want to destroy you, we're going to continue to have Americans lose their lives. I've mentioned on this floor before what one American soldier in Afghanistan told me over there.

He said, Look, I don't mind laying down my life for my country, but please don't waste it.

We have such heroes in the service of the United States, and they're asking, Please, we'll follow orders. Just don't waste our willingness to lay down our lives for others.

But that's the American tradition.

We were talking about some people this week even going back to Hawaii's statue just in the hallway directly below where I am right here, directly below. Father Damien was a Catholic priest who'd heard about the lepers being thrown off ships, being put on an island in Hawaii to die, having no quality of life—horrors of existence. So he went to give them a quality of life, to give them a society so they could live out their last diseased years. Eventually, as he knew he would, he acquired leprosy and died.

The words that are at the top of the plaque on Father Damien's statue, which is right below me, apply to our military members, apply to those in our U.S. service, because the words on those top two lines of that plaque say:

Greater love hath no one than this: that a man lay down his life for his friends, John 15:13.

We've got people willing to lay down their lives for their country. We would beg the President to appoint a Secretary of Defense who will not waste American lives in trying to buddy up to radical Islamic jihadists in control in Iran, who will not demonize any further than former Senator Hagel already has the Israelis and the Jewish members of an administration who just want to protect our country, because we find out in prior speeches, in prior comments from the Secretary of Defense nominee Hagel, that he has complained before that one of the big problems is that the State Department is controlled by Jews.

That's fine by me—they're Americans. They care about America, but that's a problem for him. It's not a problem for me as long as any Jewish or any Caucasian or any minority serving his country understands Israel is our friend—they're our ally—and they're the greatest democracy anywhere in that area.

So let's don't disparage our ally. Let's don't think we can throw Israel under the bus as we did Mubarak, as we did Qadhafi, as we did the Northern Alliance in Afghanistan, as this administration has done with others. Don't throw Israel under the bus. Let's stop

doing that to our friends, and let's recognize the real enemy.

I hope and pray the President will withdraw this nomination and, if he doesn't, that we will continue to have Senators to say, you can't have somebody serve as a Cabinet-level position, like former Senator Hagel, who thinks Israel is the problem and that Jews in the State Department are the problem and that Iran has a group of leaders in it that we need to buddy up to. If the President will do that, he will see a welcoming of bipartisanship. He will see it explode on both sides of the aisle, welcoming the President's doing the right thing by our friend Israel.

If the President refuses to do that, I still hope and pray that the people will stand as firmly as did the Republicans who voted against bringing Chuck Hagel to the floor for a vote for a nomination. I hope they'll stand firm. I'm so proud of the new Senator, TED CRUZ. He's doing great. LINDSEY GRAHAM made some great points yesterday, and I hope he'll stand by those. He's a good man. He just needs to stand by what he said yesterday. If we do that, we will help make the world a better place, and we'll show the country true bipartisanship.

With that, Mr. Speaker, I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following titles:

H. Con. Res. 15. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON HOUSE ADMINISTRATION FOR THE 113TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, February 14, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to clause 2(a)(2) of House Rule XI, I hereby submit the Rules of the Committee on House Administration for publication in the Congressional Record. The Rules were adopted by the Committee in its organizational meeting.

Sincerely,

CANDICE S. MILLER,
Chairman.

COMMITTEE RESOLUTION 113-1

Resolved, that the rules of the Committee on House Administration for the 113th Congress and hereby adopted, as follows:

Rules of the

Committee on House Administration
One Hundred Thirteenth Congress

RULE NO. 1

GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee so far as applicable, except that a motion to recess from day to day is a privileged motion in the Committee.

(b) The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under House Rule X and, subject to the adoption of expense resolutions as required by House Rule X, clause 6, to incur expenses (including travel expenses) in connection therewith.

(c) The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee, and to make such information available to the public. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from the appropriate House account.

(d) The Committee shall submit to the House, not later than January 2 of each year, a report on the activities of the committee under House Rules X and XI.

(e) The Committee's rules shall be made publicly available in electronic form and published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE NO. 2

REGULAR AND SPECIAL MEETINGS

(a) The regular meeting date of the Committee on House Administration shall be the second Wednesday of every month when the House is in session in accordance with Clause 2(b) of House Rule XI. If the House is not in session on the second Wednesday of a month, the regular meeting date shall be the third Wednesday of that month. Additional meetings may be called by the Chair of the Committee as she or he may deem necessary or at the request of a majority of the members of the Committee in accordance with Clause 2(c) of House Rule XI. The determination of the business to be considered at each meeting shall be made by the Chair subject to Clause 2(c) of House Rule XI. A regularly scheduled meeting may be dispensed with if, in the judgment of the Chair, there is no need for the meeting.

(b) If the Chair is not present at any meeting of the Committee, the ranking member of the majority party who is present shall preside at the meeting.

(c) The Chair, in the case of meetings to be conducted by the Committee shall make public announcement of the date, place, and subject matter of any meeting to be conducted on any measure or matter. Such meeting shall not commence earlier than the third day on which members have notice thereof. If the Chair, with the concurrence of the ranking minority member, determines that there is good cause to begin the meeting sooner, or if the Committee so determines by majority vote, a quorum being present, the Chair shall make the announcement at the earliest possible date. The announcement shall promptly be made publicly available in electronic form and published in the Daily Digest.

(d) The Chair, in the case of meetings to be conducted by the Committee shall make available on the Committee's web site the text of any legislation to be marked up at a meeting at least 24 hours before such meeting (or at the time of an announcement made within 24 hours of such meeting). This requirement shall also apply to any resolution or regulation to be considered at a meeting.

RULE NO. 3 OPEN MEETINGS

As required by Clause 2(g), of House Rule XI, each meeting for the transaction of business, including the markup of legislation of the Committee shall be open to the public except when the Committee in open session and with a quorum present determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House. Provided, however, that no person other than members of the Committee, and such congressional staff and such other persons as the Committee may authorize, shall be present in any business or markup session which has been closed to the public. To the maximum extent practicable, the Chair shall cause to be provided audio and video coverage of each hearing or meeting that allows the public to easily listen to and view the proceedings and maintain the recordings of such coverage in a manner that is easily accessible to the public.

RULE NO. 4 RECORDS AND ROLLCALLS

(a)(1) A record vote shall be held if requested by any member of the Committee.

(2) The result of each record vote in any meeting of the Committee shall be made available for inspection by the public at reasonable times at the Committee offices, including a description of the amendment, motion, order or other proposition; the name of each member voting for and against; and the members present but not voting.

(3) The Chairman shall make the record of the votes on any question on which a record vote is demanded available on the Committee's website not later than 48 hours after such vote is taken (excluding Saturdays, Sundays, and legal holidays). Such record shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the Committee present but not voting.

(4) The Chairman shall make available on the Committee's website not later than 24 hours (excluding Saturdays, Sundays, and legal holidays) after the adoption of any amendment to a measure or matter the text of such amendment.

(b)(1) Subject to subparagraph (2), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chair may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(3) When proceedings resume on a postponed question, notwithstanding any inter-

vening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(c) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chair; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) House records of the Committee which are at the National Archives shall be made available pursuant to House Rule VII. The Chairman shall notify the ranking minority member of any decision to withhold a record pursuant to the rule, and shall present the matter to the Committee upon written request of any Committee member.

(e) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE NO. 5

PROXIES

No vote by any member in the Committee may be cast by proxy.

RULE NO. 6

POWER TO SIT AND ACT; SUBPOENA POWER

(a) For the purpose of carrying out any of its functions and duties under House Rules X and XI, the Committee is authorized (subject to subparagraph (b)(1) of this paragraph)—

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings; and (2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, documents and other materials as it deems necessary, including materials in electronic form. The Chair, or any member designated by the Chair, may administer oaths to any witness.

(b)(1) A subpoena may be authorized and issued by the Committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. The power to authorize and issue subpoenas under subparagraph (a)(2) may be delegated to the Chair pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(2) Compliance with any subpoena issued by the Committee may be enforced only as authorized or directed by the House.

RULE NO. 7

QUORUMS

No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present. For the purposes of taking any action other than reporting any measure, issuance of a subpoena, closing meetings, promulgating Committee orders, or changing the rules of the Committee, one-third of the members of the Committee shall constitute a quorum. For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

RULE NO. 8

AMENDMENTS

Any amendment offered to any pending legislation before the Committee must be made available in written form when requested by any member of the Committee. If

such amendment is not available in written form when requested, the Chair will allow an appropriate period of time for the provision thereof.

RULE NO. 9

HEARING PROCEDURES

(a) The Chair, in the case of hearings to be conducted by the Committee shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one (1) week before the commencement of that hearing. If the Chair, with the concurrence of the ranking minority member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present, the Chair shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) Unless excused by the Chair, each witness who is to appear before the Committee shall file with the clerk of the Committee, at least 48 hours in advance of his or her appearance, a written statement of his or her proposed testimony and shall limit his or her oral presentation to a summary of his or her statement.

(c) When any hearing is conducted by the Committee upon any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chair by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Reserved.

(e) Committee members may question witnesses only when they have been recognized by the Chair for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one member can be extended as provided by House Rules. The questioning of a witness in Committee hearings shall be initiated by the Chair, followed by the ranking minority member and all other members alternating between the majority and minority. In recognizing members to question witnesses in this fashion, the Chair shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority. The Chair may accomplish this by recognizing two majority members for each minority member recognized.

(f) The following additional rules shall apply to hearings of the Committee as applicable:

(1) The Chair at a hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the Committee rules and this clause shall be made available to each witness as provided by clause 2(k)(2) of Rule XI.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chair may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House for contempt.

(5) If the Committee determines that evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, it shall—

(A) afford such person an opportunity voluntarily to appear as a witness;

(B) receive such evidence or testimony in executive session; and

(C) receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (f)(5), the Chair shall receive and the Committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee.

(8) In the discretion of the Committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee.

RULE NO. 10

PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a)(1) It shall be the duty of the Chair to report or cause to be reported promptly to the House any measure approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(2) In any event, the report of the Committee on a measure which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chair notice of the filing of that request.

(b)(1) No measure or recommendation shall be reported to the House unless a majority of the Committee is actually present.

(2) With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) The report of the Committee on a measure or matter which has been approved by the Committee shall include the matters required by Clause 3(c) of Rule XIII of the Rules of the House.

(d) If, at the time any measure or matter is ordered reported by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than two additional calendar days after the day of such notice, commencing on the day on which the measure or matter(s) was approved, excluding Saturdays, Sundays, and legal holidays, in which to file such views, in writing and signed by that member, with the clerk of the Committee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter. The report of the Committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, or additional views, in the form sub-

mitted, by the time of the filing of the report, and

(2) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subparagraph (c)) are included as part of the report. This subparagraph does not preclude—

(A) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by paragraph (c); or

(B) the filing of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the Committee upon that measure or matter.

(3) shall, when appropriate, contain the documents required by Clause 3(e) of Rule XIII of the Rules of the House.

(e) The Chair, following consultation with the ranking minority member, is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House, relating to going to conference with the Senate, whenever the Chair considers it appropriate.

(f) If hearings have been held on any such measure or matter so reported, the Committee shall make every reasonable effort to have such hearings published and available to the members of the House prior to the consideration of such measure or matter in the House.

(g) The Chair may designate any majority member of the Committee to act as "floor manager" of a bill or resolution during its consideration in the House.

RULE NO. 11

COMMITTEE OVERSIGHT

The Committee shall conduct oversight of matters within the jurisdiction of the Committee in accordance with House Rule X, clause 2 and clause 4. Not later than February 15 of the first session of a Congress, the Committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress in accordance with House Rule X, clause 2(d).

RULE NO. 12

REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS

(a) The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriation for continuing programs and activities of the Federal Government will be made annually to the maximum extent feasible and consistent with the nature, requirement, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in Clause 4(e) of Rule X of House Rules.

(b) The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) The Committee shall, on or before February 25 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting there from, to be provided or authorized

in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocation made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE NO. 13

BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

Whenever any hearing or meeting conducted by the Committee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause 4 of House Rule XI, subject to the limitations therein. Operation and use of any Committee Internet broadcast system shall be fair and non-partisan and in accordance with Clause 4(b) of rule XI and all other applicable rules of the Committee and the House.

RULE NO. 14

COMMITTEE STAFF

The staff of the Committee on House Administration shall be appointed as follows:

(a) The staff shall be appointed by the Chair except as provided in paragraph (b), and may be removed by the Chair, and shall work under the general supervision and direction of the Chair;

(b) All staff provided to the minority party members of the Committee shall be appointed by the ranking minority member, and may be removed by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member;

(c) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of Rule X of the Rules of the House;

(d) The Chair shall fix the compensation of all staff of the Committee, after consultation with the ranking minority member regarding any minority party staff, within the budget approved for such purposes for the Committee.

RULE NO. 15

TRAVEL OF MEMBERS AND STAFF

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel for any member or any staff member shall be paid only upon the prior authorization of the Chair or her or his designee. Travel may be authorized by the Chair for any member and any staff member in connection with the attendance at hearings conducted by the Committee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the

Committee. Before such authorization is given there shall be submitted to the Chair in writing the following:

(1) The purpose of the travel;
(2) The dates during which the travel will occur;

(3) The locations to be visited and the length of time to be spent in each; and

(4) The names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the Committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee, prior authorization must be obtained from the Chair. Before such authorization is given, there shall be submitted to the Chair, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of the travel;
(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, members and staff attending meetings or conferences shall submit a written report to the Chair covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel.

RULE NO. 16

Reserved.

RULE NO. 17

Reserved.

RULE NO. 18

OTHER PROCEDURES AND REGULATIONS

The Chair may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the committee.

RULE NO. 19

DESIGNATION OF CLERK OF THE COMMITTEE

For the purposes of these rules and the Rules of the House of Representatives, the staff director of the Committee shall act as the clerk of the Committee.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON FINANCIAL SERVICES FOR THE 113TH CONGRESS

Mr. HENSARLING. Mr. Speaker, I submit for publication the attached copy of the rules of the Committee on Financial Services for the 113th Congress:

RULE 1

GENERAL PROVISIONS

(a) The rules of the House are the rules of the Committee on Financial Services (here-

inafter in these rules referred to as the "Committee") and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged motions in the Committee and shall be considered without debate. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2

MEETINGS

Calling of Meetings

(a)(1) The Committee shall regularly meet on the first Tuesday of each month when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereinafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair, in accordance with clause 2(g)(3) of rule XI of the rules of the House.

(4) Special meetings shall be called and convened by the Chair as provided in clause 2(c)(2) of rule XI of the Rules of the House.

Notice for Meetings

(b)(1) The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on any such day) before the time of the meeting.

(2) The Chair shall provide to each member of the Committee, at least three calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on any such day) before the time of each regular meeting for each measure or matter on the agenda a copy of—

(A) the measure or materials relating to the matter in question; and

(B) an explanation of the measure or matter to be considered, which, in the case of an explanation of a bill, resolution, or similar measure, shall include a summary of the major provisions of the legislation, an explanation of the relationship of the measure to present law, and a summary of the need for the legislation.

(3) At least 24 hours prior to the commencement of a meeting for the markup of legislation, the Chair shall cause the text of such legislation to be made publicly available in electronic form.

(4) The provisions of this subsection may be waived by a two-thirds vote of the Committee or by the Chair with the concurrence of the ranking minority member.

RULE 3

MEETING AND HEARING PROCEDURES

In General

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the

ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television broadcast, radio broadcast, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules). Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of rule XI and all other applicable rules of the Committee and the House.

(4) To the extent feasible, members and witnesses may use the Committee equipment for the purpose of presenting information electronically during a meeting or hearing, provided the information is transmitted to the appropriate Committee staff in an appropriate electronic format at least one business day before the meeting or hearing so as to ensure display capacity and quality. The content of all materials must relate to the pending business of the Committee and conform to the rules of the House. The confidentiality of the material will be maintained by the technical staff until its official presentation to the Committee members. For the purposes of maintaining the official records of the committee, printed copies of all materials presented, to the extent practicable, must accompany the presentations.

(5) No person, other than a Member of Congress, Committee staff, or an employee of a Member when that Member has an amendment under consideration, may stand in or be seated at the rostrum area of the Committee rooms unless the Chair determines otherwise.

Quorum

(b)(1) For the purpose of taking testimony and receiving evidence, two members of the Committee shall constitute a quorum.

(2) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the rules of the House (except as provided in clause 2(g)(2)(A) and (B)) or of releasing executive session material pursuant to clause 2(k)(7) of rule XI of the rules of the House.

(3) For the purpose of taking any action other than those specified in paragraph (2) one-third of the members of the Committee shall constitute a quorum.

Voting

(c)(1) No vote may be conducted on any measure or matter pending before the Committee unless the requisite number of members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of one-fifth of the members present.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) In addition to any other requirement of these rules or the Rules of the House, including clause 2(e)(1)(B) of rule XI, the Chair shall make the record of the votes on any question on which a record vote is demanded publicly available for inspection at the offices of the Committee and in electronic form on the Committee's Web site not later

than one business day after such vote is taken. Such record shall include in electronic form the text of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting. With respect to any record vote on any motion to report or record vote on any amendment, a record of such votes shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members of the committee present but not voting.

(5) **POSTPONED RECORD VOTES.**—(A) Subject to subparagraph (B), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time, but no later than the next meeting day.

(B) In exercising postponement authority under subparagraph (A), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(C) When proceedings resume on a postponed question, not withstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

Hearing Procedures

(d)(1)(A) The Chair shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing, unless the Chair, with the concurrence of the ranking minority member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date.

(B) Not less than three days before the commencement of a hearing announced under this paragraph, the Chair shall provide to the members of the Committee a concise summary of the subject of the hearing, or, in the case of a hearing on a measure or matter, a copy of the measure or materials relating to the matter in question and a concise explanation of the measure or matter to be considered. At the same time the Chair provides the information required by the preceding sentence, the Chair shall also provide to the members of the Committee a final list consisting of the names of each witness who is to appear before the Committee at that hearing. The witness list may not be modified within 24 hours of a hearing, unless the Chair, with the concurrence of the ranking minority member, determines there is good cause for such modification.

(2) To the greatest extent practicable—

(A) each witness who is to appear before the Committee shall file with the Committee two business days in advance of the appearance sufficient copies (including a copy in electronic form), as determined by the Chair, of a written statement of proposed testimony and shall limit the oral presentation to the Committee to brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received

during the current fiscal year or either of the two preceding fiscal years. Such disclosure statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(3) The requirements of paragraph (2)(A) may be modified or waived by the Chair when the Chair determines it to be in the best interest of the Committee.

(4) The five-minute rule shall be observed in the interrogation of witnesses before the Committee until each member of the Committee has had an opportunity to question the witnesses. No member shall be recognized for a second period of five minutes to interrogate witnesses until each member of the Committee present has been recognized once for that purpose.

(5) Whenever any hearing is conducted by the Committee on any measure or matter, the minority party members of the Committee shall be entitled, upon the request of a majority of them before the completion of the hearing, to call witnesses with respect to that measure or matter during at least one day of hearing thereon.

(6) At any hearing of the Committee for the purpose of receiving testimony (other than testimony described in clauses (i) or (ii) of subsection (f)(2)(A)), the Chair may, after consultation with the ranking minority member, limit the duration of opening statements to 20 minutes to be divided equally between and controlled by the Chair and the ranking minority member or their respective designees. At any hearing of the Committee for the purpose of receiving testimony described in clauses (i) or (ii) of subsection (f)(2)(A), the Chair may, after consultation with the ranking minority member, limit the duration of opening statements to 16 minutes to be divided equally between and controlled by the Chair and the ranking minority member or their respective designees. The duration for all opening statements provided in this subsection for any hearing may be extended by agreement between the Chair and ranking minority member provided that any such extended time be equally divided between and controlled by the Chair and ranking minority member or their designees.

(7) Notwithstanding any member's oral delivery of an opening statement, written opening statements by any member of the Committee submitted to the Chair within 5 legislative days after the adjournment of a hearing shall be made a part of the official hearing record thereof.

(8) Subsections (6) and (7) shall apply with equal force to hearings held by the subcommittees of the Committee.

Subpoenas and Oaths

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, or pursuant to paragraph (2).

(2) The Chair, with the concurrence of the ranking minority member, may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of three days when, in the opinion of the Chair, authorization and issuance of the subpoena is necessary to obtain the material or testimony set forth in the subpoena. The Chair shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as prac-

ticable, but in no event later than one week after service of such subpoena.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

Special Procedures

(f)(1)(A) **COMMEMORATIVE MEDALS AND COINS.**—It shall not be in order for the Subcommittee on Domestic Monetary Policy and Technology to hold a hearing on any commemorative medal or commemorative coin legislation unless the legislation is cosponsored by at least two-thirds of the members of the House.

(B) It shall not be in order for the subcommittee to approve a bill or measure authorizing commemorative coins for consideration by the full Committee which does not conform with the mintage restrictions established by section 5112 of title 31, United States Code.

(C) In considering legislation authorizing Congressional gold medals, the subcommittee shall apply the following standards—

(i) the recipient shall be a natural person;

(ii) the recipient shall have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement;

(iii) the recipient shall not have received a medal previously for the same or substantially the same achievement;

(iv) the recipient shall be living or, if deceased, shall have been deceased for not less than five years and not more than twenty five years;

(v) the achievements were performed in the recipient's field of endeavor, and represent either a lifetime of continuous superior achievements or a single achievement so significant that the recipient is recognized and acclaimed by others in the same field, as evidenced by the recipient having received the highest honors in the field.

(2) TESTIMONY OF CERTAIN OFFICIALS.—

(A) When the Chair announces a hearing of the Committee for the purpose of receiving—

(i) testimony from the Chairman of the Federal Reserve Board pursuant to section 2B of the Federal Reserve Act (12 U.S.C. 221 et seq.), or

(ii) testimony from the Chairman of the Federal Reserve Board or a member of the President's cabinet at the invitation of the Chair,

the Chair may, in consultation with the ranking minority member, limit the number and duration of opening statements to be delivered at such hearing. The limitation shall be included in the announcement made pursuant to subsection (d)(1)(A), and shall provide that the opening statements of all members of the Committee shall be made a part of the hearing record.

RULE 4

PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a) No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present.

(b) The Chair of the Committee shall report or cause to be reported promptly to the House any measure approved by the Committee and take necessary steps to bring a matter to a vote.

(c) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure pursuant to the provisions of clause 2(b)(2) of rule XIII of the Rules of the House.

(d) All reports printed by the Committee pursuant to a legislative study or investigation and not approved by a majority vote of the Committee shall contain the following disclaimer on the cover of such report: "This report has not been officially adopted by the Committee on Financial Services and may not necessarily reflect the views of its Members."

(e) The Chair is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chair considers it appropriate.

RULE 5

SUBCOMMITTEES

Establishment and Responsibilities of Subcommittees

(a)(1) There shall be five subcommittees of the Committee as follows:

(A) SUBCOMMITTEE ON CAPITAL MARKETS AND GOVERNMENT SPONSORED ENTERPRISES.—The jurisdiction of the Subcommittee on Capital Markets and Government Sponsored Enterprises includes—

- (i) securities, exchanges, and finance;
- (ii) capital markets activities, including business capital formation and venture capital;
- (iii) activities involving futures, forwards, options, and other types of derivative instruments;
- (iv) the Securities and Exchange Commission;
- (v) secondary market organizations for home mortgages, including the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Agricultural Mortgage Corporation;
- (vi) the Federal Housing Finance Agency; and
- (vii) the Federal Home Loan Banks.

(B) SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER CREDIT.—The jurisdiction of the Subcommittee on Financial Institutions and Consumer Credit includes—

- (i) all agencies, including the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System and the Federal Reserve System, and the National Credit Union Administration, which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit insurance for, financial institutions, and the establishment of interest rate ceilings on deposits;
- (ii) all matters related to the Bureau of Consumer Financial Protection;
- (iii) the chartering, branching, merger, acquisition, consolidation, or conversion of financial institutions;
- (iv) consumer credit, including the provision of consumer credit by insurance companies, and further including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting and the use of credit information by credit bureaus and credit providers, equal credit opportunity, debt collection practices, and electronic funds transfers, including consumer transactions using mobile devices;

(v) creditor remedies and debtor defenses, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards, and the preemption of State usury laws;

(vi) consumer access to financial services, including the Home Mortgage Disclosure Act and the Community Reinvestment Act;

(vii) the terms and rules of disclosure of financial services, including the advertisement, promotion and pricing of financial services, and availability of government check cashing services;

(viii) deposit insurance; and

(ix) consumer access to savings accounts and checking accounts in financial institutions, including lifeline banking and other consumer accounts.

(C) SUBCOMMITTEE ON HOUSING AND INSURANCE.—The jurisdiction of the Subcommittee on Housing and Insurance includes—

(i) insurance generally; terrorism risk insurance; private mortgage insurance; government sponsored insurance programs, including those offering protection against crime, fire, flood (and related land use controls), earthquake and other natural hazards; the Federal Insurance Office;

(ii) housing (except programs administered by the Department of Veterans Affairs), including mortgage and loan insurance pursuant to the National Housing Act; rural housing; housing and homeless assistance programs; all activities of the Government National Mortgage Association; housing construction and design and safety standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for non-profit housing sponsors; housing counseling and technical assistance; regulation of the housing industry (including landlord/tenant relations); and real estate lending including regulation of settlement procedures;

(iii) community development and community and neighborhood planning, training and research; national urban growth policies; urban/rural research and technologies; and regulation of interstate land sales; and,

(iv) the qualifications for and designation of Empowerment Zones and Enterprise Communities (other than matters relating to tax benefits).

(D) SUBCOMMITTEE ON MONETARY POLICY AND TRADE.—The jurisdiction of the Subcommittee on Monetary Policy and Trade includes—

(i) financial aid to all sectors and elements within the economy;

(ii) economic growth and stabilization;

(iii) defense production matters as contained in the Defense Production Act of 1950, as amended;

(iv) domestic monetary policy, and agencies which directly or indirectly affect domestic monetary policy, including the effect of such policy and other financial actions on interest rates, the allocation of credit, and the structure and functioning of domestic financial institutions;

(v) coins, coinage, currency, and medals, including commemorative coins and medals, proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including the coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design, the distribution of coins, and the operations of the Bureau of the Mint and the Bureau of Engraving and Printing;

(vi) development of new or alternative forms of currency;

(vii) multilateral development lending institutions, including activities of the National Advisory Council on International

Monetary and Financial Policies as related thereto, and monetary and financial developments as they relate to the activities and objectives of such institutions;

(viii) international trade, including but not limited to the activities of the Export-Import Bank;

(ix) the International Monetary Fund, its permanent and temporary agencies, and all matters related thereto; and

(x) international investment policies, both as they relate to United States investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States.

(E) SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS.—The jurisdiction of the Subcommittee on Oversight and Investigations includes—

(i) the oversight of all agencies, departments, programs, and matters within the jurisdiction of the Committee, including the development of recommendations with regard to the necessity or desirability of enacting, changing, or repealing any legislation within the jurisdiction of the Committee, and for conducting investigations within such jurisdiction; and

(ii) research and analysis regarding matters within the jurisdiction of the Committee, including the impact or probable impact of tax policies affecting matters within the jurisdiction of the Committee.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

Referral of Measures and Matters to Subcommittees

(b)(1) The Chair shall regularly refer to one or more subcommittees such measures and matters as the Chair deems appropriate given its jurisdiction and responsibilities. In making such a referral, the Chair may designate a subcommittee of primary jurisdiction and subcommittees of additional or sequential jurisdiction.

(2) All other measures or matters shall be subject to consideration by the full Committee.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(c)(1) Members shall be elected to each subcommittee and to the positions of chair and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the Committee shall designate a member of the majority party on each subcommittee as its vice chair. The Chair may designate one member of the Committee who previously has served as the chairman of the Committee as the Chairman Emeritus.

(2) The Chair and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees. The Chairman Emeritus shall be an ex

officio member without voting privileges of each subcommittee to which he or she is not assigned and shall not count for purposes of establishing a quorum in such subcommittees.

(3) The subcommittees shall be comprised as follows:

(A) The Subcommittee on Capital Markets and Government Sponsored Enterprises shall be comprised of 33 members, 18 elected by the majority caucus and 15 elected by the minority caucus.

(B) The Subcommittee on Financial Institutions and Consumer Credit shall be comprised of 31 members, 17 elected by the majority caucus and 14 elected by the minority caucus.

(C) The Subcommittee on Housing and Insurance shall be comprised of 20 members, 11 elected by the majority caucus and 9 elected by the minority caucus.

(D) The Subcommittee on Monetary Policy and Trade shall be comprised of 20 members, 11 elected by the majority caucus and 9 elected by the minority caucus.

(E) The Subcommittee on Oversight and Investigations shall be comprised of 20 members, 11 elected by the majority caucus and 9 elected by the minority caucus.

Subcommittee Meetings and Hearings

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it, consistent with subsection (a).

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(3) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the Chair with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

Effect of a Vacancy

(e) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee as long as the required quorum is present.

Records

(f) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6

STAFF

In General

(a)(1) Except as provided in paragraph (2), the professional and other staff of the Committee shall be appointed, and may be removed by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional and other staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) It is intended that the skills and experience of all members of the Committee staff be available to all members of the Committee.

Subcommittee Staff

(b) From funds made available for the appointment of staff, the Chair of the Com-

mittee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available so that each subcommittee can carry out its responsibilities under the rules of the Committee and that the minority party is treated fairly in the appointment of such staff.

Compensation of Staff

(c)(1) Except as provided in paragraph (2), the Chair shall fix the compensation of all professional and other staff of the Committee.

(2) The ranking minority member shall fix the compensation of all professional and other staff provided to the minority party members of the Committee.

RULE 7

BUDGET AND TRAVEL

Budget

(a)(1) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

(2) From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives, the Chair, after consultation with the ranking minority member, shall designate an amount to be under the direction of the ranking minority member for the compensation of the minority staff, travel expenses of minority members and staff, and minority office expenses. All expenses of minority members and staff shall be paid for out of the amount so set aside.

Travel

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 8

COMMITTEE ADMINISTRATION

Records

(a)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed

to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House and shall be available in electronic form and for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House of Representatives. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

Committee Publications on the Internet

(b) The Chair shall maintain an official Committee website for the purpose of carrying out the official responsibilities of the Committee, including communicating information about the Committee's activities. The ranking minority member may maintain an official website. To the maximum extent feasible, the Committee shall make its publications available in electronic form on the official Committee website maintained by the Chair.

Audio and Video Coverage of Committee

Hearings and Meetings

(c)(1) To the maximum extent feasible, the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings; and,

(2) maintain the recordings of such coverage in a manner that is easily accessible to the public.

APPENDIX 1

APPLICABLE PROVISIONS OF CLAUSES 1, 2, AND 4 OF RULE XI AND CLAUSES 2 AND 3 OF RULE XIII OF THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 113TH CONGRESS

January 3, 2013

RULE XI: PROCEDURES OF COMMITTEES AND UNFINISHED BUSINESS

CLAUSES 1 AND 2: RULES FOR STANDING COMMITTEES

In general

1. (a)(1)(A) The Rules of the House are the rules of its committees and subcommittees so far as applicable.

(B) Each subcommittee is a part of its committee and is subject to the authority and direction of that committee and to its rules, so far as applicable.

(2)(A) In a committee or subcommittee—

(i) a motion to recess from day to day, or to recess subject to the call of the Chair (within 24 hours), shall be privileged; and

(ii) a motion to dispense with the first reading (in full) of a bill or resolution shall be privileged if printed copies are available.

(B) A motion accorded privilege under this subparagraph shall be decided without debate.

(b)(1) Each committee may conduct at any time such investigations and studies as it

considers necessary or appropriate in the exercise of its responsibilities under rule X. Subject to the adoption of expense resolutions as required by clause 6 of rule X, each committee may incur expenses, including travel expenses, in connection with such investigations and studies.

(2) A proposed investigative or oversight report shall be considered as read in committee if it has been available to the members for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day).

(3) A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

(4) After an adjournment sine die of the last regular session of a Congress, an investigative or oversight report may be filed with the Clerk at any time, provided that a member who gives timely notice of intention to file supplemental, minority, or additional views shall be entitled to not less than seven calendar days in which to submit such views for inclusion in the report.

(c) Each committee may have printed and bound such testimony and other data as may be presented at hearings held by the committee or its subcommittees. All costs of stenographic services and transcripts in connection with a meeting or hearing of a committee shall be paid from the applicable accounts of the House described in clause 1(k)(1) of rule X.

(d)(1) Not later than January 2 of each year, a committee shall submit to the House a report on the activities of that committee.

(2) Such report shall include—

(A) separate sections summarizing the legislative and oversight activities of that committee under this rule and rule X during the applicable period;

(B) in the case of the first such report in each Congress, a summary of the oversight plans submitted by the committee under clause 2(d) of rule X;

(C) a summary of the actions taken and recommendations made with respect to the oversight plans specified in subdivision (B);

(D) a summary of any additional oversight activities undertaken by that committee and any recommendations made or actions taken thereon; and

(E) a delineation of any hearings held pursuant to clauses 2(n), (o), or (p) of this rule.

(3) After an adjournment sine die of a regular session of a Congress, or after December 15, whichever occurs first, the chair of a committee may file the report described in subparagraph (1) with the Clerk at any time and without approval of the committee, provided that—

(A) a copy of the report has been available to each member of the committee for at least seven calendar days; and

(B) the report includes any supplemental, minority, or additional views submitted by a member of the committee.

Adoption of written rules

2. (a)(1) Each standing committee shall adopt written rules governing its procedure. Such rules—

(A) shall be adopted in a meeting that is open to the public unless the committee, in open session and with a quorum present, determines by record vote that all or part of the meeting on that day shall be closed to the public;

(B) may not be inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(C) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

(2) Each committee shall make its rules publicly available in electronic form and submit such rules for publication in the Congressional Record not later than 30 days after the chair of the committee is elected in each odd-numbered year.

(3) A committee may adopt a rule providing that the chair be directed to offer a motion under clause 1 of rule XXII whenever the chair considers it appropriate.

Regular meeting days

(b) Each standing committee shall establish regular meeting days for the conduct of its business, which shall be not less frequent than monthly. Each such committee shall meet for the consideration of a bill or resolution pending before the committee or the transaction of other committee business on all regular meeting days fixed by the committee if notice is given pursuant to paragraph (g)(3).

Additional and special meetings

(c)(1) The chair of each standing committee may call and convene, as the chair considers necessary, additional and special meetings of the committee for the consideration of a bill or resolution pending before the committee or for the conduct of other committee business, subject to such rules as the committee may adopt. The committee shall meet for such purpose under that call of the chair.

(2) Three or more members of a standing committee may file in the offices of the committee a written request that the chair call a special meeting of the committee. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chair of the filing of the request. If the chair does not call the requested special meeting within three calendar days after the filing of the request (to be held within seven calendar days after the filing of the request) a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held. The written notice shall specify the date and hour of the special meeting and the measure or matter to be considered. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Such notice shall also be made publicly available in electronic form and shall be deemed to satisfy paragraph (g)(3)(A)(ii). Only the measure or matter specified in that notice may be considered at that special meeting.

Temporary absence of chair

(d) A member of the majority party on each standing committee or subcommittee thereof shall be designated by the chair of the full committee as the vice chair of the committee or subcommittee, as the case may be, and shall preside during the absence of the chair from any meeting. If the chair and vice chair of a committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking majority member who is present shall preside at that meeting.

Committee records

(e)(1)(A) Each committee shall keep a complete record of all committee action which shall include—

(i) in the case of a meeting or hearing transcript, a substantially verbatim account of

remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(ii) a record of the votes on any question on which a record vote is taken.

(B)(i) Except as provided in subdivision (B)(ii) and subject to paragraph (k)(7), the result of each such record vote shall be made available by the committee for inspection by the public at reasonable times in its offices and also made publicly available in electronic form within 48 hours of such record vote. Information so available shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(ii) The result of any record vote taken in executive session in the Committee on Ethics may not be made available for inspection by the public without an affirmative vote of a majority of the members of the committee.

(2)(A) Except as provided in subdivision (B), all committee records (including hearings, data, charts, and files) shall be kept separate and distinct from the congressional office records of the member serving as its chair. Such records shall be the property of the House, and each Member, Delegate, and the Resident Commissioner shall have access thereto.

(B) A Member, Delegate, or Resident Commissioner, other than members of the Committee on Ethics, may not have access to the records of that committee respecting the conduct of a Member, Delegate, Resident Commissioner, officer, or employee of the House without the specific prior permission of that committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under rule VII. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of rule VII, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that rule shall be approved by vote of the committee.

(4) Each committee shall make its publications available in electronic form to the maximum extent feasible.

(5) To the maximum extent practicable, each committee shall—

(A) provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings; and

(B) maintain the recordings of such coverage in a manner that is easily accessible to the public.

(6) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by a committee, the chair of such committee shall cause the text of each such amendment to be made publicly available in electronic form.

Prohibition against proxy voting

(f) A vote by a member of a committee or subcommittee with respect to any measure or matter may not be cast by proxy.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, by a standing committee or subcommittee thereof (other than the Committee on Ethics or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee,

in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be in executive session because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, would tend to defame, degrade, or incriminate any person, or otherwise would violate a law or rule of the House. Persons, other than members of the committee and such noncommittee Members, Delegates, Resident Commissioner, congressional staff, or departmental representatives as the committee may authorize, may not be present at a business or markup session that is held in executive session. This subparagraph does not apply to open committee hearings, which are governed by clause 4(a)(1) of rule X or by subparagraph (2).

(2)(A) Each hearing conducted by a committee or subcommittee (other than the Committee on Ethics or its subcommittees) shall be open to the public, including to radio, television, and still photography coverage, except when the committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would violate a law or rule of the House.

(B) Notwithstanding the requirements of subdivision (A), in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, a majority of those present may—

(i) agree to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger national security, would compromise sensitive law enforcement information, or would violate clause 2(k)(5); or

(ii) agree to close the hearing as provided in clause 2(k)(5).

(C) A Member, Delegate, or Resident Commissioner may not be excluded from nonparticipatory attendance at a hearing of a committee or subcommittee (other than the Committee on Ethics or its subcommittees) unless the House by majority vote authorizes a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures specified in this subparagraph for closing hearings to the public.

(D) The committee or subcommittee may vote by the same procedure described in this subparagraph to close one subsequent day of hearing, except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence, and the subcommittees thereof, may vote by the same procedure to close up to five additional, consecutive days of hearings.

(3)(A) The chair of a committee shall announce the date, place, and subject matter of—

(i) a committee hearing, which may not commence earlier than one week after such notice; or

(ii) a committee meeting, which may not commence earlier than the third day on which members have notice thereof.

(B) A hearing or meeting may begin sooner than specified in subdivision (A) in either of

the following circumstances (in which case the chair shall make the announcement specified in subdivision (A) at the earliest possible time):

(i) the chair of the committee, with the concurrence of the ranking minority member, determines that there is good cause; or

(ii) the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business.

(C) An announcement made under this subparagraph shall be published promptly in the Daily Digest and made publicly available in electronic form.

(D) This subparagraph and subparagraph (4) shall not apply to the Committee on Rules.

(4) At least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of an announcement under subparagraph (3)(B) made within 24 hours before such meeting, the chair of the committee shall cause the text of such legislation to be made publicly available in electronic form.

(5) Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(6)(A) Except as provided in subdivision (B), a point of order does not lie with respect to a measure reported by a committee on the ground that hearings on such measure were not conducted in accordance with this clause.

(B) A point of order on the ground described in subdivision (A) may be made by a member of the committee that reported the measure if such point of order was timely made and improperly disposed of in the committee.

(7) This paragraph does not apply to hearings of the Committee on Appropriations under clause 4(a)(1) of rule X.

Quorum requirements

(h)(1) A measure or recommendation may not be reported by a committee unless a majority of the committee is actually present.

(2) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which may not be less than two.

(3) Each committee (other than the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than one for which the presence of a majority of the committee is otherwise required, which may not be less than one-third of the members.

(4)(A) Each committee may adopt a rule authorizing the chair of a committee or subcommittee—

(i) to postpone further proceedings when a record vote is ordered on the question of ap-

proving a measure or matter or on adopting an amendment; and

(ii) to resume proceedings on a postponed question at any time after reasonable notice.

(B) A rule adopted pursuant to this subparagraph shall provide that when proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

Limitation on committee sittings

(i) A committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

Calling and questioning of witnesses

(j)(1) Whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chair by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2)(A) Subject to subdivisions (B) and (C), each committee shall apply the five-minute rule during the questioning of witnesses in a hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

(B) A committee may adopt a rule or motion permitting a specified number of its members to question a witness for longer than five minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(C) A committee may adopt a rule or motion permitting committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

Hearing procedures

(k)(1) The chair at a hearing shall announce in an opening statement the subject of the hearing.

(2) A copy of the committee rules and of this clause shall be made available to each witness on request.

(3) Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chair may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness—

(A) notwithstanding paragraph (g)(2), such testimony or evidence shall be presented in executive session if, in the presence of the number of members required under the rules of the committee for the purpose of taking testimony, the committee determines by vote of a majority of those present that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if the

committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chair shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) Evidence or testimony taken in executive session, and proceedings conducted in executive session, may be released or used in public sessions only when authorized by the committee, a majority being present.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of the testimony of such witness given at a public session or, if given at an executive session, when authorized by the committee.

Supplemental, minority, or additional views

(1) If at the time of approval of a measure or matter by a committee (other than the Committee on Rules) a member of the committee gives notice of intention to file supplemental, minority, or additional views for inclusion in the report to the House thereon, all members shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such a day) to file such written and signed views with the clerk of the committee.

Power to sit and act; subpoena power

(m)(1) For the purpose of carrying out any of its functions and duties under this rule and rule X (including any matters referred to it under clause 2 of rule XII), a committee or subcommittee is authorized (subject to subparagraph (3)(A))—

(A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it considers necessary; and

(B) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.

(2) The chair of the committee, or a member designated by the chair, may administer oaths to witnesses.

(3)(A)(i) Except as provided in subdivision (A)(ii), a subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of an investigation or series of investigations or activities only when authorized by the committee or subcommittee, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chair of the committee under such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chair of the committee or by a member designated by the committee.

(ii) In the case of a subcommittee of the Committee on Ethics, a subpoena may be authorized and issued only by an affirmative vote of a majority of its members.

(B) A subpoena duces tecum may specify terms of return other than at a meeting or

hearing of the committee or subcommittee authorizing the subpoena.

(C) Compliance with a subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.

(n)(1) Each standing committee, or a subcommittee thereof, shall hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize.

(2) A hearing described in subparagraph (1) shall include a focus on the most egregious instances of waste, fraud, abuse, or mismanagement as documented by any report the committee has received from a Federal Office of the Inspector General or the Comptroller General of the United States.

(o) Each committee, or a subcommittee thereof, shall hold at least one hearing in any session in which the committee has received disclaimers of agency financial statements from auditors of any Federal agency that the committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(p) Each standing committee, or a subcommittee thereof, shall hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that Federal programs or operations that the committee may authorize are at high risk for waste, fraud, and mismanagement, known as the high-risk list" or the high-risk series."

CLAUSE 4: AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

4. (a) The purpose of this clause is to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings or committee meetings that are open to the public may be covered by audio and visual means—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body, and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution as an institution of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered under authority of this clause by audio or visual means, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting, shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations, and may not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of

committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; Or

(2) cast discredit or dishonor on the House, the committee, or a Member, Delegate, or Resident Commissioner or bring the House, the committee, or a Member, Delegate, or Resident Commissioner into disrepute.

(d) The coverage of committee hearings and meetings by audio and visual means shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever a hearing or meeting conducted by a committee or subcommittee is open to the public, those proceedings shall be open to coverage by audio and visual means. A committee or subcommittee chair may not limit the number of television or still cameras to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(f) Each committee shall adopt written rules to govern its implementation of this clause. Such rules shall contain provisions to the following effect:

(1) If audio or visual coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) The allocation among the television media of the positions or the number of television cameras permitted by a committee or subcommittee chair in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(3) Television cameras shall be placed so as not to obstruct in any way the space between a witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(4) Television cameras shall operate from fixed positions but may not be placed in positions that obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(5) Equipment necessary for coverage by the television and radio media may not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(6)(A) Except as provided in subdivision (B), floodlights, spotlights, strobolights, and flashguns may not be used in providing any method of coverage of the hearing or meeting.

(B) The television media may install additional lighting in a hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in a hearing or meeting room to the lowest level necessary to provide adequate television coverage of a hearing or meeting at the current state of the art of television coverage.

(7) If requests are made by more of the media than will be permitted by a committee or subcommittee chair for coverage of a hearing or meeting by still photography, that coverage shall be permitted on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(8) Photographers may not position themselves between the witness table and the members of the committee at any time during the course of a hearing or meeting.

(9) Photographers may not place themselves in positions that obstruct unnecessarily the coverage of the hearing by the other media.

(10) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(11) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery.

(12) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

RULE XIII: CALENDARS AND COMMITTEE REPORTS

CLAUSE 2: FILING AND PRINTING OF REPORTS

Filing and printing of reports

2. (a)(1) Except as provided in subparagraph (2), all reports of committees (other than those filed from the floor) shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker in accordance with clause 1. The title or subject of each report shall be entered on the Journal and printed in the Congressional Record.

(2) A bill or resolution reported adversely (other than those filed as privileged) shall be laid on the table unless a committee to which the bill or resolution was referred requests at the time of the report its referral to an appropriate calendar under clause 1 or unless, within three days thereafter, a Member, Delegate, or Resident Commissioner makes such a request.

(b)(1) It shall be the duty of the chair of each committee to report or cause to be reported promptly to the House a measure or matter approved by the committee and to take or cause to be taken steps necessary to bring the measure or matter to a vote.

(2) In any event, the report of a committee on a measure that has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which a written request for the filing of the report, signed by a majority of the members of the committee, has been filed with the clerk of the committee. The clerk of the committee shall immediately notify the chair of the filing of such a request. This subparagraph does not apply to a report of the Committee on Rules with respect to a rule, joint rule, or order of business of the House, or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(c) All supplemental, minority, or additional views filed under clause 2(1) of rule XI by one or more members of a committee shall be included in, and shall be a part of, the report filed by the committee with respect to a measure or matter. When time guaranteed by clause 2(1) of rule XI has expired (or, if sooner, when all separate views have been received), the committee may arrange to file its report with the Clerk not later than one hour after the expiration of such time. This clause and provisions of clause 2(1) of rule XI do not preclude the immediate filing or printing of a committee report in the absence of a timely request for the opportunity to file supplemental, minority, or additional views as provided in clause 2(1) of rule XI.

CLAUSE 3: CONTENT OF REPORTS

3. (a)(1) Except as provided in subparagraph (2), the report of a committee on a measure or matter shall be printed in a single volume that—

(A) shall include all supplemental, minority, or additional views that have been submitted by the time of the filing of the report; and

(B) shall bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under paragraph (c)(3)) are included as part of the report.

(2) A committee may file a supplemental report for the correction of a technical error in its previous report on a measure or matter. A supplemental report only correcting errors in the depiction of record votes under paragraph (b) may be filed under this subparagraph and shall not be subject to the requirement in clause 4 or clause 6 concerning the availability of reports.

(b) With respect to each record vote on a motion to report a measure or matter of a public nature, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of members voting for and against, shall be included in the committee report. The preceding sentence does not apply to votes taken in executive session by the Committee on Ethics.

(c) The report of a committee on a measure that has been approved by the committee shall include, separately set out and clearly identified, the following:

(1) Oversight findings and recommendations under clause 2(b)(1) of rule X.

(2) The statement required by section 308(a) of the Congressional Budget Act of 1974, except that an estimate of new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant programs to the appropriate levels under current law.

(3) An estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 if timely submitted to the committee before the filing of the report.

(4) A statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding.

(d) Each report of a committee on a public bill or public joint resolution shall contain the following:

(1)(A) An estimate by the committee of the costs that would be incurred in carrying out the bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years);

(B) a comparison of the estimate of costs described in subdivision (A) made by the committee with any estimate of such costs made by a Government agency and submitted to such committee; and

(C) when practicable, a comparison of the total estimated funding level for the relevant programs with the appropriate levels under current law.

(2)(A) In subparagraph (1) the term "Government agency" includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(B) Subparagraph (1) does not apply to the Committee on Appropriations, the Committee on House Administration, the Committee on Rules, or the Committee on Ethics, and does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been included in the report under paragraph (c)(3).

(e)(1) Whenever a committee reports a bill or joint resolution proposing to repeal or

amend a statute or part thereof, it shall include in its report or in an accompanying document—

(A) the text of a statute or part thereof that is proposed to be repealed; and

(B) a comparative print of any part of the bill or joint resolution proposing to amend the statute and of the statute or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(2) If a committee reports a bill or joint resolution proposing to repeal or amend a statute or part thereof with a recommendation that the bill or joint resolution be amended, the comparative print required by subparagraph (1) shall reflect the changes in existing law proposed to be made by the bill or joint resolution as proposed to be amended.

(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law for the period concerned (excepting classified intelligence or national security programs, projects, or activities), along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b)(2) or (3) of rule X, it shall include—

(A) in the bill or joint resolution, separate headings for "Rescissions" and "Transfers of Unexpended Balances"; and

(B) in the report of the committee, a separate section listing such rescissions and transfers.

(g) Whenever the Committee on Rules reports a resolution proposing to repeal or amend a standing rule of the House, it shall include in its report or in an accompanying document—

(1) the text of any rule or part thereof that is proposed to be repealed; and

(2) a comparative print of any part of the resolution proposing to amend the rule and of the rule or part thereof proposed to be amended, showing by appropriate typographical devices the omissions and insertions proposed.

(h)(1) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(A) the report includes a tax complexity analysis prepared by the Joint Committee on Internal Revenue Taxation in accordance with section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998; or

(B) the chair of the Committee on Ways and Means causes such a tax complexity analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(2)(A) It shall not be in order to consider a bill or joint resolution reported by the Committee on Ways and Means that proposes to amend the Internal Revenue Code of 1986 unless—

(i) the report includes a macroeconomic impact analysis;

(ii) the report includes a statement from the Joint Committee on Internal Revenue Taxation explaining why a macroeconomic impact analysis is not calculable; or

(iii) the chair of the Committee on Ways and Means causes a macroeconomic impact analysis to be printed in the Congressional Record before consideration of the bill or joint resolution.

(B) In subdivision (A), the term “macroeconomic impact analysis” means—

(i) an estimate prepared by the Joint Committee on Internal Revenue Taxation of the changes in economic output, employment, capital stock, and tax revenues expected to result from enactment of the proposal; and

(ii) a statement from the Joint Committee on Internal Revenue Taxation identifying the critical assumptions and the source of data underlying that estimate.

APPENDIX 2

CHAIR'S POLICY REGARDING POSTPONED VOTES January 23, 2013

Rule 3(c)(5) of the Rules of the Committee on Financial Services for the 113th Congress (adopted pursuant to clause 2(h)(4) of rule XI of the Rules of the House of Representatives for the 113th Congress) authorizes the Chairman to postpone ordered record votes on the question of approving any measure or matter or adopting an amendment under certain circumstances. The Committee rule further provides that the Chairman may resume proceedings on a postponed vote at any time, but not later than the next meeting day.

The following policy was first announced by the Chair at the Committee's organizational meeting on February 5, 2003 and circulated to the Members of the Committee in a memorandum dated February 11, 2003. The policy has been continued since that time and is reprinted here for easy reference.

IN GENERAL

Members are advised that this policy applies equally to meetings of the full Committee and subcommittees, and will be printed in the Committee's rules pamphlet. The Chair has consulted with the ranking minority member in the formulation of this policy and will continue to consult with him regarding its application.

As announced at the Committee's organizational meeting, the purpose of this rule is to improve the efficiency of the Committee's meetings, and will not be used to advantage or disadvantage any member seeking to offer an amendment. In order to ensure that the Chair can effectively administer the rule and provide for orderly markups, it is essential that Members inform the Chair of their intention to offer a particular amendment as soon as possible. The Chair cannot protect Members if he does not know of their amendment. Members are further advised that the Chair intends for this rule to be used sparingly, in cases where the Committee faces a long markup on a series of bills or amendments. It does not substitute for the active attendance and participation of Members in Committee meetings.

IN PARTICULAR

1. In the application of the rule, the Chair will consult regularly with the ranking minority member regarding the postponement of votes, including the decision on whether to postpone a particular vote and on when proceedings will resume.

2. A record vote on an amendment will not be postponed if doing so would prejudice a member with regard to the offering of another amendment.

3. The Chair will make every reasonable effort to group the consideration of amend-

ments and the resumption of proceedings on postponed votes so as to permit the offering of all known amendments.

4. No more than 6 record votes will be postponed before the resumption of proceedings on the series, except with the specific agreement of the ranking minority member.

5. When proceedings resume on postponed record votes, the first vote in any series (or in the case of a single postponed vote, that vote), will remain open for 15 minutes, or until all members of the Committee or subcommittee are recorded. Subsequent votes in a series will not be held open.

6. The Chair will make every reasonable effort to notify members regarding the resumption of proceedings on postponed record votes, both prior to and at the time that proceedings resume on any postponed record vote, which includes notification through electronic means.

7. Members are strongly encouraged to attend all committee meetings. However, if members cannot attend the Committee meeting, they are advised to monitor the proceedings through the Committee broadcasts on the House cable system or the Committee's webcast, and to have staff present at the meeting.

The Chair believes that this policy will result in the fair application of the rule, the protection of Members' rights to offer amendments, and an improvement in the efficiency of Committee meetings.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, pursuant to House Concurrent Resolution 15, 113th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 p.m.), the House adjourned until Monday, February 25, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

301. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Fresh Bananas From the Philippines into the Continental United States [Docket No.: APHIS-2011-0028] (RIN: 0579-AD61) received February 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

302. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Texas (Splenic) Fever in Cattle [Docket No.: APHIS-2012-0069] received February 7, 2013; to the Committee on Agriculture.

303. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Horses From Contagious Equine Metritis-Affected Countries [Docket No.: APHIS-2008-0112] (RIN: 0579-AD31) received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

304. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Soybean Promotion and Research: Amend the Order To

Adjust Representation on the United Soybean Board [Doc. No.: AMS-LS-12-0022] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

305. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Modification of the Handling Regulation for Area No. 2 [Doc. No.: AMS-FV-12-0043; FV12-948-1 IR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

306. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears [Doc. No.: AMS-FV-12-0031; FV12-927-2 IR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

307. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0027; FV12-922-1 IR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

308. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in Designated Area of Southeastern California; Increased Assessment Rate [Doc. No.: AMS-FV-11-0090; FV 12-925-1 FR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

309. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Avocados Grown in South Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0094; FV12-915-1 FIR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

310. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Sweet Cherries Grown in Designated Countries in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0026; FV12-923-1 IR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

311. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2012-2013 Marketing Year [Doc. No.: AMS-FV-11-0088; FV12-985-1A IR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

312. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program; Periodic Residue Testing [Document Number: AMS-NOP-10-0102; NOP-10-10FR] (RIN: 0581-AD10) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

313. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate [Docket No.: AMS-FV-12-0035; FV12-987-1 IR] received February 14, 2013, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Agriculture.

314. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington; Temporary Suspension of Handling Regulations [Doc. No.: AMS-FV-12-0028; FV12-922-2 IR] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

315. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Rural Broadband Access Loans and Loan Guarantees (RIN: 0572-AC06) received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

316. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Glycine max Herbicide-resistant Acetolactate Synthase; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0795; FRL-9376-4] received February 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

317. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hexythiazox; Pesticide Tolerances [EPA-HQ-OPP-2010-0916; FRL-9376-9] received February 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

318. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiacloprid; Pesticide Tolerances [EPA-HQ-OPP-2010-0311; FRL-9374-9] received February 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

319. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protections for Subjects in Human Research Involving Pesticides [EPA-HQ-OPP-2010-0785; FRL-9353-4] (RIN: 2070-AJ76) received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

320. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 3-decen-2-one; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0065; FRL-9378-1] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

321. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's report on assistance provided for sporting events during calendar year 2012; to the Committee on Armed Services.

322. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations for the Cooperative Threat Reduction; to the Committee on Armed Services.

323. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding the eliminated 1994 Direct Ground Combat Definition and Assignment Rule; to the Committee on Armed Services.

324. A letter from the Vice Chairman and the Under Secretary of Defense Intelligence, Department of Defense, transmitting certification that the EP-3E Airborne Reconnaissance Integrated Electronic System II and the Special Projects Aircraft platforms meet all current requirements; to the Committee on Armed Services.

325. A letter from the Acting Under Secretary, Department of Defense, transmitting

a letter on the approved retirement of Lieutenant General Michael D. Barbero, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

326. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Appraisals for Higher-Priced Mortgage Loans [Docket No.: R-1443] (RIN: 7100-AD90) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

327. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Putnam County, NY, et al) [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8269] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

328. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Coos County, NH, et al) Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8267] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

329. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Cascade County, MT, et al) [Docket ID: FEMA-2013-0002] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

330. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Monroe County, PA, et al) [Docket ID: FEMA-2013-0002] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

331. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Allen County, OH, et al) [Docket ID: FEMA-2013-0003] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

332. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to El Al Israel Airlines Ltd. of Tel Aviv, Israel pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

333. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Prompt Corrective Action, Requirements for Insurance, and Promulgation of NCUA Rules and Regulations (RIN: 3133-AE07) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

334. A letter from the Deputy Director for Management, Executive Office of the President, transmitting Congressional Budget Office and Office of Management and Budget estimates under the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

335. A letter from the Director, Office of Standards, Regulations, and Variances, Department of Labor, transmitting the Department's final rule — Pattern of Violations (RIN: 1219-AB73) received February 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

336. A letter from the Deputy Director, OLMS, Department of Labor, transmitting the Department's final rule — Reorganization and Delegation of Authority; Technical Amendments received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

337. A letter from the Executive Secretary, Harry S. Truman Scholarship Foundation, transmitting the Foundation's annual report for 2012, pursuant to 20 U.S.C. 2012(b); to the Committee on Education and the Workforce.

338. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

339. A letter from the Chair of the Board and the Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's annual report as required by the Employee Retirement Income Security Act of 1974; to the Committee on Education and the Workforce.

340. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the State of New York since October 27, 2012, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

341. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Foreign Quarantine; Import Regulations for Infectious Biological Agents, Infectious Substances, and Vectors (RIN: 0920-AA37) received February 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

342. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Establishment of User Fees for Filovirus Testing of Nonhuman Primate Liver Samples [Docket No.: CDC-2012-0002] (RIN: 0920-AA47) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

343. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Criteria Used to Order Administrative Detention of Food for Human or Animal Consumption [Docket No.: FDA-2011-N-0197] (RIN: 0910-AG67) received February 21, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

344. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Disease; Foreign — Requirements for Importers of Nonhuman Primates (NHP) [Docket No.: HHS/CDC-2011-0001] (RIN: 0920-AA23) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

345. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Consumer Information Regulations; Fees for Use of Traction Skid Pads [Docket No.: NHTSA 2011-0005] (RIN: 2127-AK06) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

346. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Event Data Records [Docket No.: NHTSA-2012-0099] (RIN:

2127-AL14) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

347. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Make Inoperative Exemptions; Retrofit On-Off Switches for Air Bags [Docket No.: NHTSA-2012-0078] (RIN: 2127-AL19) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

348. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2013 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2013 [Docket No.: NHTSA-2012-0032] (RIN: 2127-AL21) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

349. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment [Docket No.: NHTSA-2012-0171] (RIN: 2127-AK99) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

350. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Final Rule [Docket No.: NHTSA-2012-0093 Notice 2] (RIN: 2127-AL18) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

351. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; New Pneumatic and Certain Specialty Tires [Docket No.: NHTSA-2013-0003] (RIN: 2127-AK42) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

352. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — List of Non-conforming Vehicles Decided To Be Eligible for Importation [Docket No.: NHTSA-2011-0127] received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

353. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Motorcycle Brake Systems [Docket No.: NHTSA-2012-0123] (RIN: 2127-AK16) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

354. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Schedule of Fees Authorized [Docket No.: NHTSA-2012-0080; Notice 2] (RIN: 2127-AL09) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

355. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Matters Incorporated by Reference [Docket No.: NHTSA-2011-0185] (RIN: 2127-AK89) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

356. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Tire Fuel Efficiency Consumer Information program [Docket No.: NHTSA-2011-0177] (RIN: 2127-

AK83) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

357. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to Maryland's Ambient Air Quality Standards [EPA-R03-OAR-2012-0982; FRL-9777-2] received February 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

358. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey and New York Ozone Attainment Demonstrations [EPA-R02-OAR-2012-0840; FRL-9778-5] received February 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

359. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality: Revision to Definition of Volatile Organic Compounds — Exclusion of a Group of Four Hydrofluoropolyethers (HFPEs) [EPA-HQ-OAR-2007-0089; FRL-9779-3] (RIN: 2060-AO17) received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

360. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality: Revision to Definition of Volatile Organic Compounds — Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene [SolsticeTM 123zd(E)] [EPA-HQ-OAR-2012-0393; FRL-9779-5] (RIN: 2060-AQ38) received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

361. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Alaska; Regional Haze State Implementation Plan [EPA-R10-OAR-2011-0367; FRL-9756-8] received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

362. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Tennessee: Revisions to Volatile Organic Compound Definition [EPA-R04-OAR-2012-0888; FRL-9780-8] received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

363. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and Defer Sanctions, Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2013-0064; FRL-9777-8] received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

364. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; PBR and PTIO [EPA-R05-OAR-2007-1102; EPA-R05-OAR-2008-0782; FRL-9771-8] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

365. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Hawaii; Update to Materials Incorporated by Reference [HI 126-NBK; FRL-9712-2] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

366. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Idle Reduction of Heavy-Duty Diesel Vehicles and Reduction of Nitrogen Oxides (NOx) Emissions for the Kansas City Ozone Maintenance Area [EPA-R07-OAR-2012-0293; FRL-9781-5] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

367. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee: Knox County Supplement Motor Vehicle Emissions Budget Update [EPA-R04-OAR-2012-0762; FRL-9782-1] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

368. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Restriction of Emission of Particulate Matter from Industrial Processes [EPA-R07-OAR-2012-0758; FRL-9781-7] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

369. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method Request Submission Deadline for Petroleum and Natural Gas Systems Source Category [EPA-HQ-OAR-2011-0417; FRL-9780-3] (RIN: 2060-AR74) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

370. A letter from the Deputy Division Chief, Policy Division, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revisions to Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft Communicating With Fixed-Satellite Service Geostationary-Orbit space Stations Operating in the 10.95-11.2 GHz, 11.45-11.7 GHz, 11.7-12.2GHz and 14.0-14.5 GHz Frequency Bands; Service Rules and Procedures to Govern the Use of Aeronautical Mobile Satellite Service Earth Stations in Frequency Bands Allocated to the Fixed Satellite Service [IB Docket No.: 12-376] [IB Docket No.: 05-20] (proceeding terminated) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

371. A letter from the Chief, Policy Division, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — International Settlements Policy Reform; Joint Petition for Rulemaking of AT&T Inc., Sprint Nextel Corporation and Verizon; Modifying the Commission's Process to Avert Harm to U.S. Competition and U.S. Customers Caused by Anticompetitive Conduct; Petition of AT&T for Settlements Stop Payment Order on the U.S.-Tonga Route [IB Docket No.: 11-80] [RM-11322] [IB Docket No.: 05-254] [IB Docket

No.: 09-10] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

372. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No.: 13-24] [CG Docket No.: 03-123] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

373. A letter from the Deputy Division Chief, Pricing Policy Division, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2 and 25 of the Commission's Rules to Allocate Spectrum and Adopt Service Rules and Procedures to Govern the Use of Vehicle-Mounted Earth Stations in Certain Frequency Bands Allocated to the Fixed-Satellite Service [IB Docket No.: 07-101] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

374. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No.: RM13-4-000] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

375. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Charges for Use of Government Lands [Docket No.: RM11-6-000; Order No. 774] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

376. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's report on the status of all extensions granted by Congress regarding the requirements of section 13 of the Federal Power Act; to the Committee on Energy and Commerce.

377. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Children's Online Privacy Protection Rule (RIN: 3084-AB20) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

378. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Enforcement Policy [NRC-2013-0014] received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

379. A letter from the Director, Defense Security Cooperation Agency, transmitting the Annual Report of Military Assistance and Military Exports; to the Committee on Foreign Affairs.

380. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 03-13 informing of an intent to sign the Memorandum of Understanding with the Federal Republic of Germany; to the Committee on Foreign Affairs.

381. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to Section 652 and 506(a)(1) of the Foreign Assistance Act of 1961, as amended, notification of the President's intent to drawdown funds in defense services of the Department of Defense; to the Committee on Foreign Affairs.

382. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

383. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of an unauthorized transfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

384. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report including matters relating to the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Affairs.

385. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 102(g) of the Foreign Relations Authorization Act for FY 1994 and 1995 (Pub. L. 103-236 as amended by 103-415), certification for FY 2013 that no United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia; to the Committee on Foreign Affairs.

386. A letter from the Acting Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

387. A letter from the Acting Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

388. A letter from the Chairman and President, Export-Import Bank, transmitting the Annual Report to Congress on the Operations of the Export-Import Bank for fiscal year 2012; to the Committee on Financial Services.

389. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

390. A letter from the Chairman, Merit Systems Protection Board, transmitting a report entitled, "Management Public Employees in the Public Interest: Employee Perspectives on Merit Principles in Federal Workplaces"; to the Committee on Oversight and Government Reform.

391. A letter from the Auditor, District of Columbia, transmitting a report entitled "Certified Business Enterprise Expenditures of Public-Private Development Construction Projects for Fiscal Year 2012"; to the Committee on Oversight and Government Reform.

392. A letter from the Director, Office of Surface Mining, Department of the Interior,

transmitting the Department's final rule — Tennessee Abandoned Mine Land Program [SATS No.: TN-001-FOR; OSM 2011-0010] received February 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

393. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Montana Regulatory Program [SATS No.: MT-032-FOR; Docket ID No.: OSM-2011-0011] received February 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

394. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Utah Regulatory Program [SATS No.: UT-047-FOR; Docket ID No.: OSM-2010-0012] received February 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

395. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Wyoming Regulatory Program [SATS No.: WY-040-FOR; Docket ID: OSM-2011-0004] received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

396. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Texas Regulatory Program [SATS No.: TX-065-FOR; Docket ID: OSM-2012-0019] received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

397. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alabama Regulatory Program [SATS No.: AL-077-FOR; Docket No.: OSM-2012-0016] received February 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

398. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Threatened Status for the Beringia and Okhotsk Distinct Population Segments of the *Erigonathus barbatus nauticus* Subspecies of the Bearded Seal [Docket No.: 101126591-2477-03] (RIN: 0648-XZ58) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

399. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Inflation Adjustment of Civil Money Penalty Amounts [Docket No.: FR-5662-F-01] (RIN: 2501-AD59) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

400. A letter from the Assistant Director, Criminal Justice Information Services Division, Department of Justice, transmitting the CJIS Annual Report for 2012; to the Committee on the Judiciary.

401. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No.: NHTSA-2012-0131; Notice 2] (RIN: 2127-AL-16) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

402. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Revised Jurisdictional Thresholds of the Clayton Act received January 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

403. A letter from the President and Chief Executive Officer, Little League International, transmitting the Annual Report of Little League Baseball, Incorporated for the fiscal year ending September 30, 2012; to the Committee on the Judiciary.

404. A letter from the Director, National Legislative Commission, American Legion, transmitting the financial statement and independent audit of The American Legion, proceedings of the 94th Annual National Convention of the American Legion, held in Indianapolis, Indiana from August 24–August 30, 2012, and a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 113-10); to the Committee on Veterans Affairs and ordered to be printed.

405. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Grain-shipment Assistance Vessels; Columbia and Willamette Rivers [Docket Number: USCG-2012-1029] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

406. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Sacramento River, CA [Docket Number: USCG-2011-1138] (RIN: 1625-AA09) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

407. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Recovery Operations for East Jefferson Street Train Derailment, Mantua Creek; Paulsboro, NJ [Docket Number: USCG-2012-1060] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

408. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Upper Mississippi River MM 0.0 to MM 185.0; Cairo, IL to St. Louis, MO [Docket Number: USCG-2012-1044] (RIN: 1625-AA11) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

409. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District; Extension of Stay (Suspension) [Docket Number: USCG-2012-1074] (RIN: 1625-AA11) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

410. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; TEMCO Grain Facilities; Columbia and Willamette Rivers [Docket Number: USCG-2012-1068] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

411. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Hampton Harbor Channel Obstruction, Hampton Harbor; Hampton, NH [Docket Number: USCG-2012-1055] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

412. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Upper Mississippi River MM 35.0 to MM 55.0; Thebes, IL and Cape Girardeau, MO, and MM 75.0 to MM 85.0; Grand Tower, IL [Docket No.: USCG-2012-0998] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

413. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; 25th Annual North American International Auto show, Detroit River, Detroit, MI [Docket No.: USCG-2012-1077] (RIN: 1625-AA87) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

414. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Kelley's Island Swim, Lake Erie; Kelley's Island, Lakeside, OH [Docket No.: USCG-2012-0386] (RIN: 1625-AA08) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

415. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Overhead Cable Replacement, Maumee River, Toledo, OH [Docket No.: USCG-2012-0971] (RIN: 1625-AA08) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

416. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bridge Demolition Project; Indiana Harbor Canal, East Chicago, Indiana [Docket No.: USCG-2012-1053] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

417. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gilmerton Bridge Center Span Float-in, Elizabeth River; Norfolk, Portsmouth, and Chesapeake, Virginia [Docket No.: USCG-2012-0642] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

418. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Reconsideration of Letters of Recommendation for Waterfront Facilities Handling LNG and LHG [Docket No.: USCG-2011-0227] (RIN: 1625-AB67) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

419. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Bridge Construction, San Francisco Bay, San Francisco, CA [Docket No.: USCG-2012-0945] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

420. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2012 Holiday Boat Parades, Captain of the Port Miami Zone; FL [Docket Number: USCG-2012-0898] (RIN: 1625-AA08) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

421. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Grain-Shipment Vessels, Columbia and Willamette Rivers [Docket Number: USCG-2012-1028] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

422. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Columbia Grain and United Grain Corporation Facilities; Columbia and Willamette Rivers [Docket Number: USCG-2012-1027] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

423. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA [Docket No.: USCG-2011-1125] (RIN: 1625-AA11) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

424. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Adding International Energy Efficiency (IEE) Certificate to List of Certificates a Recognized Classification Society May Issue [Docket No.: USCG-2012-0861] (RIN: 1625-AB90) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

425. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0428; Directorate Identifier 2011-NM-078-AD; Amendment 39-17248; AD 2012-22-12] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

426. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0518; Directorate Identifier 2010-NM-150-AD; Amendment 39-17231; AD 2012-21-15] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

427. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0498; Directorate Identifier 2011-NM-212-AD; Amendment 39-17238; AD 2012-22-02] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

428. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1168; Directorate Identifier 2010-NM-329-AD; Amendment 39-17255; AD 2012-22-17] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

429. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland Helicopters [Docket No.: FAA-2012-0528; Directorate Identifier 2011-SW-068-AD; Amendment 39-17261; AD 2012-23-05] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5

455. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Model [Docket No.: FAA-2012-0643; Directorate Identifier 2011-NM-190-AD; Amendment 39-17241; AD 2012-22-05] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

456. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Helicopters [Docket No.: FAA-2012-0530; Directorate Identifier 2011-SW-075-AD; Amendment 39-17247; AD 2012-22-11] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

457. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2012-0143; Directorate Identifier 2011-NM-077-AD; Amendment 39-17252; AD 2012-22-15] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

458. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2012-0216; Directorate Identifier 2010-SW-025-AD; Amendment 39-17245; AD 2012-22-09] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

459. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0679; Directorate Identifier 2012-NM-063-AD; Amendment 39-17246; AD 2012-22-10] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

460. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0806; Directorate Identifier 2012-NM-022-AD; Amendment 39-17243; AD 2012-22-07] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

461. A letter from the Senior Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. (Type Certificate currently held by AgustaWestland S.p.A.) (Agusta) Helicopters [Docket No.: FAA-2012-1135; Directorate Identifier 2012-SW-097-AD; Amendment 39-17281; AD 2012-21-52] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

462. A letter from the Senior Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1228; Directorate Identifier 2012-NM-190-AD; Amendment 39-17292; AD 2012-25-11] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

463. A letter from the Senior Attorney Advisor, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc., Helicopters [Docket No.: FAA-2012-0746; Directorate Identifier 2008-SW-035-AD; Amendment 39-17337; AD 2013-03-03] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

464. A letter from the Senior Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2012-1225; Directorate Identifier 2012-NM-219-AD; Amendment 39-17288; AD 2012-25-07] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

465. A letter from the Senior Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0631; Directorate Identifier 2011-SW-021-AD; Amendment 39-17282; AD 2012-25-01] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

466. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program, pursuant to Public Law 109-59, section 6005(h); to the Committee on Transportation and Infrastructure.

467. A letter from the Program Analyst, Department of Transportation, transmitting the Department's "Major" final rule — Uniform Procedures for State Highway Safety Grant Programs [Docket No.: NHTSA-2013-0001] (RIN: 2127-AL30; RIN: 2127-AL29) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

468. A letter from the Senior Attorney Advisor, OST, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kasigluk, AK [Docket No.: FAA-2012-0952; Airspace Docket No. 12-AAL-6] received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

469. A letter from the Attorney Advisor, OST, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Tri-Cities, TN: Revocation of Class E Airspace; Tri-City, TN [Docket No.: FAA-2011-0621; Airspace Docket No.: 11-ASO-28] received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

470. A letter from the Senior Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-213-0075; Directorate Identifier 2012-SW-104-AD; Amendment 39-17336; AD 2013-03-02] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

471. A letter from the Senior Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schweizer Aircraft Corporation [Docket No.: FAA-2012-0602; Directorate Identifier 2009-SW-061-AD; Amendment 39-17338; AD 2013-03-04] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

472. A letter from the Paralegal, Department of Transportation, transmitting the Department's final rule — Environmental Impact and Related Procedures [Docket No.: FTA-2011-0056] (RIN: 2132-AB03) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

473. A letter from the Acting Manager, Engine and Propeller Directorate Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Engine Alliance Turboprop Engines [Docket No.: FAA-2012-1293; Directorate Identifier 2012-NE-45-AD; Amendment 39-17327; AD 2013-02-06] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

474. A letter from the Administrator, Federal Aviation Administration, transmitting the Administration's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2012-1251; Directorate Identifier 2012-CE-044-AD; Amendment 39-17335; AD 2013-03-01] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

475. A letter from the Administrator, Federal Aviation Administration, transmitting the Administration's final rule — Airworthiness Directives; Rolls-Royce plc Turboprop Engines [Docket No.: FAA-2012-1334; Directorate Identifier 2012-NE-49-AD; Amendment 39-17324; AD 2013-02-03] (RIN: 2120-AA64) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

476. A letter from the Director of Regulation Policy and Management, Office of the Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Disclosures to Participate in State Prescription Drug Monitoring Programs (RIN: 2900-AO45) February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

477. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Non-compensatory Partnership Options [TD 9612] (RIN: 1545-BA53) received February 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

478. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-6] received February 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

479. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reconsideration of Tax-Exempt AFR [Notice 2013-4] received February 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

480. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Temporary Shelter for Individuals Displaced by Hurricane Sandy [Notice 2013-9] received February 8, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

481. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Request for Comments on Property Simultaneously Held for Sale or Lease ("Dual-Use Property") [Notice 2013-13] received February 8, 2013, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

482. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Permitted disparity in employer-provided contributions or benefits (Rev. Rul. 2013-2) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

483. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the System's final rule — 25-Year Average Segment Rates and Adjusted 24-Month Average Segment Rates Used for Pension Funding for Plan Years Beginning in 2013 [Notice 2013-11] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

484. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2013 Calendar Year Resident Population Figures [Notice 2013-15] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

485. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Correction to Revenue Procedure 2013-6 Employee Plans Determination Letters [Announcement 2013-13] received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

486. A letter from the Assistant U.S. Trade Representative for WTO and Multilateral Affairs, Office of the United States Trade Representative, transmitting the Administration's Annual Report on Subsidies Enforcement, pursuant to the Statement of Administrative Action of the Uruguay Round Agreements Act; to the Committee on Ways and Means.

487. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Revised Medical Criteria for Evaluating Congenital Disorders That Affect Multiple Body Systems [Docket No.: SSA-2009-0039] (RIN: 0960-AH04) received February 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

488. A letter from the Secretary, Department of Health and Human Services, transmitting a report on one Agency's Drug-Free Workplace Plan, pursuant to Public Law 100-71, section 503(a)(1)(A) (101 Stat. 468); jointly to the Committees on Appropriations and Oversight and Government Reform.

489. A letter from the Secretary of the Army, Department of Defense, transmitting a report on reservations made for interment at Arlington National Cemetery, as required by Section 602 of Public Law 112-154; jointly to the Committees on Armed Services and Veterans' Affairs.

490. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled: "Recovery Auditing in the Medicare and Medicaid Program"; jointly to the Committees on Energy and Commerce and Ways and Means.

491. A letter from the Inspector General, Department of Health and Human Services, transmitting the Annual Report on the evaluation results of the information security of Medicare administrative contractors, fiscal intermediaries, and carriers; jointly to the Committees on Energy and Commerce and Ways and Means.

492. A letter from the Secretary, Attorney General, Department of Health and Human Services Department of Justice, transmit-

ting the Annual Report on the Health Care Fraud and Abuse Control (HCFA) Program for Fiscal Year 2012; jointly to the Committees on Energy and Commerce and Ways and Means.

493. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Side Impact Protection [Docket No.: NHTSA-2010-0032] (RIN: 2127-AK82) received February 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

494. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority; jointly to the Committees on Foreign Affairs and Appropriations.

495. A letter from the Under Secretary for Oceans and Atmosphere, Department of Commerce, transmitting a letter regarding the establishment of a Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program; jointly to the Committees on Natural Resources and Science, Space, and Technology.

496. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the report "First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Federated States of Micronesia"; jointly to the Committees on Natural Resources and Foreign Affairs.

497. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the report "First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Republic of the Marshall Islands"; jointly to the Committees on Natural Resources and Foreign Affairs.

498. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare, Medicaid, Children's Health Insurance Programs; Transparency Reports and Reporting of Physician Ownership or Investment Interests [CMS-5060-F] (RIN: 0938-AR33) received February 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

499. A letter from the Director, Division of Regulations, Legislation, and Interpretation, Department of Labor, transmitting the Department's final rule — The Family Medical Leave Act (RIN: 1215-AB76) (RIN: 1235-AA03) received February 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Education and the Workforce, House Administration, and Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Alabama (for himself and Mr. LOESACK):

H.R. 741. A bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services and benefits for certain new beneficiaries as part of the TRICARE program; to the Committee on Armed Services.

By Mr. CRAWFORD (for himself, Ms. MOORE, Mr. SEAN PATRICK MALONEY

of New York, and Mr. HUIZENGA of Michigan):

H.R. 742. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; to the Committee on Agriculture, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself and Ms. SLAUGHTER):

H.R. 743. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. SMITH of Texas):

H.R. 744. A bill to provide effective criminal prosecutions for certain identity thefts, and for other purposes; to the Committee on the Judiciary.

By Mrs. NAPOLITANO (for herself, Ms. BROWN of Florida, Ms. CHU, Mr. GARAMENDI, Mr. HONDA, Mr. MARKEY, Mrs. NEGRETE MCLEOD, Mr. PETERS of California, Mr. PIERLUISI, Mr. RUSH, Mr. SABLAN, Ms. LINDA T. SANCHEZ of California, Ms. SLAUGHTER, Mr. HUFFMAN, Mr. HINOJOSA, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, Mr. PASTOR of Arizona, Ms. KAPTUR, Mr. LEWIS, Mr. RUIZ, and Mr. TAKANO):

H.R. 745. A bill to reauthorize the Water Desalination Act of 1996; to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENTIVOLIO (for himself, Mr. HALL, Mr. ROSKAM, Mr. GOHMERT, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. WALBERG, Mr. VALADAO, Mr. BENISHEK, Mrs. BACHMANN, Mr. BROWN of Georgia, Mr. HULTGREN, and Mr. PITTENGER):

H.R. 746. A bill to provide small businesses with a grace period for a regulatory violation, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL (for himself and Mr. MORAN):

H.R. 747. A bill to amend the Military Selective Service Act to require the registration of women with the Selective Service System in light of the Department of Defense elimination of the rule excluding women from direct ground combat assignments in the Armed Forces; to the Committee on Armed Services.

By Mr. RANGEL:

H.R. 748. A bill to require all persons in the United States between the ages of 18 and 25 to perform national service, either as a member of the uniformed services or as civilian service in a Federal, State, or local government program or with a community-based agency or community-based entity, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, to provide for the registration of women under the Military Selective Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. LUETKEMEYER (for himself, Mr. SHERMAN, Mr. HUIZENGA of Michigan, Mr. GRAVES of Missouri, Mr. MEEKS, Mr. WESTMORELAND, Mr. HINOJOSA, Ms. NORTON, Mr. MICHAUD, Mr. RENACCI, Mr. ROYCE, Mr. OWENS, Mr. GOSAR, Mr. PETERS of Michigan, Mrs. MCCARTHY of New York, Mr. STIVERS, Mr. HASTINGS of Florida, Mr. BEN RAY LUJÁN of New Mexico, and Mr. WILSON of South Carolina):

H.R. 749. A bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement; to the Committee on Financial Services.

By Mr. THOMPSON of California (for himself and Mr. GOSAR):

H.R. 750. A bill to award posthumously a Congressional Gold Medal to Stewart Lee Udall in recognition of his contributions to the Nation as hero for the environment, a champion for conservation, a civil right activist, a Native American crusader, and an advocate for the arts; to the Committee on Financial Services.

By Mr. MEADOWS (for himself, Mr. CASSIDY, Mr. NUGENT, Mr. JOYCE, Mr. BILIRAKIS, Mrs. LUMMIS, and Mr. ROONEY):

H.R. 751. A bill to make supplemental appropriations for the Cops in Schools program for fiscal year 2013; to the Committee on Appropriations.

By Mr. MCNERNEY (for himself, Mr. RANGEL, Mr. BUTTERFIELD, Mr. BEN RAY LUJÁN of New Mexico, Mr. RUSH, Mr. HASTINGS of Florida, and Mr. VALADAO):

H.R. 752. A bill to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 753. A bill to prohibit the Secretary of the Interior and the Secretary of Commerce from authorizing commercial finfish aquaculture operations in the Exclusive Economic Zone except in accordance with a law authorizing such action; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 754. A bill to resolve title issues involving real property and equipment acquired using funds provided under the Alaska Kiln Drying Grant Program; to the Committee on Agriculture.

By Mr. MCCAUL (for himself and Mr. CUELLAR):

H.R. 755. A bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. LIPINSKI, Mr. SMITH of Texas, Mr. LANGEVIN, Mr. MEEHAN, Ms. MATSUI, Mr. HALL, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 756. A bill to advance cybersecurity research, development, and technical standards, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. MCCOLLUM (for herself, Mr. COLE, Mr. GRIJALVA, Mr. SIMPSON, Ms. NORTON, and Ms. MOORE):

H.R. 757. A bill to decrease the incidence of violent crimes against Indian women, to strengthen the capacity of Indian tribes to exercise the sovereign authority of Indian tribes to respond to violent crimes committed against Indian women, and to ensure that perpetrators of violent crimes committed against Indian women are held accountable for that criminal behavior, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART (for himself, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. JONES, Mr. CRAMER, and Mrs. LUMMIS):

H.R. 758. A bill to prohibit the further extension or establishment of national monuments in Utah except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. ALEXANDER (for himself and Mr. SCHOCK):

H.R. 759. A bill to provide that a certain proposed rule published by the Office of Federal Contract Compliance Programs shall have no force or effect unless the Department of Labor is first certified to be in compliance with such rule; to the Committee on Oversight and Government Reform.

By Mr. AMASH:

H.R. 760. A bill to amend chapter 2 of title I of the United States Code to establish the style for amending laws; to the Committee on the Judiciary.

By Mr. AMODEI (for himself, Mr. GOSAR, Mr. LAMBORN, Mr. BISHOP of Utah, Mr. JONES, Mr. WALBERG, Mr. FRANKS of Arizona, Mr. HECK of Nevada, Mr. TIPTON, Mr. WALDEN, Mr. STIVERS, Mr. JOHNSON of Ohio, Mr. LATTA, Mr. YOUNG of Alaska, Mr. CONAWAY, Mr. BENISHEK, Mr. DAINES, Mr. GARDNER, Mr. SCHWEIKERT, Mr. MATHESON, Mr. BISHOP of Georgia, Mr. LABRADOR, Mr. STEWART, Mr. CHAFFETZ, Mr. SALMON, Mr. SIMPSON, Mr. GOHMERT, Mr. PEARCE, and Mr. LUETKEMEYER):

H.R. 761. A bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. GUTHRIE, Mr. ROE of Tennessee, Mr. SCALISE, Mr. KINZINGER of Illinois, Mr. BOUSTANY, Mr. HALL, Mr. HARPER, Mr. MCCLINTOCK, Mrs. CAPITO, Mr. LONG, Mr. GINGREY of Georgia, Mr. DESJARLAIS, Mr. FLEISCHMANN, and Mr. SHIMKUS):

H.R. 762. A bill to repeal title I of the Patient Protection and Affordable Care Act and to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker,

in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. MATHESON, Mr. HOLDING, Mr. ROE of Tennessee, Mrs. BLACK, Mr. FLEISCHMANN, and Mr. SALMON):

H.R. 763. A bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. FARR, Mrs. CHRISTENSEN, Mr. SABLAN, Mr. HOLT, Ms. BROWNLEY of California, Mr. HUFFMAN, and Ms. SHEA-PORTER):

H.R. 764. A bill to amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation planning and response program, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAPPS:

H.R. 765. A bill to authorize the Administrator of the Environmental Protection Agency to establish a program of awarding grants to owners or operators of water systems to increase resiliency or adaptability of the systems to any ongoing or forecasted changes to the hydrologic conditions of a region of the United States; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. POCAN, Mr. LANGEVIN, Ms. SCHAKOWSKY, Mr. ELLISON, Mr. LARSEN of Washington, Ms. LEE of California, and Mr. CARTWRIGHT):

H.R. 766. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers; to the Committee on Ways and Means.

By Mr. CRAMER (for himself, Mr. DAINES, Mrs. NOEM, and Mrs. LUMMIS):

H.R. 767. A bill to amend the Energy Policy Act of 2005 to modify the Pilot Project of offices of the Federal Permit Streamlining Pilot Project; to the Committee on Natural Resources.

By Mrs. DAVIS of California (for herself and Mr. POLIS):

H.R. 768. A bill to amend the Elementary and Secondary Education Act of 1965 to require the establishment of teacher evaluation programs; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Mr. NEAL, Mr. ANDREWS, Mr. BECERRA, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. CLARKE, Mr. CLYBURN, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. CUELLAR, Mr. CUMMINGS, Mr. DEFazio, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FATTAH, Ms. FUDGE, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HONDA, Mr. HOYER, Mr. ISRAEL, Mr. JOHNSON of Georgia, Mr. HIMES, Ms. KAPTUR, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Mr.

LEVIN, Mr. LEWIS, Ms. LOFGREN, Mrs. LOWEY, Mr. BEN RAY LUJAN of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MENG, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SABLAN, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKANO, Mr. TIERNEY, Mr. TONKO, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, and Mrs. DAVIS of California):

H.R. 769. A bill to amend the Internal Revenue Code of 1986 to permanently extend the lower threshold for the refundable portion of the child tax credit and to adjust the credit amount for inflation; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 770. A bill to amend the South Carolina National Heritage Corridor Act of 1996 to designate the management entity for the South Carolina National Heritage Corridor, and for other purposes; to the Committee on Natural Resources.

By Mr. DUNCAN of South Carolina (for himself, Mr. WILSON of South Carolina, Mr. RICE of South Carolina, Mr. MULVANEY, Mr. BENISHEK, and Mr. GOWDY):

H.R. 771. A bill to establish requirements for oil and gas leasing of areas of the Outer Continental Shelf off the coast of South Carolina; to the Committee on Natural Resources.

By Mr. FALEOMAVAEGA (for himself, Ms. ROS-LEHTINEN, and Mr. CHABOT):

H.R. 772. A bill to promote peaceful and collaborative resolution of the South China Sea dispute; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORBES:

H.R. 773. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt the Department of Defense from reduction under any order issued to carry out a sequestration pursuant to section 251A; to the Committee on the Budget.

By Mr. GARDNER (for himself, Mr. COFFMAN, Mrs. LUMMIS, Mr. DENHAM, Mr. BENISHEK, Mrs. BLACKBURN, Mr. GOHMERT, Mr. LAMALFA, Mr. WALBERG, and Mr. WILSON of South Carolina):

H.R. 774. A bill to amend the Internal Revenue Code of 1986 to establish small business start-up savings accounts; to the Committee on Ways and Means.

By Mr. GRIFFITH of Virginia (for himself, Mr. CONNOLLY, Mr. FORBES, Mr. GOODLATTE, Mr. HURT, Mr. SCOTT of Virginia, Mr. WITTMAN, Mr. WOLF, and Mr. MORAN):

H.R. 775. A bill to amend title 28, United States Code, to exempt election officials from Federal jury service; to the Committee on the Judiciary.

By Mr. HANNA (for himself and Mr. GRAVES of Missouri):

H.R. 776. A bill to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other

purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. WESTMORELAND, Mr. NUNES, Mr. MCCLINTOCK, Mr. BENTIVOLIO, Mr. DENHAM, Ms. CASTOR of Florida, Mr. CALVERT, Mr. ROHRBACHER, Mr. SALMON, Mr. ROONEY, and Ms. JENKINS):

H.R. 777. A bill to amend title III of the Americans with Disabilities Act of 1990 to require a plaintiff to provide a defendant with an opportunity to correct a violation of such title voluntarily before the plaintiff may commence a civil action, and for other purposes; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Ms. WASSERMAN SCHULTZ, Mr. DIAZ-BALART, Mr. DEUTCH, and Ms. ROS-LEHTINEN):

H.R. 778. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 779. A bill to repeal the Patient Protection and Affordable Care Act and the health care-related provisions in the Health Care and Education Reconciliation Act of 2010 and to amend title 5, United States Code, to establish a national health program administered by the Office of Personnel Management to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Education and the Workforce, Natural Resources, the Judiciary, Rules, Appropriations, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Mr. COLE, Mr. AMODEI, Mr. SCHWEIKERT, Mr. KLINE, Mr. McHENRY, Mr. SIMPSON, and Mr. DENHAM):

H.R. 780. A bill to authorize Indian tribes to exercise jurisdiction over crimes of domestic violence that occur in the Indian country of that tribe; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Mr. DOGGETT):

H.R. 781. A bill to amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards; to the Committee on Ways and Means.

By Mr. LATTA (for himself, Mr. GRIMM, Mr. BRIDENSTINE, and Mr. DUNCAN of Tennessee):

H.R. 782. A bill to amend the Internal Revenue Code of 1986 to repeal the estate tax and retain stepped-up basis at death; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mr. CONYERS, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. RUSH, Mr. BLUMENAUER, Mr. DINGELL, Ms. MCCOLLUM, Mr. HOLT, and Mr. MORAN):

H.R. 783. A bill to enhance diplomacy with Iran to peacefully prevent Iran from acquiring nuclear weapons, and for other purposes; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. BLUMENAUER, Mr. POLIS, and Mr. FARR):

H.R. 784. A bill to amend the Controlled Substances Act so as to exempt real property from civil forfeiture due to medical-marijuana-related conduct that is authorized by State law; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Ms. DELAUNO, Ms. BORDALLO, Ms. BROWN of Florida, Mr. CAPUANO, Ms. EDWARDS, Mr. GRIJALVA, Mr. HOLT, Ms. LEE of California, Mr. MICHAUD, Mr. MORAN, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Ms. SLAUGHTER, Ms. SPEIER, Mr. TIERNEY, and Mr. WATT):

H.R. 785. A bill to prevent excessive speculation in energy commodities, and for other purposes; to the Committee on Agriculture.

By Mr. MARKEY (for himself and Mr. BLUMENAUER):

H.R. 786. A bill to amend the Internal Revenue Code of 1986 to clarify that tar sands are crude oil for purposes of the Federal excise tax on petroleum; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 787. A bill to greatly enhance America's path toward energy independence and economic and national security, to rebuild our Nation's aging roads, bridges, locks, and dams, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, Energy and Commerce, Rules, the Budget, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 788. A bill to authorize the Secretary of the Interior to enter into an agreement with the Battery Conservancy to construct and operate a performance facility at Castle Clinton National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. NEAL (for himself, Mr. LEVIN, Mr. RANGEL, Mr. McDERMOTT, Mr. LEWIS, Mr. BECERRA, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Mr. CROWLEY, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, and Ms. LINDA T. SANCHEZ of California):

H.R. 789. A bill to amend the Internal Revenue Code of 1986 to permanently extend the tax treatment for certain build America bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERS of Michigan (for himself, Mr. BISHOP of New York, and Mr. McNERNEY):

H.R. 790. A bill to amend the Securities Exchange Act of 1934 to require the disclosure of the total number of a company's domestic and foreign employees; to the Committee on Financial Services.

By Mr. POLIS (for himself and Mr. YOUNG of Alaska):

H.R. 791. A bill to amend titles I and II of the Elementary and Secondary Education

Act of 1965 to strengthen connections to early childhood education programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. POSEY (for himself, Ms. CASTOR of Florida, Mr. COLE, Mr. RAHALL, Mr. KLINE, Mr. COSTA, Mr. GRAVES of Missouri, Mr. HASTINGS of Florida, Mr. BUCHANAN, Mr. DENHAM, Mr. WESTMORELAND, Mr. WOMACK, Mr. WALBERG, and Mr. VALADAO):

H.R. 792. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars; to the Committee on Energy and Commerce.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. GRIJALVA, Ms. MATSUI, Ms. LEE of California, Mr. CÁRDENAS, Ms. ROYBAL-ALLARD, Ms. HAHN, Mrs. NAPOLITANO, Mr. VARGAS, Ms. DELAULO, Ms. NORTON, Mr. RUSH, Mr. CLAY, Mr. SIREs, Mr. BISHOP of New York, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Mr. PASCRELL, and Ms. EDWARDS):

H.R. 793. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on concealable firearms and to require the Attorney General to establish a firearms buyback grant program; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mrs. CHRISTENSEN, Ms. CHU, Mr. DEFAZIO, Mr. ELLISON, Mr. HONDA, Ms. MOORE, and Mr. PIERLUISI):

H.R. 794. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. NUNNELEE, Mr. WILSON of South Carolina, Mr. MULVANEY, Mr. COLLINS of Georgia, Mr. CRAWFORD, Mr. HUIZENGA of Michigan, Mr. FLEISCHMANN, Mr. GRIFFIN of Arkansas, Mr. COLE, Mr. DESANTIS, Mr. DUNCAN of South Carolina, Mr. LAMALFA, Mr. WALBERG, Mr. MEADOWS, Mr. BROOKS of Alabama, Mr. KINGSTON, Mrs. BLACK, Mr. GINGREY of Georgia, Mr. BROUN of Georgia, Mr. LONG, and Mr. MULLIN):

H.R. 795. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Education and the Workforce.

By Mr. SENSENBRENNER:

H.R. 796. A bill to require the Administrator of the Environmental Protection Agency to use the commercially available volume of cellulosic biofuel in setting requirements for the renewable fuel program under the Clean Air Act, and for other pur-

poses; to the Committee on Energy and Commerce.

By Mr. STIVERS (for himself, Ms. MOORE, and Mr. PEARCE):

H.R. 797. A bill to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes; to the Committee on Financial Services.

By Mr. TIERNEY (for himself, Mr. HINOJOSA, and Mr. GEORGE MILLER of California):

H.R. 798. A bill to reauthorize the Workforce Investment Act of 1998 to strengthen the United States workforce investment system through innovation in, and alignment and improvement of, employment, training, and education programs, and to promote national economic growth, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TIERNEY (for himself, Mr. MARKEY, Mr. KEATING, Mr. LYNCH, Mr. JONES, Mr. LANGEVIN, and Mr. CICILLINE):

H.R. 799. A bill to provide exclusive funding to support fisheries and the communities that rely upon them, to clear unnecessary regulatory burdens and streamline Federal fisheries management, and for other purposes; to the Committee on Natural Resources.

By Mr. WHITFIELD (for himself, Mr. GENE GREEN of Texas, Mr. NUNES, Mr. KIND, Ms. DEGETTE, Mr. GRIFFITH of Virginia, Ms. SEWELL of Alabama, Mr. ROGERS of Michigan, Mr. CASSIDY, Mr. BRALEY of Iowa, Mr. SESSIONS, Mrs. BLACKBURN, Mr. SHIMKUS, Mr. WALDEN, Mr. HIMES, Mr. GUTHRIE, Mr. HALL, Mr. TIBERI, Mr. OLSON, Mr. WEBSTER of Florida, Mr. COURTNEY, Mr. HOLT, Mr. THOMPSON of Mississippi, Ms. LINDA T. SANCHEZ of California, Mrs. CAPPS, Mr. BISHOP of New York, Mr. HASTINGS of Florida, Mr. GINGREY of Georgia, Mr. FLORES, Mr. BURGESS, Mr. CLAY, and Mr. COHEN):

H.R. 800. A bill to amend part B of title XVIII of the Social Security Act to exclude customary prompt pay discounts from manufacturers to wholesalers from the average sales price for drugs and biologicals under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOMACK (for himself, Mr. HIMES, Mrs. WAGNER, and Mr. DELANEY):

H.R. 801. A bill to amend the Securities Exchange Act of 1934 to make the shareholder threshold for registration of savings and loan holding companies the same as for bank holding companies; to the Committee on Financial Services.

By Mr. SESSIONS:

H. Con. Res. 15. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. CONAWAY (for himself, Mr. ALEXANDER, Mr. BONNER, Mr. BOUTSTANY, Mr. BUTTERFIELD, Mr. CALVERT, Mrs. CAPITO, Mr. CAPUANO, Mr. CASSIDY, Mr. COFFMAN, Mr. COURTNEY, Mr. COLE, Mr. CRENSHAW, Mr. DENT, Mr. DIAZ-BALART, Mr. DINGELL, Mrs. ELLMERS, Mr.

FITZPATRICK, Mr. FLEMING, Mr. FLORES, Mr. GENE GREEN of Texas, Mr. GINGREY of Georgia, Ms. GRANGER, Mr. HARPER, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. HINOJOSA, Mr. HUELSKAMP, Mr. HULTGREN, Mr. KINZINGER of Illinois, Mr. JOYCE, Mr. KLINE, Mr. LAMBORN, Mr. LANCE, Mr. LOEBSACK, Mr. LONG, Mr. LUETKEMEYER, Mr. MCHENRY, Mr. MEEKS, Mr. MICHAUD, Mr. MILLER of Florida, Mr. NEUGEBAUER, Mr. NUNNELEE, Mr. OLSON, Mr. PEARCE, Mr. PETRI, Mr. POE of Texas, Mr. POMPEO, Mr. RANGEL, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. ROYCE, Mr. RUNYAN, Mr. RYAN of Ohio, Mr. SARBANES, Mr. SCHWEIKERT, Mr. SESSIONS, Mr. SHIMKUS, Mr. SIMPSON, Mr. STIVERS, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. TIBERI, Mr. TURNER, Mr. VISCLOSKEY, Mr. WALBERG, Mr. WALDEN, Mr. WESTMORELAND, Mr. WITTMAN, Mr. WILSON of South Carolina, Mr. WOMACK, and Mrs. MCCARTHY of New York):

H. Con. Res. 16. Concurrent resolution supporting the Local Radio Freedom Act; to the Committee on the Judiciary.

By Ms. FUDGE (for herself, Ms. CHU, and Mr. GRIJALVA):

H. Con. Res. 17. Concurrent resolution expressing the sense of Congress that a day should be designated as "National Voting Rights Act Mobilization Day"; to the Committee on Oversight and Government Reform.

By Mr. GERLACH (for himself and Mr. NUNES):

H. Res. 72. A resolution supporting the goals and ideals of the Secondary School Student Athletes' Bill of Rights; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUELSKAMP:

H. Res. 73. A resolution congratulating Emporia State University for 150 years of outstanding service to the State of Kansas, the United States, and the world; to the Committee on Education and the Workforce.

By Mr. KEATING (for himself, Mr. NEAL, Mr. COSTA, Mr. CONNOLLY, Mr. MEEKS, Mr. CAPUANO, Mr. KENNEDY, and Mr. SIREs):

H. Res. 74. A resolution supporting the goals and objectives of Ireland's Presidency of the Council of the European Union; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. HUNTER, Mr. WALZ, and Mr. RAHALL):

H. Res. 75. A resolution recognizing 376 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces; to the Committee on Armed Services.

By Mr. PAULSEN (for himself and Mr. NEAL):

H. Res. 76. A resolution expressing the sense of the House of Representatives that the United States and the European Union should pursue a Transatlantic Trade and Investment Partnership; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII,

1. The SPEAKER presented a memorial of the Senate of the State of New Mexico, relative to Senate Memorial 19 urging that the Twenty-First Anniversary of the Khojaly tragedy, which occurred on February 26, 1992, be commemorated; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HUNTER introduced a bill (H.R. 802) for the relief of Roberto Luis Dunoyer Mejia, Consuelo Cardona Molina, Camilo Dunoyer Cardona, and Pablo Dunoyer Cardona; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Alabama:

H.R. 741.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make rules to provide for the common defense, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CRAWFORD:

H.R. 742.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, which provides Congress the power to "regulate commerce with foreign Nations and among the several States."

By Mr. DeFAZIO:

H.R. 743.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. WASSERMAN SCHULTZ:

H.R. 744.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article 1, Section 8, Clause 18 of the Constitution.

By Mrs. NAPOLITANO:

H.R. 745.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. BENTIVOLIO:

H.R. 746.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of The Constitution:

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other

Powers vested by this Constitution in the Government of the United States."

This includes the power to require federal agencies give small business a grace period to correct any violations of federal regulations before imposing job-destroying fines and other sanctions on the business.

By Mr. RANGEL:

H.R. 747.

Congress has the power to enact this legislation pursuant to the following:

Congress is given the power under the Constitution "To raise and support Armies," "To provide and maintain a Navy," and "To make Rules for the Government and Regulation of the land and naval Forces." Art. I, §8, cls. 12-14. See also: *ROSTKER V. GOLDBERG*, 453 U. S. 57 (1981)

By Mr. RANGEL:

H.R. 748.

Congress has the power to enact this legislation pursuant to the following:

Congress is given the power under the Constitution "To raise and support Armies," "To provide and maintain a Navy," and "To make Rules for the Government and Regulation of the land and naval Forces." Art. I, §8, cls. 12-14. See also: *ROSTKER V. GOLDBERG*, 453 U. S. 57 (1981)

By Mr. LUETKEMEYER:

H.R. 749.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

By Mr. THOMPSON of California:

H.R. 750.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. MEADOWS:

H.R. 751.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. McNERNEY:

H.R. 752.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 753.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. YOUNG of Alaska:

H.R. 754.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. McCAUL:

H.R. 755.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 5.

By Mr. McCAUL:

H.R. 756.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Sec. 8, Clause 1; and Article I, Sec. 8, Clause 18 of the United States Constitution.

By Ms. MCCOLLUM:

H.R. 757.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. STEWART:

H.R. 758.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1 Section 8 Clause 18 of the United States Constitution

By Mr. ALEXANDER:

H.R. 759.

Congress has the power to enact this legislation pursuant to the following:

In the United States Constitution in Article. I. Section. 8. The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. AMASH:

H.R. 760.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution states that "All legislative Powers herein granted shall be vested in a Congress of the United States . . ." It is both "necessary and proper [for Congress to make laws] for carrying into execution" this Power (Article 1, Section 8, Clause 18), including setting standards for the format and content of legislation proposed to be considered by Congress.

By Mr. AMODEI:

H.R. 761.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution.

By Mrs. BLACKBURN:

H.R. 762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. BOUSTANY:

H.R. 763.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mrs. CAPPS:

H.R. 764.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. CAPPS:

H.R. 765.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. CICILLINE:

H.R. 766.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAMER:

H.R. 767.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make Rules and Regulations respecting the Territory or other Property belonging to the United States, as enumerated in Article 4, Section 3, Clause 2, of the United States Constitution.

By Mrs. DAVIS of California:

H.R. 768.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. DELAURO:

H.R. 769.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and the Sixteenth Amendment

By Mr. DUNCAN of South Carolina:

H.R. 770.

Congress has the power to enact this legislation pursuant to the following:

This legislation speaks to concerns normally within the purview of the several states. However, in the past, the federal government has taken powers beyond constitutional reach as it relates to these programs. This legislation is constitutional because it follows the desires of the sovereign state of South Carolina as provided for by our Governor. As such, it follows the 10th Amendment which rightly holds these rights to the several sovereign states.

By Mr. DUNCAN of South Carolina:

H.R. 771.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact legislation pertaining to the rules and regulations for property owned by the United States pursuant to Article IV, Section 3, Clause 2 of the Constitution.

By Mr. FALEOMAVAEGA:

H.R. 772.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause

By Mr. FORBES:

H.R. 773.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clauses 1, 12 and 13

By Mr. GARDNER:

H.R. 774.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Mr. GRIFFITH of Virginia:

H.R. 775.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article III, Section 1 of the United States Constitution.

By Mr. HANNA:

H.R. 776.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is enumerated in Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. HUNTER:

H.R. 777.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for the ADA Notification Act is: Section 8, Clause 1 of Article I; Section 8, Clause 18 of Article I.

By Mr. ISSA:

H.R. 778.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to legislate on this matter under the Constitution according to:

Article 1, Section 8, clause 3, "to regulate Commerce with Foreign Nations, and among the several States, and with the Indian Tribes;" and Article 1, Section 8, clause 8, "to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries."

By Mr. ISSA:

H.R. 779.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to legislate on this matter under the Constitutions according to: U.S. Constitution, Article I, Section 8, Clause 3.

By Mr. ISSA:

H.R. 780.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to legislate on this matter under the Constitution according to:

Article 1, Sec. 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. SAM JOHNSON of Texas:

H.R. 781.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LATTA:

H.R. 782.

Congress has the power to enact this legislation pursuant to the following:

Taxation: Article 1, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. LEE of California:

H.R. 783.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 784.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MARKEY:

H.R. 785.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution

By Mr. MARKEY:

H.R. 786.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. MURPHY of Pennsylvania:

H.R. 787.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to the Congress under Article I, Section 8, Clause 3 of the United States Constitution, and Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. NADLER:

H.R. 788.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Mr. NEAL:

H.R. 789.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. PETERS of Michigan:

H.R. 790.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. POLIS:

H.R. 791.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States).

By Mr. POSEY:

H.R. 792.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 18

By Ms. LINDA T. SANCHEZ of California:

H.R. 793.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1

By Ms. SCHAKOWSKY:

H.R. 794.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. AUSTIN SCOTT of Georgia:

H.R. 795.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution of the United States

By Mr. SENSENBRENNER:

H.R. 796.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States

By Mr. STIVERS:

H.R. 797.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, which provides Congress the power to "regulate commerce with foreign Nations and among the

several States." This legislation clarifies language in the Dodd-Frank Act regarding the registration and regulation of municipal advisors. It does this by amending the Securities Exchange Act of 1934.

By Mr. TIERNEY:

H.R. 798.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TIERNEY:

H.R. 799.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. WHITFIELD:

H.R. 800.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes.

By Mr. WOMACK:

H.R. 801.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight of the United States Constitution.

Mr. HUNTER:

H.R. 802.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this legislation is found in Article 1, Section 8, Clause 4 which explicitly provides Congress the power to "establish a uniform Rule of Naturalization."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 93: Ms. WILSON of Florida, Mr. VARGAS, Mr. COHEN, Mr. WAXMAN, Mr. LARSEN of Washington, Ms. DELAURO, and Mr. PASCRELL.

H.R. 106: Mr. GARDNER.

H.R. 148: Mr. HOLT and Mr. CARNEY.

H.R. 164: Mr. HOLT, Mrs. HARTZLER, Mr. BURGESS, Mr. YOHIO, and Mr. ELLISON.

H.R. 175: Mr. BROUN of Georgia.

H.R. 176: Mr. JONES, Mr. GARDNER, and Mr. BURGESS.

H.R. 185: Ms. GRANGER, Mr. POE of Texas, and Mr. BURGESS.

H.R. 196: Ms. FOX and Mr. FORBES.

H.R. 223: Mr. COOPER.

H.R. 226: Mr. CICILLINE and Ms. LINDA T. SANCHEZ of California.

H.R. 227: Mr. SMITH of Washington.

H.R. 232: Mr. GUTHRIE.

H.R. 288: Mr. KIND.

H.R. 290: Mr. POCAN and Mr. COHEN.

H.R. 292: Mr. SCOTT of Virginia.

H.R. 317: Mr. LONG.

H.R. 320: Ms. GABBARD and Mr. HOLT.

H.R. 330: Mr. DUNCAN of Tennessee, Mr. JONES, Mr. LATTI, and Mr. GARY G. MILLER of California.

H.R. 333: Mr. ENYART, Mr. WITTMAN, Mr. MCNERNEY, Mr. FITZPATRICK, and Ms. BASS.

H.R. 334: Mr. MCCAUL and Mr. GARY G. MILLER of California.

H.R. 335: Mr. BUCHANAN and Mr. GARY G. MILLER of California.

H.R. 337: Mr. BARROW of Georgia.

H.R. 342: Mr. LONG, Mr. OLSON, and Mr. GARY G. MILLER of California.

H.R. 346: Mr. LATTI, Mr. HUIZENGA of Michigan, Mr. JOHNSON of Ohio, Mrs. HARTZLER, Mr. MILLER of Florida, Mr. BILLAKIS, Mr. MULVANEY, Mr. STIVERS, Mr. BROUN of Georgia, Mr. LONG, Mr. WILSON of South Carolina, Mr. SCHWEIKERT, Mr. LUETKEMEYER, Mrs. ROBY, and Mr. KINGSTON.

H.R. 360: Mr. HONDA, Mr. PETERS of Michigan, Mr. MAFFEI, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. RUPPERSBERGER, Ms. LOFGREN, Mr. KILMER, Mr. POLIS, Mr. KIND, Mr. RAHALL, Ms. KAPTUR, Mr. MORAN, Mrs. LOWEY, Mr. GRAYSON, Mr. NADLER, Mr. BLUMENAUER, Mr. CUELLAR, Mr. GENE GREEN of Texas, Mr. SOUTHERLAND, and Ms. SHEA-PORTER.

H.R. 366: Mr. GARY G. MILLER of California and Mr. RODNEY DAVIS of Illinois.

H.R. 367: Mr. SALMON and Mr. MCCAUL.

H.R. 375: Mr. MICHAUD, Ms. KAPTUR, Mr. LYNCH, Ms. DELAURO, Mr. RANGEL, Mr. LOEBSACK, Mr. GENE GREEN of Texas, Mr. POCAN, and Mr. TONKO.

H.R. 383: Mr. DUNCAN of South Carolina.

H.R. 455: Mr. CARSON of Indiana, Mr. SIRS, Mr. MCINTYRE, Mr. MCGOVERN, and Mr. MORAN.

H.R. 483: Mr. COBLE.

H.R. 484: Mr. MILLER of Florida and Mr. ROKITA.

H.R. 497: Mr. BENISHEK.

H.R. 515: Mrs. MCCARTHY of New York, Mr. HOLT, and Mr. PASTOR of Arizona.

H.R. 517: Mr. MCGOVERN.

H.R. 519: Mr. LEWIS, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, Mr. LANGEVIN, Mr. RANGEL, Mr. SMITH of Washington, Ms. SCHAKOWSKY, Mr. CARTWRIGHT, Mr. SERRANO, Mr. SWALWELL of California, Mr. THOMPSON of California, Mr. CARNEY, Ms. MOORE, Ms. TSONGAS, Mr. MCGOVERN, Mr. LARSON of Connecticut, Ms. VELÁZQUEZ, Ms. NORTON, and Mrs. CAPPS.

H.R. 528: Mr. BURGESS and Mr. BARLETTA.

H.R. 544: Mr. GOSAR and Mr. LONG.

H.R. 580: Mr. DIAZ-BALART.

H.R. 604: Mr. JONES.

H.R. 607: Mr. FARENTHOLD and Mr. CULBERSON.

H.R. 609: Mr. PETERS of Michigan, Ms. LOFGREN, and Mr. HUFFMAN.

H.R. 612: Mr. DUFFY and Mr. CRAWFORD.

H.R. 621: Mrs. CAPITO and Mr. SENSENBRENNER.

H.R. 636: Ms. BROWNLEY of California, Mr. FOSTER, Mr. MAFFEI, Ms. FRANKEL of Flor-

ida, Mr. GARCIA, Mrs. LOWEY, Mr. CARTWRIGHT, Ms. BORDALLO, Mr. TAKANO, Mr. McDERMOTT, Mr. MARKEY, Mr. POLIS, and Mr. KIND.

H.R. 637: Mr. GOWDY.

H.R. 647: Ms. ROS-LEHTINEN and Mr. HASTINGS of Florida.

H.R. 654: Mr. GIBSON.

H.R. 664: Mr. KING of New York and Mr. BUTTERFIELD.

H.R. 678: Mr. GARDNER.

H.R. 685: Mr. OLSON and Mr. SMITH of Washington.

H.R. 688: Mr. TONKO, Ms. SPEIER, Mr. POLIS, and Ms. KAPTUR.

H.R. 693: Mr. MURPHY of Pennsylvania and Mr. SWALWELL of California.

H.R. 694: Mr. ELLISON and Mr. GRAYSON.

H.R. 712: Mr. PASCRELL and Mr. CARTWRIGHT.

H.R. 725: Mr. TAKANO, Ms. BASS, and Mr. ELLISON.

H.R. 728: Ms. CLARKE, Ms. WILSON of Florida, Ms. BASS, Mrs. CAPPS, and Mr. BISHOP of New York.

H.R. 729: Mr. LOEBSACK.

H.R. 730: Mr. SCHRADER.

H.R. 732: Mr. BROUN of Georgia, Mr. SALMON, Mr. LONG, Mr. CASSIDY, Mr. ROGERS of Alabama, and Mr. YOHO.

H.J. Res. 20: Mr. SARBANES.

H.J. Res. 21: Mr. PERLMUTTER, Mr. SARBANES, and Ms. TSONGAS.

H.J. Res. 24: Mr. YOUNG of Indiana, Mr. GRAVES of Georgia, Mr. JORDAN, and Mr. SOUTHERLAND.

H. Res. 19: Mr. TAKANO.

H. Res. 30: Mr. MCGOVERN, Mr. PASCRELL, Mr. PALLONE, Mr. DOYLE, Mr. HUFFMAN, Mr. HASTINGS of Florida, Mr. SERRANO, Mr. RUIZ, Mr. ISRAEL, Ms. ESTY, and Mr. GALLEGGO.

H. Res. 35: Mr. ROKITA and Mr. GARDNER.

H. Res. 38: Mr. ROKITA and Mr. LEWIS.

H. Res. 47: Mr. MCNERNEY and Mr. RUSH.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

3. The SPEAKER presented a petition of Dane County Board of Supervisors, relative to Resolution 206, 12-13 — urging the United States Congress and Wisconsin legislature to ban assault weapons and support gun control; to the Committee on the Judiciary.

4. Also, a petition of The Legislature of Rockland County, relative to Resolution No. 571 of 2012 urging the United States Senate and House of Representatives to pass legislation granting tax relief to individuals and businesses who suffered financial loss due to hurricane Sandy; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

CONGRATULATING THE ONONDAGA HISTORICAL ASSOCIATION ON THE OCCASION OF ITS 150TH ANNIVERSARY

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. MAFFEI. Mr. Speaker, I rise to congratulate the Onondaga Historical Association (OHA) on the occasion of its 150th Anniversary. I join the community in celebrating OHA on this historic occasion.

We are grateful to have a museum and research center that reminds us that we have inherited a special place to live because of the people and events that have come before us. Onondaga County New York's rich history is intertwined with many key periods in our country's history, including the building of the Erie Canal, women's suffrage, emancipation, the history of Central New York's Native Americans, the Haudenosaunee, also referred to as the Iroquois Confederacy. OHA's recent jubilee celebration was built around the 150th anniversary of the issuance of the Emancipation Proclamation, the same year the association began.

OHA's mission is to inspire people's understanding that the history we share as a community is the foundation for our future together. Its purpose is to encourage a diverse audience from the neighborhoods of Syracuse and the communities of Onondaga County to explore, appreciate and utilize their past. OHA offers engaging exhibits and programs, pursues partnerships with other cultural organizations and community groups, and develops and cares for a definitive collection related to local history. In addition, OHA operates a museum and research center in Syracuse, New York.

We take comfort that OHA will continue to document our history in Onondaga County and that its work will serve as a guide to future generations. Simply stated, OHA is our bridge to the past, present and future of Onondaga County. We are a stronger community because of the exceptional work of the OHA's staff, Board, and community supporters.

Once again, I congratulate OHA and all the individuals who have helped to preserve this extraordinary organization over the past 150 years.

HONORING JARED T. BLANKENSHIP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jared T.

Blankenship. Jared is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Jared has been very active with his troop, participating in many scout activities. Over the many years Jared has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jared has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jared T. Blankenship for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MR. EDWARD NORTHROP

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I am honored today to recognize a man who has served his country, created hundreds of new jobs in my district and is a loyal father and husband of over 50 years. I am proud to say he is one of my constituents and would like to thank him for a lifetime of dedication and commitment to his country.

Edward D. Northrop, Jr., graduated from Virginia Military Institute in 1962. He then served 20 years in the United States Army from 1962–1982, graduating from both Airborne and Ranger schools. He served 2 tours in Vietnam in the 4th Infantry Division, serving for the Red Warriors, C Company and as HHQ Company Commander. During this time, he received many awards, including the Combat Infantry Badge, Silver Star and Army Commendation Medal for Heroism. Ed retired as a LTC in 1982.

Later that year, Ed became a Burger King Franchisee and currently owns six locations—four of which are in my district—employing 180 Georgians. Due to his commitment to excellence, Ed has achieved some of the highest volumes of any Burger King restaurateur in the Southeast. He also is committed to serving the franchisee community through his work with the National Franchise Association, NFA. Through NFA, Ed has served as President of the New South Coalition of Burger King Franchisees, on the NFA Board of Directors and on NFA's Government Relations Committee for over sixteen years.

Ed is also very active in his local church and served on the vestry multiple years. He is also involved in local adopt a school programs as well as the Special Olympics program.

On behalf of Georgia's Eighth Congressional District, thank you, Ed, for your unwavering commitment to your country, your family and the NFA. We are proud to call you one of our own.

CONGRATULATING KANSAS STATE UNIVERSITY ON ITS 150TH ANNIVERSARY

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Ms. JENKINS. Mr. Speaker, I rise today to recognize and congratulate Kansas State University, the oldest public university in the state of Kansas, on its 150th anniversary. Kansas State University holds a special place in my heart as my alma mater, and today, I still proudly wear my K-State purple.

Originally founded as Bluemont Central College in 1858, Kansas State University began as an institute of higher education serving 29 students from working class and farm families in the Kansas Territory. In 1863, during the Civil War, Bluemont College became the Kansas State Agriculture College, the first land grant university under President Lincoln's Morrill Act, and was only the second public institution of higher education to admit men and women equally.

Today, more than 24,000 students from all 50 states and more than 90 countries around the world study at one of Kansas State's three locations: the main campus in Manhattan, better known as the Little Apple; the College of Technology and Aviation in Salina; and the new state-of-the-art Olathe campus, which is currently preparing graduate students in the innovative fields of bioscience and biotechnology.

Kansas State University is among the top 75 public universities, and offers more than 250 undergraduate majors, 65 master's degrees, 45 doctoral degrees and 22 graduate certificates in multiple disciplines. The university ranks first nationally among state universities in Rhodes, Marshall, Truman, Goldwater, and Udall scholars with 135 recipients, and the Kansas State University College of Engineering was recently named one of the best undergraduate engineering programs in the nation, according to U.S. News and World Report.

Kansas State has a wonderfully supportive community, better known as the K-State family, and it is serious business. Let me give you an example. Six years ago, students created the K-State Proud campaign. Driven by the idea of how a family takes care of one another, the Proud campaign established a culture of philanthropy and to date has raised more than half a million dollars to fund 300

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

scholarships for students who are struggling financially due to challenges from health issues, natural disasters, or family tragedy. This is in addition to the \$200 million in scholarships, grants, loans and work study Kansas State distributes each year.

With 16 men's and women's athletic programs, more than 475 student organizations, and more than 20 club sports, cultivating a positive and encouraging sense of student life is a high priority. The Princeton Review recently ranked Kansas State as second in the nation for excellent campus and community relations and No. 14 for quality of life.

If you ask anyone what they remember most about their time at Kansas State University, they will tell you without a doubt, it is the people. It is where they met their best friends, their husbands or wives, and it is where they hope their children choose to attend.

Graduates of Kansas State University have gone on to do many great things for this country, and I am not only referring to those who entered public service as a member of the House, Senate, or even the Kansas governor. Notable Kansas State alums include: presidents of colleges and universities; chairmen and CEOs of major companies, Olympic gold medalists, Emmy Award winners, as well as the creator of the snooze alarm, and the inventor of the Space Pen.

On this historic anniversary, it is my honor to recognize my alma mater, Kansas State University, on 150 years of excellence. I can only image the remarkable things the future holds for Kansas State and the talented individuals it will educate and inspire. Congratulations.

BARBARA J. WRIGHT

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. POCAN. Mr. Speaker, I submit the following letter.

BARBARA WRIGHT, WORKERS RIGHTS CENTER,
10TH ANNIVERSARY CELEBRATION

My name is Barbara J. Wright, and I am a resident of Madison, Wisconsin. I have been married twice in my life, both times to husbands who were born in other countries. I have two children from my first marriage. Cesar Gabriel Moran, 39, is a firmware engineer in St. Paul Minnesota and Nickolas James Moran is a jazz musician here in Madison.

On July 27th, 1972, I married Cesar Edmundo Moran in Magdalena del Mar, Lima Peru. I was 19 years old and he was 18. We were married for 25 years. He had been studying in Platteville, Wisconsin at the University of Platteville. When we left the country to travel to Peru (we hitch-hiked there!), he lost his student visa. After we married in Peru, I returned to the US and filed for him to get a permanent resident visa (a green card). He had to stay in Peru until it arrived. I sent the form to the INS along with \$25 dollars, both of our birth certificates, our marriage license, and a letter from the police to say we had committed no crimes. In a month he was able to pick up his permission to travel and his green card at the American Embassy in Lima and return to the US, so we could both go to college.

My marriage to Cesar ended in 1998 although it was a few years till we were legally divorced. In 2004, I married Youssef Amraoui, from Morocco. We were married in Las Vegas, Nevada on June 6th, 2004. This time getting Youssef permanent residence status took more than 5 years. Between the legal fees to file all of the petitions and to pay the immigration lawyer, Irene Wren at Wren and Gateways Law Group, it cost almost \$12,000. Luckily, Youssef had filed for a waiver by himself with no lawyer, so that he did not have to leave the country while he waited for his case to be determined. Imagine getting married and having your new husband have to go back to his country and wait five years to see each other again.

Because the INS was now under the wing of Homeland Security, there were many additional steps which meant additional delays. When I asked Irene why things were taking so long she said that there was a huge backlog of cases, between 4 and 6 years of cases. She said Homeland Security insisted that each case be reviewed by the FBI and since it was not a criminal case, it gathered dust in someone's inbox for a long time.

One time, Homeland Security called and demanded that Youssef come to Milwaukee alone to be "interviewed". We were waiting for a formal interview in Milwaukee that is now a part of the process, but this was not it. The man who called tried to intimidate me when I said that Youssef was not coming alone. I said that either I or the immigration attorney would go with him (I was petrified of his being taken into custody or forcibly removed or never hearing from him again). This man tried to convince me that Youssef could be a "sleeper agent", and they needed to interview him. Because I owned a restaurant and could not leave, I sent the attorney with him. Youssef said they kept him in a room that had shackles but did not shackle him. Irene said this was a scare tactic because Moroccans and other Muslims were all suspects because of the attack on 9/11. They just wanted to see if he would come or he would run. That was a horrible day.

It seemed like every time we would reach the end of the process there would be more forms to fill out, more fees to pay, and more of an indefinite wait. At one point in the process, the fees were doubled. We paid the majority of our discretionary income to this process. Youssef's parents were old, and he lived in fear that they would die before he was able to go and see them. You have to have permission to leave the country once the papers are filed. If you leave without permission, you cannot come back.

I know many people here who are undocumented. The press has been talking a lot about a "path to citizenship". I think very few of the people saying this have any idea what is really involved. Because of the high fees of immigration attorneys, the many steps of the process and the time involved, many will have a hard time coming up with the money for this process.

HONORING THE CONTRIBUTIONS
OF THE GREEN BROS. PHARMACY

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. McNERNEY. Mr. Speaker, I rise today to recognize the Green Bros. Pharmacy in Stockton, CA, which closed its doors in 2012

after 82 years of business. The Green Bros. Pharmacy was one of Stockton's last remaining independent pharmacies.

This pharmacy, operated by Charlie Green, opened 82 years ago in downtown Stockton, and has served thousands of people throughout the area. Mr. Green has been a tremendous advocate on behalf of pharmacies and patients for decades. He served as president of the San Joaquin Pharmacists Association, the California Pharmacists Association, and the American Pharmacists Association, drawing on his firsthand experience about the needs of independent pharmacists and patients in San Joaquin County and across the country. Mr. Green worked tirelessly to improve our health care system. In addition, Mr. Green taught at the University of Pacific in the Pharmacy Department, educating and mentoring young students. I've had the pleasure of meeting with these students when they visit our nation's capital each year and know their dedication and commitment to our community. I know that Mr. Green played a part in their development as professionals. In recognition of his dedication, work ethic, and exemplary work, Mr. Green was presented with the Daniel B. Smith Excellence Award.

Independent pharmacies are essential to our communities, and businesses like Green Bros. have been a staple of neighborhoods across the country because of their personalized service, affordable prices, and ability to help patients.

I urge my colleagues to join me in recognizing the tremendous contributions of Green Bros. Pharmacy to San Joaquin County, as well as other independent pharmacies across the country.

HONORING KYLE ALLEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kyle Allen. Kyle is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Kyle has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Kyle Allen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE SERVICE OF
NICOLE A. VILLARUZ

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to Nicole A. Villaruz, who has served as a valued member of my staff for the past eight years. Nicole joined my staff during my first term in Congress and has since become my District Director. This month, Nicole will be leaving my staff to work for California State Senator Michael Rubio in Bakersfield, California. Nicole's years of service to the people of Central California in the 16th and 20th Congressional Districts, spanning from Kern County to Merced County, deserve to be commended. Her character truly exemplifies the spirit of the San Joaquin Valley. Her strong work ethic, coupled with her positive attitude and zest for life make her true champion for the people of Central California. It is only fitting and proper that she be recognized by my colleagues in Congress.

Nicole has a long history of community service and involvement. While attending Delano High School in Delano, California, Nicole was a member of the Key Club, the National Honor Society, and was a lifetime member of the California Scholarship Federation. Along with her academic pursuits, Nicole was also a member of the ASB Senate and was head cheerleader during her senior year. In 1996, Nicole was named Delano's Junior Miss for the Class of 1997. She went on to California's Junior Miss, where she received top ten honors. In 1997, she earned the Good Citizens Award from the Daughters of the American Revolution. Clearly, her many endeavors during her teenage years served as an indicator for her commitment to service and leadership.

Upon graduating from Delano High School in 1997, Nicole attended the University of California, Los Angeles (UCLA), the largest public university in the UC system, and one of the most prestigious. Nicole was a member of Alpha Phi Sorority, where she held a number of leadership positions. She graduated in 2002 with a Bachelor's Degree in Political Science.

In 2001, Nicole was named Miss Kern County with a platform promoting civic virtue. Shortly thereafter, Nicole joined my staff in Bakersfield, California as a District Representative. Nicole's passion has always been helping others. As a District Representative, Nicole met with a number of constituents and organizations, often recognizing their needs and working hard to resolve their problems—whether it meant cutting through red tape when dealing with federal agencies, or leading constituents to the correct branch of government.

Nicole became my District Director in 2011 and she relocated to my Fresno district office. Her years of expertise and knowledge were essential in guaranteeing the success of my District offices. Nicole served as a mentor to many members of my staff—her guidance often helping them reach their full potential and ultimately ensured the well-being of our constituents.

Nicole's work and service has been recognized by many organizations. Most recently,

she was honored by the Delano Chamber of Commerce with their Hazel Boone Award for her superior service. She currently volunteers for Distinguished Young Women of California (formerly California's Junior Miss) and serves as a choreographer/dance instructor.

Mr. Speaker, it is with great pleasure and pride that I recognize Ms. Villaruz today for her many contributions to my Congressional offices in Fresno and Bakersfield. It has truly been an honor to watch her grow professionally. She is an exceptional leader and will undoubtedly continue to do great things for our Valley.

HONORING DR. MARVIN E.
ROBINSON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the achievements of Dr. Marvin E. Robinson in business leadership and community service.

Dr. Robinson received his undergraduate degree at Southern University, where he served as president of the student body and found great success in his athletic pursuits as the co-captain of the Jaguar Tracksters. He began his career with the Congress of Racial Equality, first working as Field Secretary and then serving as Southern Regional Director during the early 1960s. Dr. Robinson earned his juris doctor from Howard University School of Law in 1968.

Continuing his work for racial equality, Dr. Robinson assisted in the development of a high school specializing in business and management during the height of desegregation of the school system. As the first director of this school, he oversaw a student body of 1,500 youth.

Dr. Robinson's entrepreneurial spirit soon drew him to the Xerox Corporation, where he was responsible for the operations, telecommunications, and planning for Xerox's Office Products Division facilities across the nation. Based on his success in this position, Dr. Robinson became Assistant to the President of Community Affairs at Xerox, responsible for the creation and implementation of a community involvement program. This program established Xerox as an excellent corporate citizen in Dallas.

Dr. Robinson moved on from Xerox in 1985 to purchase a Burger King Franchise. With his business acumen, he was able to increase the restaurant's gross income by over \$150,000 in just one year.

In 1988, Dr. Robinson was named the President and CEO of Accommodations, Inc., a concession management company. He purchased the company and became its sole owner in 1995.

Dr. Robinson is a pillar of the Dallas community not only because of his leadership in business, but also because of his community service. Dr. Robinson has been involved in the Dallas County Salvation Army, the Dallas Park and Recreation Department, the Dallas Black Chamber of Commerce, the Advisory Council

for Technical Vocational Education, and Dallas Dash with the Disabled, among many other local organizations. As a patron of the arts, Dr. Robinson served as the Board President of the Dallas Black Dance Theatre for twenty years. In 2007, Dr. Robinson received the Dallas Historical Society's Award for Excellence in Community Service.

Mr. Speaker, I am honored to recognize the significant contributions that Dr. Robinson has made to the Dallas community. As a business and community leader for decades, he has worked hard to change Dallas for the better.

TRIBUTE TO THE CITY OF
INDIANOLA

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the City of Indianola, Iowa, for earning the Connected program's Connected certification. Indianola is the first community in the state of Iowa and the third in the country to garner this technology designation.

The Connected certification is a title applied to communities that display top-tier proficiency in the access and utilization of broadband-supported technologies. This coveted certification is awarded by Connected Nation and its subsidiary Connect Iowa, who advocate for broadband access on the state and national levels.

The City of Indianola is one of more than 30 communities across Iowa actively participating in the Connected program, and the first to become formally certified. Indianola has a team in place that has developed a comprehensive plan to increase broadband access by assessing the broadband landscape, identifying gaps, and establishing manageable goals. Attaining the Connected certification adds to the long list of desirable attributes that make Indianola such a great place to raise a family or grow a business.

Mr. Speaker, I commend the City of Indianola for its commitment to embracing and efficiently utilizing technology for the benefit of its residents and businesses. It is a great honor to represent the citizens of Indianola, and all of Warren County, in the United States Congress. I know that my colleagues in the House will join me in congratulating the City of Indianola in being selected to receive this certification, and I wish the city and its people continued success in the future.

IN RECOGNITION OF BISHOP
JONATHAN TATE, SR.

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. PALAZZO. Mr. Speaker, I rise today to honor Bishop Jonathan Tate, Sr., as he celebrates 50 years as pastor of The Anointed Temple Apostolic Overcoming Holy Church of God in Gulfport, Mississippi.

He began his work with the Apostolic Overcoming Holy Church of God as an elder, and soon emerged as the Mississippi, Louisiana, and Texas District Overseer. After many years of dedication and commitment, he now serves as the Mississippi, Louisiana & Texas Diocese Bishop under Apostolic Overcoming Holy Church of God Presiding Prelate, Bishop G.W. Ayers.

Bishop Tate has served his Church and community in the highest regard and during that time has received numerous honors from local and national organizations, ranging from the NAACP to the Gulfport Chamber of Commerce. A scholar, he holds the degree of Master of Theology in Biblical Studies and is a Certified Counselor. Bishop Tate has been married for 56 years to Reverend Mother Shirley Tate, who has faithfully worked alongside him. They are the parents of seven children, seventeen grandchildren and three great-grandchildren.

A notable spiritual leader in the South Mississippi, I am proud today to acknowledge Bishop Tate, Sr., and his many accomplishments. Mr. Speaker, it is my honor to rise today to recognize the life and legacy of Bishop Jonathan Tate, Sr., and congratulate him on 50 years as pastor.

HONORING THE PUBLIC SERVICE
OF MIKE HIGGINS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. WILSON of South Carolina. Mr. Speaker, I would like to take this opportunity to recognize Mr. Michael R. "Mike" Higgins, a member of professional staff with the House Committee on Armed Services, for his retirement from his dedicated service in the House of Representatives, for safeguarding America families by promoting a strong national defense.

Mike has been an exemplary public servant who has demonstrated the highest standards of professionalism on a daily basis. His career in public service has been a testament to the importance of unselfish devotion.

I have had the pleasure of working with him throughout my 12-year tenure in Congress and I know firsthand of his professionalism. He has brought a variety of skills to his role with the committee, including a bright intellect, a strong work ethic, and a deeply felt commitment to serve the United States and the service men and women of our United States military. He is truly an asset to the committee and will be sorely missed when he retires in February 2013.

Mike is a military personnel policy expert and it is no accident that people have been at the center of his professional life. His empathy for the needs of the people he serves and commitment to respond to those needs is evident in all that he does. As part of the committee staff, Mike has worked tirelessly to improve the lives of military members and their families. His record and reputation will remain vibrant long after his departure.

As Mike embarks on a new chapter in life, it is my hope that he may recall with a deep sense of pride and accomplishment the outstanding contributions he has made to the United States House of Representatives and the people of the United States of America. I would like to send him my best wishes for continued success in his future endeavors, and may his life be filled with health and happiness.

HONORING MAXIMILIAN E.
GALLEGOS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Maximilian E. Gallegos. Maximilian is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Maximilian has been very active with his troop, participating in many scout activities. Over the many years Maximilian has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Maximilian has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Maximilian E. Gallegos for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING BILL BARRS AS THE
2013 DODGE COUNTY ROTARY
FARMER OF THE YEAR

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I am honored today to recognize Bill Barrs as this year's 2013 Dodge County Rotary Farmer of the Year. It is certainly an honor that he richly deserves for his role in Georgia's agricultural community.

A native of Laurens County, Bill attended Abraham Baldwin College where he majored in plant science. After graduation, he worked with the Griffin Warehouse until he began his farming operation in 2003. Since then, his farming operation has grown to 800 acres with cotton and peanuts as his primary row crops—two vital products of Georgia agriculture industry. He also cuts and sells quality hay from more than 150 acres of grassland. Married with two children, Bill and his family are active members of Mt. Carmel Baptist Church.

Mr. Speaker, please join me, on behalf of the great people of Georgia's Eighth Congressional District, in recognizing Bill for his service to our community and our State.

IMPORTANCE OF RESEARCH INTO
THE EFFECTS OF CONTAMINATION
ON REPRODUCTIVE
HEALTH

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the importance of federally supported women's health research; especially reproductive health research in regions of the country that have high contamination such as Superfund sites.

The reproductive health effects of environmental toxins can have significant ramifications for bone, cardiovascular, neurological, and sexual health, resulting in serious health conditions such as osteoporosis, heart attack, and stroke. In the state of Illinois, we currently have 70 Superfund sites that could pose a health threat to nearby communities. While the Federal Government supports a strong portfolio of research into the health implications of exposure to chemicals at these sites, there is a noticeable lack of reproductive health research in this area. It is essential that Congress supports this important area of research.

Northwestern University is developing one of the first major studies on the impact of Superfund contaminants on our reproductive health. The study will examine the reproductive health impacts of exposure to metals including zinc and lead that are present near a former zinc smelter site on the Illinois River near the Village of DePue, Illinois. The site is one of over 30 similar zinc and lead smelter sites across the country, so understanding the health impacts at DePue will help determine best practices for future disposal of those toxic chemicals.

Northwestern has also spearheaded an effort to update the scientific guidelines that the Environmental Protection Agency, EPA, uses to determine the threat of environmental toxins to our reproductive health. The Guidelines for Reproductive Toxicity Risk Assessment have not been reviewed or revised since 1996. I strongly support their effort to ensure that the scientific guidelines adequately account for the reproductive health threats posed by toxins to both sexes and across the lifespan. This will help ensure that the EPA has the most comprehensive and up-to-date scientific guidance to assess the risks of chemicals in our environment on our reproductive health.

The environmental effects of toxins threaten the health of more than 10 percent of men, women, and children. It is critical that we increase support for research into the reproductive health implications of different environmental exposures.

RECOGNIZING THE SERVICE OF
MAJOR GENERAL MELVIN
SPIESE ON THE OCCASION OF
HIS RETIREMENT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. ISSA. Mr. Speaker, I rise today to recognize the military service of Major General (MajGen) Melvin Spiese on the occasion of his retirement from the United States Marine Corps. I commend MajGen Spiese's career and offer my sincerest thanks for his more than 36 years of dedicated service in protecting our nation.

In 1976, MajGen Spiese was commissioned via the NROTC program at the University of Illinois, Urbana-Champaign and he began his long and successful career in the United States Marine Corps as a rifle platoon commander with 3d Battalion, 4th Marines.

Nearly four decades later, MajGen Spiese retires now from his post as both Deputy Commanding General of I Marine Expeditionary Force (I MEF) and Commanding General (CG) of 1st Marine Expeditionary Brigade (1st MEB).

As Deputy CG of I MEF, MajGen Spiese oversaw the daily activities of 57,000 Marines and Sailors, the largest warfighting organization in the Marine Corps. From the moment he became Deputy CG, he provided critical direction to the staff and allowed the CG of I MEF to successfully focus on his concurrent duties as Commander, Marine Forces Central Command.

Simultaneously, as the CG of 1st MEB, MajGen Spiese successfully transformed the organization from concept to an operational, warfighting organization. MajGen Spiese developed establishing orders and planning documents that were firsts of their kind for Marine Expeditionary Brigades, pushed his staff to 48-month planning cycles rather than the standard 12 months, and integrated 1st MEB into major Marine Corps, Navy, and international training events such as JAVELIN THRUST with Marine Forces Reserve units, DAWN BLITZ with the Navy's Expeditionary Strike Group Three and THIRD Fleet, and IRON FIST with the Japanese Ground Self Defense Force.

Through the development of the MEB Order, MEB Training Continuum, Capstone Document, and yearly I MEF Campaign Plans he leaves an established path for future Marine leaders to follow.

I offer MajGen Spiese my warmest congratulations and hope that he enjoys a rich and rewarding retirement with his wife Filomena and their children D'arcy, Lindsey and MG and their grandchildren Lucy and Christian.

Mr. Speaker, I ask that my colleagues please join me in recognizing the career of MajGen Melvin Spiese.

INTRODUCTION OF THE HALT
INDEX TRADING OF ENERGY
COMMODITIES OR HITEC ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. MARKEY. Mr. Speaker, I rise today to introduce the Halt Index Trading of Energy Commodities, or HITEC, Act. I am reintroducing this bill, which was H.R. 5186 in the previous Congress, with Representative DELAUNO because urgent action is still needed to protect our nation's oil and refined product commodities markets from artificial and excessive levels of volatility caused by the trading practices of certain Wall Street traders. Since 1991, Wall Street investment banks such as Goldman Sachs have created and marketed a new financial product known as commodity index funds, which are really energy speculation funds, gasoline gambles. These energy speculation funds track the financial performance of one or more commodities. If a speculation fund has an investment in oil and the value of oil goes up, then the value of the fund goes up; if the value of oil goes down, the value of the speculation fund goes down.

These investments have had an adverse effect on the operation of the markets for the commodities that comprise the funds. Hundreds of billions of dollars have been invested in various energy speculation funds, artificially inflating the prices of our commodities. While these energy speculation funds may be driving up prices for many different commodities, they are having an especially pernicious effect on energy commodities. According to testimony submitted to the House Natural Resources Committee, excessive speculation added nearly \$1.00 to the per gallon price of gasoline last spring, and energy speculation funds appear to have been largely responsible. Due to the activities of these energy speculation funds, Wall Street investment banks have profited by introducing new and unprecedented levels of volatility and speculation into oil and refined product markets.

Energy speculation funds have changed the very nature of our commodities markets. Traditionally, the commodities market was dominated by companies who actually used the commodities to hedge the business risk associated with oil or refined products prices. Large oil, gasoline, diesel or jet fuel consumers such as airlines, trucking firms, and shipping services were the largest participants in these markets. Indeed, in 1996, companies who actually bought oil on the commodities market so they could use it owned 93% of the oil futures or derivatives in that market. Now, however, these companies only own 37% of the oil futures or derivatives in that market. The bulk of the remaining 63% is owned by speculators who have invested in these energy speculation funds, none of whom will actually use any of the oil or natural gas in which they have invested.

Given how much these energy speculation funds have hurt consumers and business, one might at least think that these energy speculation funds are good investment vehicles. Yet, all evidence is that they have provided medi-

ocre returns in recent years. According to the Wall Street Journal, Standard and Poor's popular GSCI index provided just .08% in annual returns in 2012, far below the returns of the S&P 500. Worse, in 2011, the returns from the GSCI were actually negative. Unsurprisingly, institutional investors like pension funds are moving away from investing in energy speculation funds: Not only do they hurt average Americans and business, but they do not even provide excellent returns for their investors. In truth, the only group of people who seem to be benefiting from the existence of these funds is Wall Street.

Despite only being 22 years old, energy speculation funds have already had a profound impact on our country. They have increased the size of our commodities market. They have increased the volatility of our commodities prices. They have hurt consumers' wallets and small businesses by making them pay more at the pump. They have slowed the growth of our economy by requiring that we devote even more money to energy instead of creating new jobs. They do all these things, and they do not even provide much benefit to their own investors. These energy speculation funds are a danger to our economy, our financial system, and the average American's wallet.

The HITEC Act will restore order to our energy commodity markets and end this experiment. The bill will ban all new investment in energy commodities like light sweet crude oil, natural gas, heating oil, and gasoline by these commodity index funds from the date of enactment. The day the President signs this bill, energy speculation funds will not be allowed to grow any more if they count speculators among their investors. Existing energy speculation funds that continue to count speculators among their investors will then have two years to wind down their investments. As the average length of a "spot" commodity contract is one year, this should allow energy speculation funds that continue to house speculators more than enough time to wind down their investments in a fair and orderly fashion.

This bill does not prohibit energy speculation funds from investing in agricultural commodities like wheat or corn, nor does it prohibit those funds from investing in metals such as gold. The bill also does not implicate trading of electricity in any way, shape, or form. Instead, this bill just prohibits energy speculation funds from interfering with our energy commodities, a market that determines the prices for the fuels that power our economy.

This bill will end an unnecessary and harmful source of excessive price volatility that has only served to benefit Wall Street traders and has harmed our economy by pumping up oil, gasoline, and other refined product prices. Enactment of this legislation will address one major source of the pain American consumers have recently been feeling at the pump, and I once again urge all of my colleagues to co-sponsor this critical legislation.

HONORING SHILO G. OSBORN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Shilo G. Osborn. Shilo is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Shilo has been very active with his troop, participating in many scout activities. Over the many years Shilo has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Shilo has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Shilo G. Osborn for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO THE TRIUMPH OF
AGRICULTURE EXPOSITION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize one of the Midwest's premier indoor farm events, the 47th Annual Triumph of Agriculture Exposition.

The 47th Annual Triumph of Agriculture Exposition, or Ag Expo, will be held this coming March 6 and 7 at the CenturyLink Center in neighboring Omaha, Nebraska—mere miles from Council Bluffs, Iowa. The Triumph of Ag Expo is regarded as one of the country's largest indoor short-line farm machinery shows and remains the ideal opportunity to see new short-line farm equipment, products, and techniques under one roof.

Mr. Speaker, the work ethic of Iowa's farmers and the value that it provides to our nation cannot be overstated. It is a great honor to represent fine farmers and farming communities in the state of Iowa in the United States Congress. I commend the efforts of the Mid-America Farm and Ranch Machinery Council for sponsoring this year's Ag Expo, and I invite my colleagues in the House to join me in wishing all of our farmers a successful and plentiful harvest in 2013.

IN RECOGNITION OF PAMELA
GREEN-JACKSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is my pleasure and honor to extend my sincerest congratulations to Ms. Pamela Green-Jackson,

Founder and CEO of the Youth Becoming Healthy Project (YBH), on being named a recipient of the 2012 Presidential Citizens Medal by President Barack Obama. Ms. Green-Jackson, along with the other medal recipients, will be honored at an event at the White House in Washington, DC on Friday, February 15, 2013.

An Albany, Georgia native, Ms. Green-Jackson serves as Public Affairs and Community Relations Specialist at the Marine Corps Logistics Base in Albany, a role she performs exceptionally well. She attended Albany State University and graduated from LaGrange College with a degree in Organizational Leadership. She also earned a Master of Science in Management degree from Troy University and is currently pursuing a Ph.D. in Public Policy and Administration at Walden University.

After watching her only brother, Bernard, suffer from obesity-related illnesses that led to his death at the young age of 43, Ms. Green-Jackson founded Youth Becoming Healthy (YBH), a non-profit organization dedicated to reducing childhood obesity and helping young people develop healthy lifestyles through nutrition, fitness education and physical activity programs.

With obesity being the second leading cause of preventable death and the number one health threat in the U.S., Ms. Green-Jackson took it upon herself to lead the effort in implementing changes in schools and in policy to prevent children from suffering like her brother did. She has worked with school food service managers to promote healthier school lunches and vending machine contents as well as to implement safe physical activity programs. Expanding to the surrounding community, Ms. Green-Jackson spearheaded the Albany Savannah Family Wellness Challenge, which aims to engage the entire community in making healthy lifestyle and behavioral choices by creating a family and community support system.

Established in 1969, the Presidential Citizens Medal, the Nation's second-highest civilian honor, recognizes American citizens who have performed meritorious deeds of service for their country or their fellow citizens. The President calls on members of the public to nominate people in their lives who have demonstrated commitment to service within the community, who have helped their country or fellow citizens through an extraordinary act, whose service relates to a long-term or persistent problem, and whose service has had an impact on others' lives. Ms. Green-Jackson was named as a 2012 Citizens Medal recipient because of her work in schools and the community to combat obesity in youth and promote healthy lifestyle patterns that will serve them now and into the future.

Prior to receiving this prestigious honor, Ms. Green-Jackson was also named a 2009 CNN Hero for superior leadership, community service, and being an excellent role model and mentor. She was also recognized as the Department of Defense's 2010 Women's History Month STEM Winner for the Marine Corps and has been awarded the King Dream Award and the Congressional Black Caucus Leadership & Unsung Hero Award, among many others.

In addition to her work at MCLB and YHB, Ms. Green-Jackson is also active in numerous

community organizations including the Chamber of Commerce Ambassadors and Legislative Affairs Committees, UGA Extension Advisory Council, Liberty House, and the Southwest Georgia Rural Health Collaborative.

Mr. Speaker, I ask that my colleagues join me in paying tribute to Pamela Green-Jackson for her outstanding service to her community and her country. She is a dear friend and longtime supporter of mine and I know this award is well-deserved for she performs her numerous roles with humility, empathy and refinement. I commend Ms. Green-Jackson for her commitment to this worthy cause and her procurement of this esteemed and well-deserved award.

TRIBUTE TO JOSH AND
JULIEANNA OGLE—RECIPIENTS
OF THE TENNESSEE FARM
BUREAU'S 2012 OUTSTANDING
YOUNG FARMER ACHIEVEMENT
AWARD AND 2012 ENVIRON-
MENTAL STEWARDSHIP AWARD

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. DESJARLAIS. Mr. Speaker, I rise today to honor Josh and Julieanna Ogle, two outstanding citizens of our community and a respected couple in the field of agriculture.

Josh and Julieanna were recently awarded the Tennessee Farm Bureau's 2012 Outstanding Young Farmer Achievement Award and the 2012 Environmental Stewardship Award, for their strong commitment to strengthening Tennessee's agricultural industry.

Both Josh and Julieanna grew up on family farms and attended Motlow State Community College. They have been married for 14 years and have three young children, Levi, Abi and Travis. The Ogles have continued the tradition of farm and family by partnering with Josh's parents at D&J River Farms. It is here that their agricultural achievements are translated into produce, growing roughly 4600 acres of cotton, corn, soybeans and wheat.

The Ogle's success is the product of hard work, an exceptional level of dedication and a respect for others that is unparalleled. Josh and Julieanna come from the old school line of thought that "it is better to give than receive." As such, they have volunteered untold hours at their local church and at cancer support fundraisers across the state of Tennessee.

While being highly-respected farmers, as well as a wonderful husband and wife, father and mother, the Ogles have still found time to impart their knowledge to farming's next generation by volunteering to speak to students of the Future Farmers of America organization.

Mr. Speaker, their work as mentors to young farmers is good news for Lincoln County as well as the entire state of Tennessee. If you think about all that the Ogles have been able to accomplish in their community and their industry, just think what will be achieved by future generations whose lives have been impacted by the Ogles.

On behalf of the people of Lincoln County, as well as Tennessee's entire Fourth Congressional District, I congratulate Josh and Julieanna Ogle as the 2012 recipients of the Tennessee Farm Bureau's achievement and environmental stewardship awards and I wish them continued success in the years to come.

HONORING MAINE WARDEN
GREGORY "GREGG" SANBORN

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Ms. PINGREE of Maine. Mr. Speaker, I would like to take a moment to remember an exemplary individual and member of the Maine Warden Service whom we lost much too early in life.

Raised in Fryeburg, Major Gregory "Gregg" Sanborn rose through the ranks over 20 years to become second in command of the Maine Warden Service. For those who don't know, wearing the badge of a Maine Game Warden has to be one of the toughest jobs in the world. These highly trained law enforcement officers are responsible for patrolling miles of remote lands with little or no back up. A day on the job could require anything from braving extreme elements and rugged territory in search of lost hikers to catching and arresting well-armed poachers. Whether we hike, hunt or fish in the Maine woods, we all owe them a debt of gratitude for working so hard to protect our natural resources and keep us safe.

Being a Maine Game Warden was Sanborn's dream job and, throughout his career, he proved exemplary at it. As his colleagues eulogized at his memorial service, he earned the respect of all he came in contact with. On search-and-rescue missions, he wouldn't go home until the party was found. He would drive through the middle of the night and across the state to aid a fellow warden.

And few—if any—could break the law with him on the job. He issued more summons and warnings than any warden before him. Yet his fairness, calm demeanor and evenhandedness earned him the respect even of those he penalized. In his career, no one ever filed a complaint against him.

Sanborn also proved to be an effective leader and administrator. As Major, he strengthened the Maine Warden Service in the face of budget cuts while tightening recruiting standards to ensure that only the most qualified and passionate men and women were hired.

It goes without saying that Sanborn fought cancer bravely and honorably. As he said shortly before his death, "I lost, but I did not quit."

The loss is ours and his death at the age of 47 is tragic. Few Mainers will ever be missed by more. Over a thousand people attended his memorial service, and over a thousand people participated in a stem-cell drive in hopes of finding a match for his transplant.

I have no doubt the Maine Warden Service will carry on Sanborn's spirit and continue to do our state proud. But he was indeed a very special person whose loss will be felt for a long, long time. My thoughts go out to his wife

and son, his family, and his brothers and sisters in the Maine Warden Service. I am truly grateful that our state had the privilege of benefiting from such a capable, committed, and good-hearted public servant.

IN HONOR OF THE CENTENNIAL OF
FORD MOTOR COMPANY MANUFACTURING IN LOUISVILLE, KY

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. YARMUTH. Mr. Speaker, 100 years ago, the Ford Motor Company began assembling automobiles in a small facility at 931 South Third Street in my hometown of Louisville, Kentucky. There, 17 employees built as many as 12 Model Ts a day.

A century later, Ford remains an integral part of the economic, social, and cultural heritage of Louisville and the Commonwealth of Kentucky.

Between the recently retooled Louisville Assembly Plant and the Kentucky Truck Plant, Ford now employs more than 8,500 people in Louisville, where it continues to innovate and expand. On the road to that success, Ford and the River City have passed countless milestones together.

It was generations ago in Louisville when Ford began using the new automotive integrated assembly line, changing the old manner of building one car at a time and beginning a new era of industrial progress and growth.

It was in Louisville where one of the largest auto-worker union Locals in the nation, Local 862, was chartered on June 23, 1941, as the first United Auto Workers—Committee for Industrial Organization Local in the Commonwealth of Kentucky. To this day, Ford and UAW maintain a strong relationship that has been critical to its success.

It was in Louisville where a revitalized Ford met the postwar economic boom with the debut and production of the 1949 Ford, the first vehicle integration of body and fenders, which would set the standard for auto design in the future.

It was in Louisville where Ford built the South's biggest manufacturing facility under one roof, and then built a bigger one in 1955—the one-million-square-foot Assembly Plant at 2000 Fern Valley Road—and, again, in 1969, built the largest truck plant in the world, the Kentucky Truck Plant on Chamberlain Lane.

And it was in Louisville where, facing a changing economy and an uncertain future for American manufacturing, I worked closely with Ford leadership and then-Speaker of the House NANCY PELOSI to secure federal investments that would enable Ford to retool the Louisville Assembly Plant, hire more than 3,000 new workers, and begin making the vehicles of the future.

Today, the Louisville Assembly Plant is the largest Ford facility in North America, employing nearly 4,800 people who are producing a 2013 Escape every 44 seconds—faster and more efficiently than any other in Ford's his-

tory. The company supports tens of thousands of jobs throughout our region, helping strengthen Louisville families and our entire economic community. And in Louisville, we have shown the nation that the best days of American manufacturing haven't passed us by—they are signposts on the road ahead.

Mr. Speaker, as Ford Motor Company moves into the next 100 years of manufacturing in Louisville, I am confident they will continue to build on their impressive legacy, sustain our highly skilled Ford-UAW Louisville workforce, and work with leaders throughout our community to continue building innovative, world-class, high-quality vehicles for generations to come.

Congratulations to John Savona, Plant Manager of the Louisville Assembly Plant; Joe Bobnar, Plant Manager of the Kentucky Truck Plant; Steve Stone, Louisville Assembly Plant Building Chairman for the UAW-Local 862; Scott Eskridge, Kentucky Truck Plant Building Chairman for the UAW-Local 862; Todd Dunn, President of the UAW-Local 862; and to all the employees and retirees of Ford Motor Company on 100 years of success in Louisville.

HONORING ZACHARY CULL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Zachary Cull. Zachary is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Zachary has been very active with his troop, participating in many scout activities. Over the many years Zachary has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Zachary has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Zachary Cull for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

A TRIBUTE TO MARGARET HEINTZ

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Margaret Heintz, a long time member of the Governing Board of EightCAP, Inc. Margaret recently retired from her position at the age of 93—leaving as a highly respected and beloved figure within the community.

Her many years of involvement with EightCAP provided a vast array of community services to many in-need individuals contributing to programs like Head Start, and Michigan Works, as well as assisting as a senior

companion, promoting charter school funding, and providing weatherization programs for low-income home renters.

Margaret has served on the EightCAP board for over 30 years, providing thorough oversight and a vast array of experience to the agency's many causes. During her tenure, she assisted in overseeing more than \$330,000,000 in State, Local, and Federal funding to state programs. These programs provided beneficial services to Ionia, Montcalm, Gratiot, and Isabella counties.

Margaret recently stated that her reason for retirement was to attend more to her large family of 8 children, 28 grandchildren, and 38 great-grandchildren—further exemplifying her everlasting desire to give to others. On a personal level, Margaret has been a friend and an acquaintance of mine for over 50 years.

On behalf of the Fourth District of Michigan, I congratulate Margaret Heintz upon her retirement and thank her for her service to the people of Michigan.

TRIBUTE TO OFFICER MICHAEL CRAIN

HON. MARK TAKANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. TAKANO. Mr. Speaker, I rise today with my colleague, Congressman KEN CALVERT, to ask that the House of Representatives join me in honoring and remembering Officer Michael Crain of the Riverside Police Department, who died in service of our community.

Born in Anaheim, California, Officer Crain was raised in the Riverside area. After attending Crafon Hills College in Yucaipa for a year, Michael joined the United States Marine Corps as a rifleman in the 15th Marine Expeditionary Unit, 3rd Battalion 1st Marines. He served two deployments in Kuwait and was promoted from Squad Leader to Sergeant. He was then stationed in Camp Pendleton where he taught Military Operations in Urban Terrain. For his brave service, Michael was awarded the Good Conduct Medal, the Armed Forces Expeditionary Medal, the Sea Service Deployment Ribbon with one star, a Certificate of Commendation, and the Rifle Marksmanship Badge.

After his honorable discharge, Crain attended the Riverside County Sheriff's Academy and, upon graduating, joined the Riverside Police Department, where he served our community for 11 years.

On February 7, 2013, Officer Crain was fatally shot in an apparent ambush by former LAPD Officer Christopher Dorner while he was on routine patrol and parked at a stoplight with a trainee officer. It is disheartening that a man who fought bravely for our country overseas has lost his life in such a senseless act of violence in his own community.

Officer Crain is survived by his wife Regina, ten-year-old son Ian and four-year-old daughter Kaitlyn. We send our thoughts and prayers to his family and friends and urge our community, and the entire nation, to forever remember Officer Michael Crain.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. GERLACH. Mr. Speaker, unfortunately, on February 14, 2013, I missed one recorded vote on the House floor. Had I been present, I would have voted "aye" on rollcall 42.

A TRIBUTE TO MONTROSE'S 100TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor the community of Montrose, California upon its 100th Anniversary. For over a century, this extraordinary community has grown and thrived as the center of local commerce for residents of the Crescenta-Canada Valley.

Montrose, literally meaning "pink mountain" in French, was named by French sailors enamored with the beautiful pink mountains that they could see from sea. The area was first inhabited by the Gabrielino-Tongva Indians and later settled by Don Jose Maria Verdugo who was awarded the land by the Spanish Crown. In 1913, the Holmes Watson real estate agency hosted an enormous barbeque to promote the new town of Montrose with the intention of garnering interest in the 300 acres of land available for auction. This is when the subdivision of Montrose took place. For the past century, Montrose has prospered, overcoming setbacks such as the flood of 1934. Recently, multiple bear sightings in the backyards of residents have brought Montrose to the public's attention.

Montrose Avenue was built as the main business district of the community and touted as the widest road in Los Angeles County. Although this plan never came to fruition, nearby Honolulu Avenue became the economic center of Montrose and in 1967 the Montrose Shopping Park opened. To this day Montrose has flourished with nearly 200 independently owned businesses; some of which include apparel, art, dance studios, restaurants, and bakeries.

Montrose has a diverse population of residents nestled in the beautiful San Gabriel Mountains and within a minute's drive of downtown Los Angeles. Every year, residents enjoy annual events such as the Montrose Christmas Parade, an Arts and Crafts Festival, and ceremonies honoring our veterans.

I am honored to recognize Montrose, with its rich cultural history and flourishing community and ask all Members to join us in congratulating Montrose upon its 100th anniversary.

TRIBUTE TO BRADLEY BAUDLER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and honor Bradley Baudler, an 18-year-old 4-H'er of Fontanelle, Iowa, who has achieved national recognition for exemplary volunteer service in his community from the 2013 Prudential Spirit of Community Awards program.

The Prudential Spirit of Community Awards program is our country's largest youth recognition program based entirely on volunteer community service. The program was created in conjunction with Prudential and the National Association of Secondary School Principals to honor middle and high school students for outstanding service to benefit others at the local, state, and national level. Since 1995, more than 345,000 American youths have participated in this excellent program.

Bradley was recently selected as one of Iowa's four distinguished finalists for creating a weeklong camp for 4th and 5th graders. Mr. Baudler's camp, "Brains and Basketball", consists of 14 teen mentors teaching science, technology, engineering and math (STEM) lessons while mixing in basketball drills and techniques. Bradley's goal for the camp is to bolster young students' interest in STEM subjects through the popularity of athletics.

Mr. Speaker, it is with great pride that I recognize and applaud Mr. Baudler for his sincere dedication to positively impacting the lives of others in his community and beyond. Bradley's commitment to a cause greater than himself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. Our future is bright with young people like Bradley, and it is an honor to represent him and his family in the United States Congress. I invite my colleagues in the House to join me in congratulating Bradley, thanking his supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts.

HONORING DR. BEVERLY MITCHELL-BROOKS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Dr. Beverly Mitchell-Brooks, President and Chief Executive Officer of the Urban League of Greater Dallas and North Central Texas. Dr. Mitchell-Brooks, a native born Texan from South Dallas, is the first woman to lead the Dallas Urban League since its founding in 1967.

Dr. Mitchell-Brooks has proudly served as Dallas Urban League President and CEO since 1990, and has helped the Dallas Urban League to achieve its prominence. Under Dr. Mitchell-Brooks' leadership, the Dallas Urban League has grown to serve more than 60,000 clients by providing comprehensive employment training, housing and education services,

and specialized ex-offender re-entry programs to low and middle income families throughout Dallas County. The Dallas Urban League has been praised for its remarkable success in implementing these programs, and has been the recipient of numerous federal grants in recognition of their successes.

Dr. Mitchell-Brooks is also widely recognized for her diverse achievements outside of her work with the Dallas Urban League. Dr. Mitchell-Brooks, in her capacity as an environmental specialist for the EPA and the City of Dallas, was charged with analyzing lead contamination in West Dallas, and consequently contributed to the closing of hazardous smelters in that area. She also served as Director of Public Affairs for the Dallas Area Rapid Transit, DART, system, where she expanded access to public transportation for working families by establishing the first crosstown bus route to Oak Cliff.

Mr. Speaker, Dr. Mitchell-Brooks deserves great recognition for her endless efforts to empower members of the Dallas community. Dr. Mitchell-Brooks has demonstrated leadership in bringing community-oriented services to Dallas, and in making those services accessible to individuals of all backgrounds. She has devoted her life working to improve the quality of life for countless individuals, and I join with my constituents in expressing my incredible gratitude and appreciation for all that Dr. Mitchell-Brooks has done for Dallas, and the great State of Texas.

NATIONAL MARFAN AWARENESS MONTH

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise to raise awareness of Marfan syndrome and related heritable connective tissue disorders by observing National Marfan Awareness Month.

Marfan syndrome is a rare genetic condition affecting roughly 1 in 5,000 Americans. Marfan syndrome impacts the connective tissue throughout the body, which can lead to various health issues. Some of these health issues can be disabling or even fatal. In Marfan patients the largest artery in the body, the aorta, can weaken, enlarge, and rupture. By raising awareness today I seek to promote recognition and early diagnosis of Marfan syndrome so that serious cardiac events can be prevented.

Early diagnosis and proper treatment are the keys to managing Marfan syndrome and living a full life. I am pleased to announce that the American Heart Association and the American College of Cardiology have released new treatment guidelines for thoracic aortic disease. Since recognition and proper treatment are the major components of preventing the most serious health issues, I call on the Centers for Disease Control and Prevention to work closely with the Marfan syndrome community to raise awareness of these conditions and the new treatment guidelines.

While there is currently no cure for Marfan syndrome, efforts are underway to enhance

our understanding of the condition and improve patient care. I applaud the National Institutes of Health, particularly the National Heart, Lung and Blood Institute and the National Institute of Arthritis and Musculoskeletal and Skin Diseases for their research efforts in this regard. I encourage NIH to expand research efforts in this area moving forward.

On behalf of the Marfan syndrome and related heritable connective tissue disorders community, I urge my colleagues to join me in recognizing February as National Marfan Awareness Month.

CELEBRATING BLACK HISTORY MONTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. RANGEL. Mr. Speaker, I am proud to join millions of people across the nation to celebrate Black History Month. This year's theme, "At the Crossroads of Freedom and Equality: The Emancipation Proclamation and the March on Washington," acknowledges two pivotal impacts on American history.

On January 1, 1863, President Abraham Lincoln signed the proclamation to end slavery in the South and to preserve a republic for all people. A century later, hundreds of thousands of people of all backgrounds marched to the Lincoln Memorial in Washington, D.C., seeking equality for everyone in America.

It was also where Rev. Dr. Martin Luther King, Jr. delivered his famous "I Have A Dream" speech which echoes through the nation even until this day. Both events marked the beginning of endless opportunities for minorities serving as foundations for the structure of public organizations of the 21st century.

Fighting for equality is a constant struggle that requires the efforts of all of us in our time. As we celebrate the 150th year of the Emancipation Proclamation and the 50th anniversary of the March of Washington, we must keep working towards progress by reducing poverty and encouraging higher education in our communities.

I have dedicated my life to promoting equality for all as I continue to remember the racial and social injustices that took place many years ago. I will remain persistent in advocating for progress alongside my fellow Colleagues in Congress.

THE THREAT OF CLIMATE CHANGE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. CONYERS. Mr. Speaker, I rise today to bring attention to one of the single most important environmental crises facing our Nation and the global family: the threat of global warming. This past Tuesday, President Obama spoke in this chamber about the necessity of addressing global warming in order to avoid imminent, disastrous consequences.

The science of global warming is clear and empirical: the earth's atmosphere is getting warmer, due to an increase in carbon emissions from burning fossil fuels.

As a result, we are experiencing more violent and turbulent storms, longer drought seasons, and dangerous and costly wild fires in our nation's wooded areas and forests. Now is not the time to debate whether global warming is real or not, but to begin bringing together elected officials, the scientific, business, environmental, and NGO communities to come up with a comprehensive and sustainable clean energy road map for America.

I strongly agree with President Obama that Congress must take immediate action to address climate change. America is one of the most technologically advanced, innovative, and wealthiest nations in the history of the world. We already have the scientific expertise and resources needed to reduce our carbon emissions and quickly transition to clean sources of energy that can power our homes, factories, and automobiles.

The good news is that by quickly transitioning away from fossil fuels towards renewable sources of energy, we can create scores of new good paying jobs, while at the same time, reducing the threat of climate change—before it is too late.

There were those who once said that we couldn't increase the fuel efficiency of our vehicles—but we did. They said we couldn't reduce our dependence on coal—but we did. When I was just a child, there were those who said that our nation could not build the Hoover Dam and provide power to millions in the Southwest—but we did. The cries of impossibility are nothing new; I have heard them my whole life. They are just as misguided now, as they were then.

The Earth is getting warmer. Our best scientists having been telling us for decades that we need to address the problem, but we have not paid sufficient attention to them. We are literally at a do or die moment in our history. We've taken important steps to address climate change, but they aren't nearly enough, given the catastrophic implications of continued foot dragging.

America cannot afford storms like Hurricane Katrina or a Hurricane Sandy every year. Our farmers and our family tables cannot afford droughts year after year. Our children and grandchildren cannot afford a New York City flooded by higher sea levels, or a breadbasket that is too scorched to feed the country, or more frequent heat waves that place thousands of low-income and elderly persons in peril.

We must act now to speed up the transition to renewable resources, reduce carbon pollution, and usher in a new era of technological development. Remember—our automotive industry was on the brink of collapse. Yet, thanks to timely government investment and the efforts of our greatest asset—the American worker—we are now manufacturing the best cars in history.

We need to address our transportation concerns in an environmentally friendly way. There should be more electrically augmented automobiles filling America's garages and our roads. We need more Chevy Volts and Ford Energi's coming off the assembly lines in

Michigan and other states. Auto emissions need to be even lower. We must invest in clean public transportation systems, such as light rail and electric bus transportation. America can, and should, be the envy of clean energy enthusiasts around the world.

We need to modernize our power grid to leverage wind and solar. Our rivers and tides are resources that we need to utilize. By creating clean energy through these technologies, we can ensure a stable future for our nation. We will ensure that our rivers are full, not dry. We will preserve thousands of miles of coastlines for our next generation. We will keep our farms green, our supermarkets well-stocked, and our families well-fed.

I encourage my fellow members to heed the President's call to action and pass bipartisan reforms that will lead to a future safe from the climate calamities.

HONORING THE WORK OF DR.
SOLOMON GOLOMB

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Ms. BASS. Mr. Speaker, it is my distinct pleasure to recognize Distinguished Professor of Electrical Engineering and Mathematics at the University of Southern California (USC), Dr. Solomon Golomb. On February 2, 2013, Dr. Golomb was named a National Medal of Science laureate by President Obama for his outstanding contributions to the realm of communications technology. His innovation and dedication to the advancement of science has shaped our ability to communicate via cell phone as well as our ability to communicate in deep space.

Dr. Golomb had an illustrious academic career prior to working at USC. He received a Ph.D. in Mathematics from Harvard University as well as two honorary doctorate degrees. He was a Fulbright Fellow, and is currently a member of the National Academy of Engineering as well as a Fellow at both the Institute of Electrical and Electronic Engineers (IEEE) and the American Association of the Advancement of Science (AAAS). He has received numerous awards and medals for his work including the USC Presidential Medallion and the Shannon Award of the Information Theory Society of the IEEE.

Dr. Golomb started his career at the Jet Propulsion Laboratory, where he played a key role in formulating the design of deep-space communications for subsequent lunar and planetary explorations. After joining USC as a professor in 1963, he became one of the "Magnificent Seven" founders of the USC Communications Sciences Institute, which has made profound contributions to mathematics and engineering, particularly in interplanetary communications. His efforts have helped to make USC a center for communications research.

Dr. Golomb's contributions have touched our lives in numerous ways. His pioneering work in shift register sequences has extensive military, industrial and consumer applications. Today, millions of cell phones utilize tech-

nology based on Golomb's contributions to the field. His mathematical coding schemes made it possible for us to see clear video images from the Mars Rover Curiosity. And he has been referred to as "the godfather of Tetris" for creating polyominoes that inspired the invention of the tile-matching puzzle video game.

USC has long been a center for scientific innovation and I am proud to have such an incredible leader like Dr. Golomb working in California's 37th Congressional District.

IN MEMORY OF NANCY FLAKE, A
JOURNALIST'S JOURNALIST

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. BRADY of Texas. Mr. Speaker, I rise to remember a journalist's journalist and a dear friend.

This week, Montgomery County was saddened to read the news about the loss of Nancy Flake, a journalist who cared deeply about our community.

A short, but valiant battle with cancer took Nancy away from us too soon, but I wanted the nation to know more about this amazing woman because I will always appreciate her diligence, her fairness and her obvious love for all things education-related.

William Gordon and Julia Ann Roberts welcomed their daughter, Nancy to this world in Bartlesville, Oklahoma on May 10, 1956. Nancy would continue to love all things 'Sooner' long after becoming a Texan.

She taught herself to read at age 4 and never stopped reading everything she could get her hands on. She loved music and was a self-taught guitar player. Nancy earned her journalism degree at the University of Central Oklahoma and got to pursue her love of reporting here in Montgomery County where her reporting and columns, earned the respect of public officials like me, our community, Courier readers, and her peers who showered her with numerous awards.

But this passionate reporter was so much more than words on a page, she was a dedicated mother and friend. Mason and Marty can attest to both their mother's protective nature and her intense pride in their accomplishments in high school and now in college. Her friends have too many stories to recount here today of her willingness to listen to any problem, her wise counsel towards solutions and her ability to make them laugh even in the toughest of times.

Just last month, Nancy learned she had cancer and she fought it with the same strength, courage and humor she brought to journalism and has passed down to her sons, who were with her when she left this world to become Heaven's intrepid reporter.

Today, her sons, her father, brother, Bill Roberts Jr., his wife Jayne; her sister, Carol Starrett and husband David; numerous nieces and nephews and a myriad of friends, co-workers and members of the community she touched with her gifts, are saying goodbye at a special memorial service at The Woodlands United Methodist Church.

Booker T. Washington once said "Success in life is founded upon attention to the small things rather than the large things; to the every day things nearest to us rather than to the things that are remote and uncommon." Nancy helped us all understand and appreciate the every day things nearest to us in ways we might not have appreciated without her insight. She cherished the small things with her precious sons and now they will cherish wonderful memories knowing she is in our Lord's loving embrace.

HONORING THE SERVICE OF DON-
ALD MCKINNEY TO THE UNITED
STATES HOUSE OF REPRESENTA-
TIVES AND THE RESIDENTS OF
CALIFORNIA'S 49TH CONGRES-
SIONAL DISTRICT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. ISSA. Mr. Speaker, I rise today to recognize and commend the exceptional work of Donald McKinney over the course of his 11 year service as a District Representative in my Vista, California office. In that role, Don was my principal representative to the communities of Oceanside, Fallbrook, Marine Corps Base Camp Pendleton and military and veterans throughout the greater San Diego area.

Don's work was exceptional throughout his tenure, and he distinguished himself as a dedicated advocate for the Marines and their family members aboard Camp Pendleton. From housing and medical care, to transportation and infrastructure, Don took up any cause he believed would improve the quality of life for our Marines and dependents.

Shortly after I took office in 2001, we became aware of appalling conditions many Marine families were living in on base. The housing stock at Pendleton was worn out, some of it dated back as far as World War II, and many dwellings had mold contamination and other unsafe conditions. Don met repeatedly with base officials and over the course of many visits, carefully documented the housing conditions and assembled a binder of facts and photos. He walked miles and miles in the Pentagon halls meeting with any military or civilian leader who had a role in building or maintaining Marine housing. Don made sure that decision makers 2,000 miles away saw the pictures and understood the urgency so that it wouldn't get lost as just another line on a spreadsheet or item in a report. Marines and their families were living in these conditions, and that was unacceptable.

Today, Camp Pendleton provides some of the finest housing available to servicemembers and their dependents. Much of the older family housing has been torn down and replaced and the rest fully renovated. The base now has 29 new Bachelor Enlisted Quarters buildings. Don's advocacy raised awareness within the chain of command and contributed significantly to the improvement of housing quality aboard Camp Pendleton.

Don's work earned him the good-will of the Marine Commanders at Pendleton and he

worked to ensure they had strong relationships with local leaders in adjacent communities. This paid dividends most recently when local, state and base officials work collaboratively to improve the flow of traffic at the Fallbrook Gate, reducing wait times to enter the base from 30 minutes to less than one minute. This small project provides a notable improvement in the quality of life for civilian and military personnel who commute to jobs on base each day.

Don facilitated more than 500 hours of negotiations between the Fallbrook Public Utilities District and Camp Pendleton to bring the sides to agreement to settle water rights litigation that has been pending for more than 50 years. A final draft settlement is now awaiting final approval at Marine Corps Headquarters in Washington, DC.

Finally, Don was an advocate for improved medical care for autistic military children, working to make sure they have access to the most effective treatments and to raise awareness so they can gain access to the care they need and deserve.

In a last email to his colleagues, Don shared the experiences that were most meaningful over the years. Helping an injured Marine navigate a civilian bureaucracy to get a contractors license and a single mother clear an error by the Justice Department that allowed her to run a daycare center meant the most throughout his years.

Along with these notable achievements, Don did all of the things our aides do on our behalf when Congress is in session and we are away from our districts—countless meetings, appearances at the local Rotary or Chamber of Commerce luncheon, awards presentations and other public appearances.

I extend heartfelt thanks to Donald McKinney for his good work and exceptional service on behalf of the House of Representatives and the constituents of the 49th District.

IN RECOGNITION OF THE
RETIREMENT OF RUTH SARRO

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Ruth Sarro who is retiring on March 31st.

Mrs. Sarro began her career as a 4-H agent over 30 years ago. Working with the 4-H of Alabama was the fulfillment of her childhood dreams. As a child, Mrs. Sarro enjoyed participating in her local chapter. She competed in local, county, district and even state 4-H contests. Her fond memories led her to pursue opportunities within the 4-H system.

In 1980, she graduated from the University of Montevallo in Alabama and began working in the Bullock County extension office as a 4-H agent. In 1982, Mrs. Sarro transferred to the Calhoun County Extension office in Anniston, Alabama. During her years as a 4-H agent she worked extensively with schools and teachers in Alabama. In fact, she worked with over 22,000 students between 1980 and 2004.

In 2004, the Alabama Cooperative Extension System was restructured, and she became a Regional 4-H agent. She works with 97 volunteers in Calhoun, Cleburne and Randolph counties.

Mrs. Sarro will be remembered for her dedication to the 4-H systems of Alabama. She is a true success story of what dedication to a cause can bring about. Countless students, teachers, volunteers and members of the community have been inspired by her.

Mr. Speaker, we join her family and friends in celebrating Mrs. Sarro's retirement.

HONORING THE 70TH ANNIVERSARY
OF WARNER ROBINS, GA

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, please join me in wishing the city of Warner Robins, Georgia a very happy 70th birthday. It is appropriate at this milestone to reflect and celebrate their rich history and heritage.

From the days when the community was known as York. Growing to the tiny hamlet of Wellston, Warner Robins was born in 1943 with a population of no more than 75 residents. Little more than a train stop, the city became a boom town. From those early slow growing days, none foresaw nor heard the echoes of winged giants which would reverberate through their skies with the birth of Robins Air Force Base. Together the city and military community formed a renowned partnership unlike any in our great country.

From World War II to today's global conflicts, the men and women of Robins AFB have been an essential ingredient in our U.S. Air Force's ability to provide airpower for freedom around the world. That spirit of patriotism is reflected in the Warner Robins city motto "Every day in middle Georgia is Armed Forces Appreciation Day"—not just words, but a creed spoken and lived every day in Warner Robins by its government and citizens.

That constant theme throughout the years has been a mainstay of Team Robins. Staying ready when our nation was least ready has been the challenge of Robins to play a critical role in repair and supply, and the city to be work force ready. Warner Robins is proud to be home to a world class U.S. air force installation like Robins Air Force Base.

Likewise, the city's award winning education system and college presence, outstanding athletics and sports facility, renowned museum of aviation, and unique southern hospitality make Warner Robins—known as Georgia's international city—a great place to live, work, play and retire. We extend wishes to all the citizens of Warner Robins for seventy more years of excellence.

HONORING LIBERTY IN BAHRAIN

HON. TED S. YOHO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. YOHO. Mr. Speaker, two years ago this month the people of Bahrain began a movement to seek constitutional reforms where power was shared with the people. They took to the streets impassioned by a desire to make sure that government serves the people, not the other way around. They yearned for the fundamental human right of freedom and aspired to have reforms that would grant them constitutional rights and self-governance.

Earlier this week, I met with three human rights defenders from Bahrain and they told me about some of the terrible atrocities that have occurred in their country as a response to the protests. They spoke of repression, harassment, and imprisonment. I fear that these responses not only threaten stability in the region but send a signal of oppressed liberty throughout the world. I was struck by the bravery of these young people and applaud their quest for liberty.

Our Constitution is critically important to us. The Bahraini people do not have that all important safeguard to their freedoms and they understandably want it. As Americans, we should welcome the Bahraini people's self-desire to have constitutional reforms and not take action to hinder it.

While I respect our history with Bahrain and our mutual foreign policy interests in the region, their government's actions over the last two years trouble me. It is my hope that the government of Bahrain takes the steps that they have promised their citizens and move towards the constitutional reforms that are so desperately desired by the people.

TRIBUTE TO DYLAN DECLERCK

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and honor Dylan DeClerck, a 17-year-old senior of Valley High School in West Des Moines, Iowa, who has achieved national recognition for exemplary volunteer service in his community from the 2013 Prudential Spirit of Community Awards program.

The Prudential Spirit of Community Awards program is our country's largest youth recognition program based entirely on volunteer community service. The program was created in conjunction with Prudential and the National Association of Secondary School Principals to honor middle and high school students for outstanding service to benefit others at the local, state, and national level. Since 1995, more than 345,000 American youths have participated in this excellent program.

Dylan was recently selected as one of Iowa's four distinguished finalists for creating and organizing a baseball league for young children who could not otherwise afford to play our national pastime. Dylan promoted his

league, "Opportunity on Deck", by meeting with local ball club officials for support and sponsorships. Throughout the summer, Mr. DeClerck organized clinic activities and promoted the league through local media. There is no doubt Dylan's selfless efforts brought immeasurable joy and lasting benefits to the young people that participated in Opportunity on Deck.

Mr. Speaker, it is with great pride that I recognize and applaud Mr. DeClerck for his sincere dedication to positively impacting the lives of others in his community. Dylan's commitment to a cause greater than himself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. Our future is bright with young people like Dylan, and it is an honor to rep-

resent him and his family in the United States Congress. I invite my colleagues in the House to join me in congratulating Dylan, thanking his supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts.

SENATE—Monday, February 25, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we lift our hearts in praise to You for the gift of this new day. You have ordained the seasons of the year and also the seasons of our lives. Strengthen us to do Your will whether we are in life's springtime, summer, autumn, or winter.

Lord, inspire our lawmakers to receive the gift of Your presence which makes each day of life meaningful. Where there is fear, give courage; where there is anxiety, give peace; where there is doubt, give faith.

Today, we thank You for the legacy of our first President, George Washington, who heard Your voice and responded to Your guidance with reverence and love.

We pray in Your Sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

**READING OF WASHINGTON'S
FAREWELL ADDRESS**

The PRESIDENT pro tempore. Pursuant to the order of the Senate of January 24, 1901, as amended by the order of February 15, 2013, the Senator from New Hampshire (Ms. AYOTTE) will now read Washington's Farewell Address.

Ms. AYOTTE, at the rostrum, read the Farewell Address, as follows:

To the people of the United States

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should

now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were tem-

porary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings

of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts—of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by

the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefitting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object

of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the

adoption of a Constitution of government better calculated than your former for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and

thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and the duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the commu-

nity with ill founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable

supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in

the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be

scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy)—I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will

control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I

fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAINE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 5 o'clock today. At 5 o'clock the Senate will proceed to the nomination of Robert Bacharach, of Oklahoma, to be a U.S. circuit judge for the Tenth Circuit. At 5:30 we will vote on his nomination.

We expect to reconsider the cloture vote on the Hagel nomination to be Secretary of Defense tomorrow.

We also expect to consider the nomination of Jack Lew to be Treasury Secretary and the sequestration legislation before the end of the week.

SENATE AGENDA

Mr. REID. Mr. President, the Senate has a great deal to accomplish, including the long-delayed confirmation of former Senator Chuck Hagel to lead the Defense Department.

This week the Senate will also consider two plans to avert devastating across-the-board cuts to military

spending as well as domestic initiatives that keep our American families and businesses strong. To give our economy a foundation for growth, Congress must replace these cuts—the so-called sequester—with a balanced approach to deficit reduction.

Democrats would temporarily replace this harsh austerity with a combination of smart spending reductions and measures that close corporate tax loopholes, end wasteful subsidies, and ask the wealthiest Americans to pay a little bit more, and it would avoid harmful cuts that will hurt American families, harm military readiness, and hinder our economic recovery. Families and businesses in every State of the Nation—in red States and blue States—are at risk because of these haphazard cuts.

In the Presiding Officer's home State of Virginia, 170 teachers who work with disabled children could lose their jobs. That doesn't count any other teachers. Thousands of children will go without lifesaving vaccines—they will go without lifesaving vaccines—and 90,000 Pentagon employees will be furloughed. It is easy to talk about furloughs unless you are one of those people being furloughed. We don't know how many days a week it will be, how many days a month it will be, but it will be days.

In Nevada 120 teachers could lose their jobs. Local law enforcement agencies will lose essential funding to prosecute crime, and thousands of Defense Department employees will be furloughed, losing wages that support their families and our State's economy.

Residents of the Republican leader's home State would also suffer. Kentucky will lose Federal funding that helps police catch and punish domestic abusers, buys meals for needy seniors and keeps at-risk children in Head Start programs, and more than 11,000 Kentuckians who work for the Defense Department will be furloughed.

Nationwide, sequester cuts will cost more than 750,000 jobs. More than 70,000 boys and girls will be kicked out of their Head Start programs. Meat inspectors, air traffic controllers, FBI officers, and Border Patrol agents will be furloughed. Small businesses, which create two-thirds of all new jobs in this country, will lose access to crucial Federal loans. Thousands of researchers working to cure cancer, diabetes, and scores of other life-threatening diseases will lose their jobs.

But Congress has the power to prevent these self-inflicted wounds. We have the power to turn off the sequester, protect American families and businesses, and ensure our national defense.

In the House and in the Senate, Republicans and Democrats voted to impose these cuts. It will take Republicans and Democrats working together to avert them. Twenty-eight Republicans in the Senate and 174 Repub-

licans in the House voted to impose these painful cuts. To say this is President Obama's sequester is absolutely wrong: 174 Republicans in the House voted for these cuts—that is more than 70 percent—and in the Senate more than 60 percent of the Republicans voted for the sequester. So it is unfair to say it is the President's sequester. We did this together. This would not have passed but for the overwhelming vote of the Republicans in the House and in the Senate.

If those same Republicans would work with Democrats to find a balanced way to reduce the deficit, Congress could avert the delayed sequester today—now. Unfortunately, Republicans would rather let the deficit cuts go into effect than close a single wasteful tax loophole. They would rather cut Medicare, education, and medical research than ask a single millionaire to pay a single dollar more in taxes.

The overwhelming majority of Americans wants us to compromise before their neighbors, friends, and family members get pink slips or notices that they can only work a few days this week or this month.

The overwhelming majority of Americans—including 56 percent of Republicans—supports Democrats' balanced approach. It is all over the country. All over the country Americans favor this approach, a balanced approach, by a large margin, including 56 percent of Republicans.

So once again the only Republicans in the entire country rejecting a reasonable, balanced compromise are Republicans in this building—Republicans in Congress.

MORNING BUSINESS

Mr. REID. Has the Chair announced the business of the day?

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Mr. President, last week, about the time Congress recessed, the President's immigration plan was leaked to the press and was commented on generally. A group of Senators here have been trying to work on a comprehensive plan and expressed dismay at what it contained and said it was not acceptable.

A brief review of the enforcement section of the President's immigration plan confirms, I think, what my concern has been all along. It is a smoking gun, in truth, that demonstrates this President is not serious about enforcement. That is where we are. Any immigration plan this Nation implements has to be founded on the simple legal principle that people can come to our country in generous numbers, as they always have done, but they should wait their turn. There should be a lawful system. You can't have a lawful system if you are not prepared, not willing, and not committed to ensuring that the laws are enforced.

What we have seen for the last several years is very dramatic. In point after point, I, formerly a Federal prosecutor for almost 15 years, can tell you it effectively neutralized the ability of our current laws to be enforced.

This bill is confirmation the President hasn't had a change of heart. He hasn't had a change of heart. They are continuing to talk as if they expect and plan to establish a lawful system of immigration. When you get down to it and read the language of the legislation, it is not there.

Here are some examples of what the President thinks amounts to enforcement. This is so sad. I will say, with absolute confidence, if the President of the United States had done what he sort of said he was going to do in 2008 when he was running for office, he would make this legal system work. If he had invested time, effort, leadership, moral authority, and maybe a little more money—but it won't take a whole lot of money—and begin to show the kind of progress we need to have, show a commitment he would work to enforce the law in the future, he would be in a much better position to ask for a large reform of law.

Let's look at what his plan reveals. It explicitly, openly, and directly prohibits State and local governments from enforcing immigration laws and from even asking someone for their immigration status.

We have former Governors here in the Senate, former State police superintendents—and I have dealt with this issue for a very long time—that is a stunning development. There are only about maybe 20,000 Federal agents dealing with immigration. There are 600,000 State and local law enforcement officers, in every county, city, hamlet, and town in America who are the ones who come in contact every single day with people in their areas for drunkenness, fighting, burglaries, and drugs. When they find somebody in the course of doing their duties, they discover people who are here illegally.

We want to have a relationship with them and to utilize their capabilities. The Federal Government can then respond, identify the person, and see what the truth is about their background. This eliminates that and steps

backward from some of the progress we have slowly made, some at my insistence, over the last several years.

The proposal the President put forth eliminates the congressional requirement that the Department of Homeland Security put in place a biometric exit system for those who enter the country legally but overstay their visas. People come into the country on a visa and don't ever leave. Experts are telling us as many as 40 percent of the people who are here illegally today overstayed their visas. They need to clock in when they come in, but there is no clocking out. We have no real idea who came and overstayed their visas.

The President's plan eliminates a legal requirement that has been in place for approximately 17-plus years, which required a biometric exit system to clock out people when they come in. It is not hard to require them to pay a few dollars to purchase a card, and when you exit, it will be read like your credit card. You exit and you are clocked out. We have some control over that.

The proposal from the President restricts the ability of Federal, State, and local law enforcement agencies to obtain information regarding whether a person is illegally present in the United States. Think about this. It would prohibit Federal, State, and local law enforcement agencies, particularly law enforcement agencies that need to know something about a person they may have come in contact with in the course of their public safety duties, to know whether they are legally in the country.

This means if a law enforcement agency is holding an illegal immigrant for a criminal offense not deemed serious enough—a criminal offense, but somebody in Washington and Homeland Security said is not serious enough—the law enforcement agency cannot contact Federal authorities.

This also means States with laws that require a determination of immigration status will no longer be able to use Federal databases to determine if a person is eligible for a driver's license, for example. You need to be able to turn somebody down for a driver's license if you can't check to see if they are lawfully in the country.

This is something I have worked hard on over the years, for a decade. It puts the final nail in the coffin of the 287(g) Program. That program states that State and local law enforcement officers are no longer allowed to function as immigration officers.

We had a program the Federal Government did not want, really, the politicians did not want to see happen. The law enforcement officers wanted it, and this was a program which would allow Federal immigration officials to train State and local law officers—some of them at the prisons, some of them in

State offices, some of them in regional offices—how to deal with people who are in the country illegally.

The average 19-year-old police officer in Middleburg, VA, or in Monroeville, AL, may arrest a mayor for fraud or assault, but needs to take 2 weeks of training before he can be certified to arrest somebody illegally in the country, not even a citizen. This is the way it is working in the real world. It had some beneficial aspects. It is something I supported and thought we should expand nationwide.

There are highly trained people within State law enforcement, officers who are trying to cooperate with the Federal agents to try to create a system that will actually work. The President's plan would apparently eliminate that.

The President's plan would allow private individuals to hire border patrol agents to protect them and their property, when it is the federal government should be fulfilling its duty to protect them itself.

Is this a capitulation? You have a situation in which you are being basically invaded, the sovereign territory of the United States. It is not just a private individual's farm, ranch, property, it is U.S. territory. It should be protected from those unlawfully able to go there. They shouldn't have to hire their own police officers.

It includes a feel-good measure such as giving illegal immigrants free legal representation and creating border community liaison officers, in part to receive complaints about Border Patrol agents.

It allows the Attorney General to cancel deportation of criminal aliens convicted of aggravated felonies if they do not serve a sentence of 5 or more years. The law says if you are convicted of offenses and you are apprehended here illegally, you should be deported. It states this is only for serious offenses and you received time in jail, Federal felony offenses.

The President's plan goes even farther than that. It says to the Attorney General, if they served less than 5 years, he may waive that and not follow the law and deport people who violated the law. It gives the Attorney General authority to waive other legal requirements as well.

The Secretary of the Department of Homeland Security is directed to provide appropriate training to agents enforcing laws and goes into a great deal of training of civil rights and that sort of thing that is required.

There is no mention of interior enforcement. There are no measures to secure our borders.

As I have stated, I have just begun to review this plan. What I have read causes me great concern and confirms the suspicions I have had all along, which means when this legislation goes from some sort of outline that sounds

good in theory, the actual legislation is not going to be what it is promised to be. Why did I say that? Because it happened in 2006 and 2007.

The bill did not fulfill the promises their sponsors made of it when it was carefully examined. When we saw that, the American people spoke out, and it went away.

If you don't have a lawful system that effectively requires enforcement of the law, you are not serious about protecting people in this country from illegal workers who would take their jobs and have the net effect of pulling down their wages.

We already have the problem that the President is suing States that want to help the Federal Government enforce their laws. He has had his own United States Immigration and Customs Enforcement agents sue him, the Director of ICE, and the Secretary of Homeland Security for blocking them from being able to do their legal duty to enforce the law. That is going forward. They voted unanimously no confidence in Mr. Morton, the head of the United States Immigration and Customs Enforcement agency. And there are a lot of other problems.

I want to say, in sum, we have just begun to review the President's leaked plan and there are massive holes in it. It reveals a continued agenda to simply not allow a lawful system of immigration to be established in America and, therefore, it is unacceptable. I believe and am afraid that same mentality will impact the negotiations. We will end up, no matter how hard people try, with an inability to reach an agreement on a kind of plan that will actually work.

What needs to happen is we need to continue our generous, historic affirmation of immigration where we welcome people to our country in numbers that are very large, but we believe people should come lawfully. People who aren't entitled to come should not be allowed to enter. The people who come here should serve the national interest, not some group's special interests. If we do that, we could be proud of that system. I am so deeply disappointed that the President fails to meet those qualifications.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

BACHARACH NOMINATION

Mr. COBURN. Mr. President, I rise today in strong support of the nomination of Magistrate Judge Robert Bacharach of Edmond, OK, to be the next judge on the Tenth Circuit Court of Appeals. Judge Bacharach is well-qualified for this position and has received widespread support and accolades from across the State of Oklahoma, including members of academia

and members of both the Oklahoma and Federal Bar Associations. In fact, last year, the Oklahoma Bar Association passed a resolution praising Judge Bacharach's legal abilities and supporting his confirmation.

This broad array of support is indicative of his exceptional legal background. Judge Bacharach received his B.A., with high honors, from the University of Oklahoma in 1981 and his J.D. from Washington University School of Law in 1985. Judge Bacharach began his legal career as a law clerk for fellow Oklahoman, Chief Judge William J. Holloway, Jr., on the Tenth Circuit; thus, he is already quite familiar with those chambers. Following his two-year clerkship, he joined the outstanding Oklahoma-based law firm Crowe & Dunlevy, becoming a shareholder in 1994. After 12 years of private practice, he was appointed by the judges of his district court as a United States Magistrate Judge for the Western District of Oklahoma where he currently presides. In addition to serving as a magistrate judge, Judge Bacharach also served as an adjunct professor at the University of Oklahoma School of Law and received a number of outstanding awards and recognition for his years of scholarship and service.

In addition to his clear legal qualifications, even more important to my decision to support Judge Bacharach's nomination are the strong testimonies to his integrity and commitment to service outside of his judicial role. He is currently the Vice President of the Federal Bar Association (FBA) for the Tenth Circuit and formerly served the Oklahoma City Chapter of the FBA as President, Vice President, and a member of the Board of Directors.

Furthermore, Judge Bacharach serves the Oklahoma legal community beyond his professional capacity. One of his primary areas of service to his colleagues is through his involvement with the Oklahoma Bar Association's Lawyers Helping Lawyers Committee, which helps attorneys who are experiencing personal problems such as depression, alcoholism, and drug dependency. He has served on the committee for three years and also joined the Board of Directors of the Lawyers Helping Lawyers Foundation. Judge Bacharach serves Oklahoma outside of the legal profession as the Director and Executive Committee Member of Big Brothers Big Sisters of Greater Oklahoma City and on the Board of Trustees of the Temple B'nai Israel.

I believe Judge Bacharach will uphold the highest standards and reflect the best in the American judicial tradition by joining the Tenth Circuit as a distinguished and respected member of the Oklahoma legal community. The Judiciary Committee received many letters of support for Judge Bacharach's nomination, including rec-

ommendations from judges, deans and professors from Oklahoma law schools, several bar associations, and attorneys from Judge Bacharach's former law firm, Crowe & Dunlevy.

Equally important to Judge Bacharach's qualifications is his judicial philosophy. I believe his record and his hearing testimony demonstrate that he respects the limited role our founders intended judges and the federal government to play in our constitutional democracy.

Based on all of these factors, I believe Judge Bacharach will be an excellent addition to the Tenth Circuit, and I urge my colleagues to support his nomination.

I offer my congratulations to Judge Bacharach and his family on this momentous occasion of his confirmation and wish him well in his new endeavor.

Judge Bacharach's nomination got caught up in the political shenanigans the majority leader and the chairman of the Judiciary Committee carried out at the end of the last Congress. Never before has a circuit court nominee come to the floor without notification of the very members of the Judiciary Committee who sponsored their nomination in the committee. So it was purely a political trick. And for that I think the Senate owes Judge Bacharach an apology for the delay. I have no doubt he will be confirmed, and I doubt there will be anybody who will vote against him.

That leads me to two other comments I wish to make. I have sat on the Judiciary Committee for four Supreme Court nominees, and so what I am about to say may strike some people as hyperbole, but it is not. The four Supreme Court nominees who appeared while I sat on the Judiciary Committee displayed great qualities, and what I am about to say doesn't diminish their characteristics or qualities at all, but I must say that Judge Bacharach has the two qualities that are at such a high level that we should want each and every judge who sits on our Federal bench to have them.

The first is personal integrity. Now, those words are used a lot in our country, but this man has demonstrated it with his life, with his commitments to other people, his commitment to helping other people, with the way he spends his time, with his commitment to his family and to his faith. You cannot find a blemish on this man in terms of his personal integrity, and very rarely can we say that about anybody. He is actually a stellar individual, exactly the type of individual our Founders had in mind, someone who has the kind of personal life that exemplifies the characteristics and qualities that built this country, a love for the law, and an understanding that the rule of law is the glue that holds our society together.

That leads me to the second quality. I have interviewed a lot of candidates

for the Supreme Court and for judgeships and circuit court positions, and I have never met anybody who knows the Constitution, its limitations, and its intent better than Judge Bacharach. I think he quite assuredly impressed every member of the Judiciary Committee with his knowledge, his insight, and his background.

So Judge Bacharach brings together the two qualities that are so important and represent the upper end of all the candidates I have seen in my 9 years in the Senate of those whom we would ask to fulfill some of the most important positions in our country and in our society.

I believe Judge Bacharach is the first judge I will have voted for whom I have no doubt of his absolute fidelity to the U.S. Constitution. So I sleep well at night. I wish we had 100 Judge Bacharachs—100—to put on the bench today. I don't believe he can be influenced by anything other than stare decisis, precedence, and the U.S. Constitution and the statutes. His personal life gives reflection and insight into how he is going to be a judge, how he will carry himself, how he will act in this position of power. When you meet him, what you find is one of the humblest of men with one of the greatest intellects I have ever known in my life.

So I will just say that I fully support his nomination. I congratulate him because I know he is going to be approved, and I say, Mr. President, bring us more Robert Bacharachs.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LONG-TERM DEBT REDUCTION

Mr. CORNYN. Mr. President, it has been 1,398 days since the Senate passed a budget. People wonder why we are lurching from one budget crisis to another one in Washington. The fact is this is not the only deadline that has been missed. This year the President failed to submit, by February 4, his proposed budget. But the truth is even last year when he submitted a budget, and it was voted on by the entire Senate, it received zero votes. In other words, it was not viewed as a reasonable and practical solution to the financial crisis that faces our country with \$16.5 trillion in debt and 40 cents out of every dollar being spent by the Federal Government being borrowed from our creditors.

Even before we reach the upcoming crisis which is known as the budget sequester—and I suggest most Americans

would not consider a 2.4-percent cut in spending to be a crisis, but even before we reach this next stage in the budget negotiations, we know President Obama has proposed the same old solution to every budgetary question; that is, to raise taxes even though on December 31, with the fiscal cliff negotiations, we saw the President get his pound of flesh when it came to spending, and that is \$600 billion in additional revenue.

But this does, indeed, seem like the Washington version of Groundhog Day. We know the President has rejected his own bipartisan fiscal commission's recommendations, the so-called Simpson-Bowles Commission recommendation, and he has rejected budget proposals put forward by the House of Representatives. Even though our gross national debt has gone up by nearly \$6 trillion under his watch, and even though it is projected to go up another \$9.5 trillion over the next decade, the President seems to be stuck on telling us it is only going to take a little bit more in taxes in order to solve the problem.

The American people understand we do not have a revenue problem, we have a spending problem—spending money we do not have—and the only way to reduce our long-term debt burden is through reining in that spending. And not just the 39 percent of it which represents discretionary spending; we need to reform our entitlement programs, Medicare and Social Security, in order to preserve and to protect those programs for future generations. Yet when we try to enact spending cuts or entitlement reforms, the President, unfortunately, has resorted to shameless fear mongering.

He is now warning that it will be the end of western civilization, or something like it, if we cut the Federal budget by 2.4 percent. When we consider that Federal spending has gone up over 19 percent since 2008, and when we consider how much inefficient and duplicative and downright wasteful spending there is in the Federal Government, it is hard to take this argument seriously.

For example, no one should be talking about raising more taxes from the American people on top of the \$600 billion that was extracted as a result of the fiscal cliff negotiations. No one should be talking about raising more taxes when the Federal Government made more than \$220 billion in improper payments over the last 2 years—that's right, \$220 billion in improper payments in the last 2 years—and this is just one example of costly government waste.

The President does not appear to believe in the urgency of the moment. He does not appear to believe that our country is headed for a true crisis. We all know interest rates are at historically low levels at this time. If interest rates were to go up just 1 percent or 2

percent more, for each percentage increase it would represent more than \$1 trillion in additional interest we would have to pay on our debt. It is easy to see if interest rates were to go back up to historic norms, 4 or 5 percent, that very quickly we would lose control of our financial system, and we would be able to do little more than pay interest on the debt and pay for Medicare and Social Security.

Both Senate Republicans and Democrats have shown that they understand the nature of the crisis we have before us, but we believe it is imperative that we support a budget that reduces our long-term debt.

The only way we can see a significant path forward to debt reduction is if the President joins us in these important negotiations. Unfortunately, so far, the President seems truly allergic to genuine bipartisan compromise.

Until the Obama administration, virtually every landmark domestic policy change in American history was achieved with bipartisan support. We all understand that; it cannot happen any other way. For example, both the 1935 Social Security Act and the 1964 Civil Rights Act were signed by a Democratic President and supported by large majorities of Senate Republicans. The 1996 Welfare Reform Act signed by President Clinton was backed by every single Member of the Republican Senate caucus, along with the majority of Senate Democrats.

Likewise, during the Reagan years, most Senate Democrats voted for the 1983 Social Security amendments, and a whopping 94 percent of Senate Democrats voted for the 1986 Tax Reform Act. Under President George W. Bush 84 percent of Senate Democrats voted for No Child Left Behind.

In other words, Presidents have traditionally understood that reform and results take leadership and only then will bipartisan support follow. Yet the President seems to neglect this obvious fact and instead prefers to continue what seems like a perpetual campaign and knock down straw men rather than actually doing something about our skyrocketing debt.

Real debt reduction will require Presidential leadership, the kind of leadership that President Clinton displayed in 1993 when he convinced 47 percent of Senate Democrats and 40 percent of House Democrats to defy organized labor and support the North American Free Trade Agreement. Since then, U.S. trade with Canada has nearly tripled, and U.S. trade with Mexico has increased almost sixfold.

My hope is that the President will ultimately show the kind of leadership we have seen throughout this Nation's history when we are confronted with big challenges. He has acknowledged the need for serious reform.

I believe he understands the problem perfectly: We cannot preserve and pro-

tect Social Security and Medicare unless we deal with those programs now. Yet he has never acted on his words, instead choosing to engage in the perpetual campaign.

As a result, Washington keeps spending money it doesn't have and saddling our children with more debt. Meanwhile our safety-net programs are spiraling toward a collapse that will leave the poor and elderly even more vulnerable. It is time for a change, and it is time for the President to take his rhetoric about debt reduction and turn it into real meaningful reform.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Pennsylvania.

BLACK HISTORY MONTH

Mr. CASEY. Mr. President, as I have every year since I came to the Senate, I rise to commemorate Black History Month. This year, we are privileged to recognize Bill Strickland, a man whose approach is unique and whose accomplishments are of great consequence to African-Americans, and in fact, to all Americans. From the age of 19, Bill Strickland has worked tirelessly to improve the lives of those living in poverty, to give them a setting they can thrive in and a future they can take pride in.

Bill grew up in the Manchester neighborhood of Pittsburgh, on the city's north side. Prior to the decline of industry in the city in the mid-1960s, Manchester was a solid, working class community. But by the time Bill was in high school, the area around him had slid into urban decay and instability. Though surrounded by poverty, Bill's mother was determined to provide a safe environment for her family. And though she didn't have a high school diploma herself, Bill's mother held firm to the belief that a good education was the ticket to a better life. At Oliver High School, when he began his senior year Bill had neither plans for after graduation or a clear picture of what his future might look like.

Then one day while walking down the hallway at school, Bill was attracted by the smell of fresh coffee. The coffee, along with the sounds of jazz, led Bill to the art room in Oliver High where he watched a pot being formed from a mound of clay on a turntable. Seated at the potter's wheel was Frank Ross, Oliver High's art teacher who would become Bill's close friend and mentor. Over the next year, in the calm atmosphere of Frank's well-lit art studio, Bill would develop a talent for ceramics. As importantly, it provided a safe and stable sanctuary from the chaos of the streets. At the potter's wheel Bill found his passion, and although he didn't know it yet, he was also forming the beginning of a vision that would become Manchester Bidwell Corporation.

In 1967, Bill graduated from Oliver High School and, at the instance of Frank Ross, applied to the University of Pittsburgh where he was accepted, but only as a probationary student. Although he had begun his studies full-time, Bill never lost the connection with his neighborhood. In the summer of 1968, as Manchester grappled with the racial tensions that swept many inner cities, Bill decided to open an arts center in his neighborhood. He had seen the power a bright, orderly, safe place like Frank Ross' studio and the artistic work done there had had on his own life. He wanted to give the young people of Manchester a place where they too could escape the effects of economic and social devastation and experience something beautiful. A conversation with a young minister working in the area led Bill to his first \$25,000 in funding and the Manchester Craftsmen's Guild was born as an after-school art program in a donated row house on Buena Vista Street. It was not an overnight success, but Bill never gave up. When young people in the neighborhood weren't immediately taken with ceramics, Bill redoubled his efforts, hitting the streets to reach out to as many people as possible and bring them to his center. People noticed Bill's efforts and the popularity of the Guild grew. As more people came to the center, the center needed more clay, more wheels, and Bill needed to secure more funding.

Along the way, an interesting phenomenon occurred. Teachers began noticing that their students who regularly went to the Guild were doing better academically and behaving better in school. Without intending to, Bill had stumbled across a simple, yet empowering, philosophy—environment shapes people's lives. By providing a safe space for the Manchester youth, and by introducing them to the beauty of the arts, Bill was simultaneously inspiring a large-scale change in his community.

Despite starting as a probationary student, Bill graduated from Pitt cum laude with a BA in History in 1970. Bill continued to work with the Manchester Craftmen's Guild and a few years after graduation, he became director of the Bidwell Training Center, a school whose mission was to provide education in the building trades disadvantaged and dislocated workers. When Bill assumed his role as head of Bidwell, what he discovered was a dilapidated warehouse in a seedy parking lot and a \$300,000 back tax bill from the IRS. But Bill saw its potential and didn't give up. Bill began to transform Bidwell into a forward-thinking school that offered its students a real chance to dramatically improve their lives. He realized that the changing job market required less focus on construction trades and redirected Bidwell's focus to the hightech and medical industries.

He also forged important partnerships with corporations like IBM, Heinz) and Bayer to design curriculums that would train the workers that employers needed. While he worked to improve the staff and the quality of the education, the nature of Bidwell's funding meant that Bill could not address what he saw as one of the institutions central flaws: The building. With funding for social projects harder to come by in the 1980s, Bill was forced to lay-off nearly one-third of his staff just to make payroll. But despite the set-back, in his own eyes, Bill's vision was clearer than ever. Bill realized that what he needed to make Bidwell succeed was a center of which students, faculty, and neighbors could be proud.

To achieve his dream, Bill contacted legendary Pittsburgh architect Tasso Kastelas, a student of Frank Lloyd Wright, to design a world class center in one of the worst neighborhoods in Pittsburgh. For \$10,000, Bill commissioned the architect to build a model of what would later become the home of the Manchester Bidwell Corporation, as the combined programs of the Manchester Craftsmen's Guild and the Bidwell Training Center would come to be known. Bill had a vision for his building and the conviction that the future of his cause lay in its construction. Just as he had done before, Bill took it upon himself to turn his dream into a reality and spearheaded a \$6.5 million capital campaign. Model in hand, he implored the Pittsburgh corporate community to help fund his dream. When the city's corporate donors, who had supported him previously, told him that Manchester didn't need such a spectacular center, he told them in no uncertain terms that it did. When he was told he needed matching funds to obtain his corporate pledges, he turned to the Commonwealth of Pennsylvania for additional support.

In 1986 the new 62,000 square foot arts and career training center opened. Originally the center consisted of studios as well as classrooms, workshops, gallery spaces, and a 350-seat auditorium. Over the years the building has expanded as Bill's vision expanded. In 1987 the jazz hall, which has seen performances from the likes of Dizzy Gillespie and Nancy Wilson, was added and in 2003 the 40,000 square foot state-of-the-art greenhouse opened. The center currently provides training in fields as varied as gourmet food preparation, chemical, office, and medical technologies, and education arts programming in ceramics, design arts, digital arts, and photography.

Bill's center and his students success stories are a testament to the power of social entrepreneurship. What began as a mission to provide an escape from the ghetto has produced unparalleled results in educational empowerment and community growth. Manchester Crafts-

men's Guild "Youth in Arts" is a program that strives to educate and inspire urban young people through the arts. Ninety-three of the high school students who participate in the Manchester Craftsmen's Guild "Youth in Arts" program graduate from high school, a noticeable improvement over the national graduation rate of 75.5 percent. The Bidwell Training Center has changed lives by providing market-driven career training to disadvantaged adults in transition. Its training programs continue to place skilled technicians in middle-class jobs at companies such as Bayer, Mylan Labs, and Heinz. MCG Jazz, Manchester-Bidwell's record label, has been nominated for seven Grammy awards and has brought four home to Pittsburgh. The orchids grown in the facility's greenhouse have won Best in Show at a Western Pennsylvania orchid fair and are even available for purchase at Whole Foods. And while they are learning medical coding or how to center clay, each student is fed a gourmet lunch prepared by culinary students in the center's top-of-the-line kitchen.

Realizing the opportunity to strengthen other communities and effect change on an even larger scale by using the Manchester Bidwell model of community and educational development as a template, Bill helped found the National Center for Arts and Technology to replicate the Manchester Bidwell education model across the nation. NCAT collaborates with local nonprofits and businesses to assess their community's needs and then works together with the community to design a fitting center for arts and technology. Bill's Pittsburgh model has been replicated in San Francisco, Cincinnati, Cleveland, New Haven, Connecticut and Grand Rapids, MI. He gained some powerful backers including Jeff Skoll, founder of eBay and the Skoll Foundation. The Skoll Foundation was one of Bill's earlier investors; it recognized the potential of his programs to drive large scale positive social change by using entrepreneurial discipline and methods. With the Skoll Foundation's help, Bill clarified his sales pitch—that he could help solve problems faced in communities, had a strategic business plan showing the benefits of working together, and offering people meaning and hope through transforming experiences.

Bill has said that "environment determines behavior" and he has created a remarkable environment where men and women living in poverty are treated with dignity and respect. Knowing firsthand that poverty creates self-defeating assumptions and restrictive labels but does not define a person's potential, Bill has dedicated his life to changing the lives of others by offering them hope, meaning, and belief in the

power of their own creative possibilities. Bill's methods might be unconventional, but his results are success stories of epic proportions. And so in the Senate today we express our gratitude to Bill for never giving up on the poor kids or his vision. His passion and his belief in the abilities of each and every individual that walks through his doors has touched lives far beyond Manchester and, thanks to his tireless efforts, truly has the potential to reach around the world.

I thank Bill Strickland for his contribution to the City of Pittsburgh, the Commonwealth of Pennsylvania, and our Nation.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ROBERT E. BACHARACH TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from Vermont.

Mr. LEAHY. This week, the country is facing indiscriminate across-the-board cuts from sequestration if Congress does not come to an agreement. The automatic cuts that will otherwise occur are in the tens of billions of dollars at a time when our economy is finally recovering but remains fragile. Among those who will have to endure these cuts are the overburdened Federal courts that are already suffering from longstanding vacancies that number almost 90. Budgetary cuts will mean more difficulty for the American people to get speedy justice from our Federal justice system.

According to the sequestration report released by the Office of Manage-

ment and Budget, the sequestration would lead to a \$555 million reduction for our Federal courts. Despite their higher caseloads and the needs of the American people, the courts' funding will be capped at a level last utilized 6 years ago. This could result in elimination of nearly one third of the courts' staff, as many as 6,300 employees, or month-long furloughs system wide. The sequester will result in cuts that will force courts to hear fewer cases and hear them more slowly. Court proceedings will be delayed. Some 30,000 civil cases have already been pending for more than 3 years and this will only exacerbate the problems of delay. Sequestration cuts could even result in the suspension of civil jury trials in some courts. And consider that if probation and pretrial services offices are affected, that can mean that defendants in pretrial release and those convicted but not in prison may not be properly supervised.

Sequestration is bad for the courts, bad for the economy and bad for the American people.

Today, after an unprecedented filibuster, Senate Republicans will finally allow a vote on the nomination of Robert Bacharach to the U.S. Court of Appeals for the Tenth Circuit. Judge Bacharach should be a consensus nominee. He received the ABA Standing Committee on the Federal Judiciary's highest possible rating of well qualified. He was reported by the Judiciary Committee by voice vote last year and, again, this year. Despite his experience, qualifications and bipartisan support, he was filibustered by Senate Republicans since July last year.

The filibuster of his nomination, which was supported by the Oklahoma Senators who had previously supported the nomination and who will likely reverse themselves again and support confirmation today, was the ne plus ultra of an unprecedented campaign of obstruction Senate Republicans have waged against President Obama's judicial nominees. That obstruction has spread to executive nominees, as well, including the nomination of Chuck Hagel, a recent Republican Senator from Nebraska whose nomination to serve as Secretary of Defense was filibustered earlier this month.

Judge Bacharach is the kind of nominee who every Senator should support. Over his 13-year career as a U.S. Magistrate Judge in the Western District of Oklahoma, he has handled nearly 3,000 civil and criminal matters, presided over 400 judicial settlement conferences, and issued more than 1,600 reports and recommendations. As an attorney in private practice, he tried 10 cases to verdict, argued two cases before the Tenth Circuit Court of Appeals, and briefed scores of other cases to the Tenth Circuit and the Oklahoma Supreme Court.

Judge Bacharach's judicial colleagues in the Western District of

Oklahoma stand strongly behind his nomination. Vicki Miles-LaGrange, Chief Judge of the U.S. District Court for the Western District of Oklahoma, has said of Judge Bacharach:

He is an outstanding jurist and my colleagues and I enthusiastically and wholeheartedly recommend him for the Tenth Circuit position. . . . We knew that we were lucky to have Bob as a Magistrate Judge, and he's been remarkable in this position for over 12 years. He is an absolutely great Magistrate Judge. His research and writing are excellent, his temperament is superb, his preparation is top-notch, and he is a wonderful colleague to all of the judges and in general to the entire court family. . . . All of the other judges and I—Republicans and Democrats alike—enthusiastically and wholeheartedly recommend Judge Bob Bacharach for the Tenth Circuit position. All of us believe very strongly that Judge Bacharach would be a superb choice for the position.

Throughout the careful and deliberate process in which Judge Bacharach has been thoroughly vetted, considered, and voted on by the Judiciary Committee, I have not heard a single negative word about him. There is no Senator who opposed his nomination on the merits. He was praised extensively by his home State Senators. Senator INHOFE has said of him:

I believe Judge Bacharach would continue the strong service Oklahomans have provided the Tenth Circuit. Throughout his career and education, he's distinguished himself. In 2007, the Oklahoma City Journal Record profiled Judge Bacharach as an example of leadership in law, where he simply stated that as a future goal he intends to improve. Always working to improve has defined Judge Bacharach. . . . [H]is colleagues have characterized his service as remarkable, demonstrating superb judicial temperament, and a real asset to the Western District court family and legal community.

Senator COBURN said:

Judge Bacharach is well qualified for this position and has received widespread praise and hearty recommendations from Oklahomans, including members of academia and fellow members of the bar. . . . I believe that Judge Bacharach will uphold the highest standards and reflect the best in our American judicial tradition by coming to the bench as a well-regarded member of the community. At a time when our country seems as divided as ever, it is important that citizens respect members of the judiciary and are confident they will faithfully and impartially apply the law. . . . I believe Judge Bacharach would be an excellent addition to the Tenth Circuit.

Unfortunately, along with 42 other Senate Republicans, Senator INHOFE and Senator COBURN filibustered Judge Bacharach since last July. The people of Oklahoma, Colorado, Kansas, New Mexico, Utah and Wyoming have been needlessly denied his service as a Tenth Circuit judge for 7 months. Republican Senators in Oklahoma, Kansas, Utah and Wyoming could have prevented the filibuster but went along with the obstruction that served no good purpose and established another damaging precedent: Judge Bacharach is the first

circuit court nominee to be filibustered who had received bipartisan support before the Judiciary Committee. Senator COBURN was quoted last year admitting: "There's no reason why he shouldn't be confirmed." There was none other than the obstruction of Senate Republicans.

Their partisan obstruction was wrong, and it is damaging to our Nation's courts and the American people. The nonpartisan Congressional Research Service has reported that the median time circuit nominees have had to wait before a Senate vote has skyrocketed from 18 days for President Bush's nominees to 132 days for President Obama's. This is the result of Republicans' partisan obstruction.

This obstruction has contributed to the damagingly high level of judicial vacancies that has persisted for over 4 years. Persistent vacancies force fewer judges to take on growing caseloads, and make it harder for Americans to have access to speedy justice. While Senate Republicans delayed and obstructed, the number of judicial vacancies remained historically high and it has become more difficult for our courts to provide speedy, quality justice for the American people. There are today 89 judicial vacancies across the country. By way of contrast, that is more than double the number of vacancies that existed at this point in the Bush administration. The circuit and district judges that we have been able to confirm over the last four years fall more than 30 short of the total for President Bush's first term.

Over the last 4 years, Senate Republicans have chosen to depart dramatically from Senate traditions in their efforts to delay and obstruct President Obama's judicial nominations. Until 2009, Senators who filibustered circuit court nominees generally had reasons to do so, and were willing to explain those reasons. When Senate Democrats filibustered President Bush's most extreme circuit court nominees, it was over substantive concerns about the nominees' records and Republicans' disregard for the rights of Democratic Senators as they unfairly short-circuited the process of consideration over and over again. On the other hand, Senate Republicans have filibustered and delayed nearly all of President Obama's circuit court nominees even when those nominees have the support of their Republican home state Senators and their rights have been fully protected in a fair consideration process.

Until 2009, when a judicial nominee had been reported by the Judiciary Committee with bipartisan support, they were generally confirmed quickly. Until 2009, we observed regular order, usually confirmed nominees promptly, and we cleared the Senate Executive Calendar before long recesses. Until 2009, if a nominee was filibustered, it

was almost always because of a substantive issue with the nominee's record. We know what has happened since 2009. The average district court nominee is stalled 4.3 times longer and the average circuit court nominee is stalled 7.3 times as long as it took to confirm them during the Bush administration. No other President's judicial nominees had to wait an average of over 100 days for a Senate vote after being reported by the Judiciary Committee.

Senate Republicans have also forced the Majority Leader to file cloture on 30 nominees, which is already in 4 years 50 percent more nominees than had cloture filed during President Bush's eight years in office. Almost all of these 30 nominations were non-controversial and were ultimately confirmed overwhelmingly. Fewer than 80 percent of President Obama's judicial nominees have been confirmed compared to almost 90 percent of President George W. Bush's nominees at this point in their Presidencies.

The record is clear: Senate Republicans have engaged in an unprecedented effort to obstruct President Obama's judicial nominations. Chief Justice Roberts, in his year-end Report on the Federal Judiciary in 2010 pointed to the "[P]ersistent problem [that] has developed in the process of filling judicial vacancies . . . This has created acute difficulties for some judicial districts. Sitting judges in those districts have been burdened with extraordinary caseloads . . . There remains, however, an urgent need for the political branches to find a long-term solution to this recurring problem." Despite bipartisan calls to address longstanding judicial vacancies, Senate Republicans have continued their unwarranted obstruction of judicial confirmations. In the case of Judge Bacharach, there was not even a pretense of any substantive concern—Senate Republicans just decided to shut down the confirmation process and contorted the "Thurmond rule."

At a time when judicial vacancies have again risen to almost 90, we must do more for our overburdened courts. It is past time for the partisan obstruction to end. We have a long way to go. After 4 years of delay and obstruction, we remain far behind the pace of confirmations we set during President Bush's administration, and there remain far too many judicial vacancies that make it harder for Americans to have their day in court. During President Bush's entire second term, the 4 years from 2004 through 2008, vacancies never exceeded 60. Since President Obama's first full month in office, and as far into the future as we can see, there have never been fewer than 60 vacancies, and for much of that time many, many more. The Senate must do much more to fill these vacancies and make real progress.

The Senate today will finally vote on the nomination of Robert Bacharach. He has served as a U.S. Magistrate Judge on the United States District Court for the Western District of Oklahoma since 1999. Previously, from 1987 to 1999, he was in private practice at the Oklahoma City law firm of Crowe & Dunlevy, P.C. From 1985 to 1987, he served as a law clerk to Judge William J. Holloway, Jr. of the U.S. Court of Appeals for the Tenth Circuit, the same court to which he has been nominated. Judge Bacharach was twice reported by the Judiciary Committee by voice vote—last June and again this month.

The Judiciary Committee has been working to vet, consider, and report nominees, and just before the recess we reported another dozen circuit and district nominees, all of whom had to be renominated from last year. The longest pending of these nominations is that of Caitlin Halligan, who the President first nominated to the D.C. Circuit back in 2010. At that time, there were already two vacancies on that court, a number which has now doubled to four. The purported justification for the partisan Republican filibuster of the Halligan nomination was that the circuit did not need another judge. The circuit is now more than one-third vacant and needs several, including Caitlin Halligan. I urge that the Senate act quickly on long-pending nominations. Further delay does not serve the interests of the American people. Hard-working Americans deserve better.

Mr. GRASSLEY. Mr. President, I rise today in support of Robert E. Bacharach, nominated to be United States Circuit Judge for the Tenth Circuit. Mr. Bacharach's nomination was pending before the Senate last year. In accordance with Senate custom and practice, the nomination was placed on hold, along with other circuit judge nominations, pending the outcome of the 2012 Presidential election. Unfortunately, the nomination was subjected to some unnecessary political theater when a cloture motion was filed and defeated last July.

It is well-known that the practice and tradition of the Senate is to stop confirming circuit judge nominees in the closing months of a Presidential election year. One has to go back 20 years to find a Presidential election year when the Senate approved a circuit court judge in the latter part of the year. Of course, the rationale has been that whoever wins that election should be the one to pick these lifetime nominees who will run our judiciary system.

A Congressional Research Service report on this subject stated:

The Senator who most frequently has asserted the existence of a Thurmond rule has been the current chairman of the Judiciary Committee.

The CRS report noted that on March 7, 2008, the chairman recalled:

When President Reagan was running for President and Senator Thurmond, then in the Republican minority as ranking member of the Judiciary Committee, instituted a policy to stall President Carter's nominations. That policy, known as the "Thurmond Rule," was put in when the Republicans were in the minority. It is a rule that we still follow, and it will take effect very soon here.

Again, this was in March of that Presidential election year, not June or July. So that rule was very carefully laid out March 7, 2008—that they didn't intend to approve any more nominees after that point.

CRS went on to note the strong support the majority leader has expressed for the so-called Thurmond rule. According to CRS:

Senator Harry Reid, the Senate majority leader, has expressed agreement with Senator Leahy about the existence of a Thurmond rule. In April 10, 2008, floor remarks, Senator Reid said, In a Presidential election year, it is always very tough for judges. That is the way it has been for a long time, and that is why we have the Thurmond rule and other such rules.

Five days later, the Majority Leader said:

You know, there is a Thurmond doctrine that says: After June, we will have to take a real close look at judges in a Presidential election year.

These quotes indicate not only the expectation, but in fact a support for slowing down and cutting off the confirmation of judges in a Presidential election year.

Even setting aside the so-called Leahy-Thurmond rule, by any objective measure, President Obama has been treated fairly.

For example, with regard to the total number of confirmations, we confirmed 171 district and circuit nominations during President Obama's first term. We also confirmed two Supreme Court nominations during President Obama's first term. When Supreme Court nominations are pending in the committee, all other work on nominations is put on hold.

The last time the Senate confirmed two Supreme Court nominees was during President Bush's second term, and during that term the Senate confirmed a total of only 119 district and circuit court nominees.

Let me put it another way. Under similar circumstances when Supreme Court nominees were considered—the Senate confirmed 52 more district and circuit nominees for President Obama than for President Bush.

During the 2008 Presidential election year, the Senate confirmed a total of 28 judges—24 district and 4 circuit. During the 2012 Presidential election year the Senate greatly exceeded those numbers, having confirmed a total of 49 judges—44 district and 5 circuit. In fact, President Obama's confirmations during the 2012 election year exceed the previous five Presidential election years.

Furthermore, President Obama has the highest percentage of circuit confirmations over the past four Presidential terms. With regard to district confirmations, President Obama had more during the 112th Congress than in any of the previous eight Congresses, going back to 1994.

So those who say that this President is being treated differently either fail to recognize history or want to ignore the facts, or both.

With regard to today's nomination, I would like to say a few words about the nominee. I expect he will be approved and congratulate him on his confirmation.

Judge Bacharach graduated from University of Oklahoma with a B.A. in 1981 and earned his J.D. from the Washington University School of Law in 1985. Upon graduation, Judge Bacharach served as a law clerk from 1985 to 1987 to the Honorable William J. Holloway, Jr. on the U.S. Court of Appeals for the Tenth Circuit. After completion of his clerkship, he was hired as an associate at Crowe & Dunlevy, where he became a shareholder in 1994. He remained at the firm until becoming a U.S. magistrate judge in 1999. At Crowe & Dunlevy, he primarily practiced in commercial litigation, focusing on antitrust and franchise litigation. He also handled a considerable number of cases involving the Employee Retirement Income Security Act, ERISA, from 1996 to 1998.

From 1997 to 1999, Judge Bacharach served as an adjunct professor of law at the University Of Oklahoma School Of Law. During this period, he was a co-instructor for a class titled "Civil Pre-trial Litigation."

In 1999, the U.S. district judges for the Western District of Oklahoma appointed Judge Bacharach to be a U.S. magistrate judge. As a magistrate judge, he manages all aspects of the pretrial process in civil and criminal cases: conducting evidentiary hearings, ruling on nondispositive motions, making reports and recommendations regarding dispositive motions, and issuing criminal complaints, search warrants, and arrest warrants.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum. If there is time remaining, I ask the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, we yield back the remaining time on the nomination.

The PRESIDING OFFICER. All debate time has expired.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Idaho (Mr. CRAPO), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kentucky (Mr. PAUL).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 22 Ex.]

YEAS—93

Alexander	Flake	Moran
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Graham	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Kaine	Scott
Coats	King	Sessions
Coburn	Kirk	Shaheen
Cochran	Klobuchar	Shelby
Collins	Landrieu	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Levin	Toomey
Cowan	Manchin	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden

NOT VOTING—7

Chambliss	Johnson (WI)	Udall (CO)
Crapo	Lautenberg	
Harkin	Paul	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Oklahoma.

BACHARACH CONFIRMATION

Mr. INHOFE. Mr. President, I am very pleased that we have just confirmed Judge Bacharach. He is going to make a great Federal judge. I have just been real pleased, I have to admit; I was literally running from the airport to get here because they had plane troubles, and I saw Senator PRYOR was in the same situation. So let me, first of all, thank the leadership for holding that vote open so I would not find myself in the embarrassing position of not voting to confirm my best friend from Oklahoma. So we are in that situation.

Let me just say that I am very proud of him. He actually started on the Tenth Circuit as a clerk. So he really knows this stuff. He has been there for a long time. As part of his profile, as a future goal, he intended to improve. He has actually made that statement. I believe "always working to improve" has been a defining characteristic of Judge Bacharach's career.

He graduated in the top 4 percent of his class in law school. He received all kinds of academic awards and maintained memberships in the highest orders of law school students. He began his legal scholarship on Law Review and has continued writing in a number of law journals.

As I said, he actually started in the Tenth Circuit working as a law clerk for the chief judge. So he knows that circuit. I do not think there is anyone out there who would know it better.

Judge Bacharach has multiple years of litigation experience working for the firm Crowe and Dunlevy in Oklahoma City and in public service as a Federal magistrate for the U.S. District Court in the Western District of Oklahoma. As evidence of his career of distinction, when Judge Bacharach was chosen to be a magistrate judge from a pool of many well-qualified candidates, the chief judge characterized the decision as "an easy one."

Since that time his colleagues have characterized his service as remarkable, demonstrating superb judicial temperament, and being a real asset to the Western District family and the legal community. As with any position in the judicial branch that comes with a lifetime appointment, the Senate must deliberate carefully; and we did and gave all the thought to this nominee, as was shown, clearly demonstrated by a unanimous vote for confirmation. You do not see this very often, but you saw it with Judge Bacharach.

So I appreciate the opportunity to support him today and to have been able to call and be the first to con-

gratulate him in this new part of his career, of which we are going to be very proud. I can assure the Presiding Officer and all the rest of us this is a guy of whom we will always be proud.

So I say congratulations to Judge Bacharach. You are going to do a great job. We will depend on that, and we will be watching to make sure that happens.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT

Mr. LEAHY. Less than 7 years ago, Republicans and Democrats in the Senate and in the House of Representatives joined together to reauthorize key expiring provisions of the Voting Rights Act of 1965. We explained and documented our findings that this landmark civil rights law was still needed because of continuing discrimination and to preserve the progress that had been made. Because of this extensive record and the acceptance of the Voting Rights Act's importance in our country, our 2006 reauthorization of this crucial law was marked by Members of Congress from both parties and from every corner of the Nation coming together to renew one of the cornerstones of American Democracy.

It is a sad irony that on the same day we will be honoring Civil Rights icon Rosa Parks by unveiling her statue in the U.S. Capitol, the first full statue of an African American to stand in the halls of Congress, across the street the Supreme Court will be hearing arguments from those challenging the constitutionality of the Voting Rights Act reauthorization named in part for her. In the pending case, the challengers seek to strike down Section 5 of the Voting Rights Act even though that critical section has protected constitutional guarantees against discrimination in voting where 100 years of prior civil rights laws failed. The Supreme Court got it right four years ago when it upheld the constitutional authority of Congress to reauthorize Section 5 against a similar challenge. Neither the words of the Constitution nor the

importance of these critical provisions for protecting the right to vote has changed in the last four years. Under the specific words of the 14th and 15th Amendments, Congress has the power to remedy discrimination and enforce the Amendments by enacting laws that address racial discrimination in connection with voting. That is what we did nearly unanimously less than 7 years ago. And over the past year lower courts have repeatedly upheld both its constitutionality and its protections. In light of the lengthy court findings from just the last year, there can be no doubt that the operation of the Voting Rights Act is continuing to protect American voters from discrimination.

In his historic "I Have a Dream" speech, Martin Luther King, Jr. proclaimed: "When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir." The Voting Rights Act is one of our most important means for enforcing this promise and upholding the Constitution's guarantee of equal rights and equal protection of the law. Reauthorizing and restoring the Voting Rights Act was the right thing to do, not only for those who fought and bled for its passage but also for those who come after us—our children and our grandchildren. We owe it to them to continue our commitment to this vital Act. No one's right to vote should be abridged, suppressed or denied in the United States of America.

As we celebrate Black History Month and the significant progress we have made as a Nation, let us not forget the promissory note to future generations and the continuing need for civil rights laws such as the Voting Rights Act.

Our Nation has grown stronger since its Founding as more Americans have been able to exercise their right to vote. The actions taken by previous generations—through a Civil War, through Constitutional amendments, and through the long struggles of the civil rights movement—have worked to break down barriers that stood in the way of all Americans participating in our Democracy.

It has not been an easy road. The pervasive discriminatory tactics that led to the original Voting Rights Act were deeply rooted. As a nation, this effort to ensure equal protection dates back more than 140 years to the ratification of the 15th Amendment in 1870, the last of the post-Civil War Reconstruction amendments. Yet, it took 95 years from the passage of the 15th Amendment and a historic struggle for civil rights for people of all races to begin the effective exercise of the rights guaranteed by that Amendment. The struggle reached a crucial turning point on March 7, 1965, on the Edmund Pettus Bridge in Selma, AL, when state troopers brutally attacked JOHN LEWIS and

his fellow civil rights marchers who were trying to exercise their civil rights. The events of that day, now known as “Bloody Sunday,” were a catalyst to the passage of the landmark Voting Rights Act, which finally ensured a century after the enactment of the Civil War amendments that the Constitution’s guarantees of equal access to the political process, regardless of race, would not be undermined by discriminatory practices.

Prior to the Voting Rights Act, minorities of all races faced major barriers to participation in the political process, through the use of such devices as poll taxes, exclusionary primaries, intimidation by voting officials, language barriers, and systematic vote dilution. Section 5 provides a remedy for unconstitutional discrimination in voting by requiring certain jurisdictions with a history of discrimination to “pre-clear” all voting changes with either the Justice Department or the U.S. District Court for the District of Columbia. This remedy combats the practice of covered jurisdictions shifting from one invalidated discriminatory voting tactic to another, which had undermined efforts to enforce the Fifteenth Amendment for nearly a century.

In 2006, congressional leadership stood together on the steps of the Capitol to introduce a bill to reauthorize and reinvigorate the Voting Rights Act—an historic announcement in an era of intense partisanship. We came together in recognition that there are few things as critical to our Nation, and to American citizenship, as voting. In sharp contrast to the tremendous resistance and bitter politics which met the initial enactment of the Voting Rights Act, our efforts in 2006 overcame objections through discussions, the hearing process and by developing an overwhelming record of justification for extension of the expiring provisions. The legislation contained specific findings about the need for reauthorization and concluded that without reauthorization the gains we have made would be undermined. Our efforts reached completion when President Bush signed the bill into law after a unanimous vote in the Senate and nearly unanimous vote in the House.

At that time, I was the ranking member of the Senate Judiciary Committee and the lead Democratic Senate sponsor of the reauthorization. Over the course of 19 hearings, the Senate and House Judiciary Committees developed a comprehensive record supporting the continuing need for a reauthorized and reinvigorated Voting Rights Act. In the Senate Judiciary Committee alone we received testimony from 46 witnesses, including a range of constitutional scholars, voting rights advocates, and Supreme Court practitioners, regarding the need for reauthorization of the expiring provisions

of the Voting Rights Act. In addition, the Committee gathered and considered thousands of pages of testimony, articles, letters, and other evidence from these witnesses and other sources discussing these issues. This evidence, along with voluminous evidence gathered in the House—under the leadership of then-Judiciary Chairman JAMES SENSENBRENNER, MEL WATT, JOHN CONYERS and JOHN LEWIS—provided an overwhelming demonstration that Section 5 continues to be an effective and necessary tool for protecting minority voting rights.

At the time the Senate voted, we had before us the House Committee Report, the full debate from the floor of the House of Representatives, including debate surrounding four substantive amendments to H.R. 9 that were all rejected, leading up to final passage of the Voting Rights Act reauthorization. Before we voted, I also provided the Senate with some of the extensive evidence received over several months of hearings in the Judiciary Committee about the persistence of discriminatory practices in Section 5 covered jurisdictions.

The record gathered by the Judiciary Committee included three categories of evidence supporting the continuation of Section 5. First, we found evidence that even with Section 5 in place, covered jurisdictions continued to engage in recurring discriminatory tactics, often in subtle forms that play on racially polarized voting to deny the effectiveness of the votes cast by members of a particular race. Second, we found evidence that Section 5 provides an effective deterrent against bad practices in covered jurisdictions. Finally, we found evidence that Section 5 plays a vital role in securing the gains minority voters have achieved against the risk of backsliding.

Most importantly, of course, at the time we voted, all Senators had before them the detailed findings in Section 2 of the legislation based on the record and all Senators endorsed those findings with their votes. For example, those findings explicitly include:

Evidence of continued discrimination includ[ing] . . . the hundreds of objections interposed, requests for more information submitted followed by voting changes withdrawn from consideration by jurisdictions covered by the Voting Rights Act of 1965, and section 5 enforcement actions undertaken by the Department of Justice in covered jurisdictions since 1982 that prevented election practices, such as annexation, at-large voting, and the use of multi-member districts, from being enacted to dilute minority voting strength; . . . the number of requests for declaratory judgments denied by the United States District Court for the District of Columbia; [and] . . . the continued filing of section 2 cases that originated in covered jurisdiction . . .

By passing the legislation, Congress adopted and reaffirmed these detailed findings, including Congress’ determination that:

[t]he continued evidence of racially polarized voting in each of the jurisdictions covered by the expiring provisions of the Voting Rights Act of 1965 demonstrates that racial and language minorities remain politically vulnerable, warranting the continued protection of the Voting Rights Act of 1965.

Now some suggest that Section 5 should be a victim of its success. In my view abandoning a successful deterrent just because it works defies logic and common sense. When Congress finds an effective and constitutional way to prevent violations of the law, the courts must uphold it. In fact, since 1966, whenever the Supreme Court has reviewed or even cited to the Voting Rights Act, it has affirmed the Act as a valid exercise of congressional authority. That is what the Court rightly did again in 2009.

Nothing we have seen in the time since Congress reauthorized the Voting Rights Act in 2006 or since the Supreme Court again upheld Section 5 in 2009 has invalidated Congress’ determination to reauthorize that critical remedy for racial discrimination in voting. In fact, the events of last year’s election only serve to remind us anew of the continuing need for Section 5. Last year, panels of judges appointed by presidents of both parties found that Texas intentionally discriminated against minority voters in redistricting, and that Texas failed to demonstrate that its voter ID law does not impose greater burdens on minority voters. A separate panel of three Federal judges approved South Carolina’s voter identification law under Section 5 starting this year, with judges appointed by Republican and Democratic Presidents noting that South Carolina legislators passed a less restrictive law than they desired specifically in order to comply with the Voting Rights Act. Without Section 5 of the Voting Rights Act, worse laws would be in place and the fundamental rights of many Americans would be diminished.

The Voting Rights Act is one of the most important laws ever passed by Congress, transforming America by ushering the nation out of a history of discrimination into an era of greater inclusion. The Act has been a tremendous source of protection for the voting rights of those long discriminated against and a great deterrent against discriminatory efforts cropping up anew. As we celebrate Black History Month, we should reflect not only on how far we have come, but how far we still must travel to truly secure the guarantees of the Constitution for all Americans.

Ensuring that all Americans are able to vote and have their vote counted should be an issue of concern to Democrats and Republicans, and a matter of conscience for all of us regardless of political party. That is how it was in 2006, when members of Congress, Republicans and Democrats, stood together on the Capitol steps to reaffirm

our commitment to full democratic participation by reauthorizing the key expiring provisions of the Voting Rights Act of 1965.

I am confident that this week when the Justices review the substantial record relied upon by America's elected representatives in Congress, they will again do the right thing. Congress is at the height of its power when giving enforceable meaning to the 14th and the 15th amendments. That is what Congress did when passing the Voting Rights Act in 1965, and what we did when we voted nearly unanimously to extend the vital remedies of Section 5 in 2006. Now the Supreme Court is called upon to respect the role of Congress by upholding this vital civil rights legislation as it rightly did in 2009.

There are few things as critical to our Nation, and to American citizenship, as voting. Like the rights guaranteed by the First Amendment, the right to vote is foundational because it secures the effective exercise of all other rights. As people are able to register, vote, and elect candidates of their choice, their interests and rights get attention. The very legitimacy of our government is dependent on the access all Americans have to the political process. Our democracy and our Nation have been better and richer for the protection of the Voting Rights Act. Now is no time for backsliding. Now is the time to renew our commitment to the right to vote for all Americans.

VIOLENCE AGAINST WOMEN ACT

Mr. LEAHY. I have often said, Mr. President, that the Senate is supposed to be, it can be, and often is the conscience of the Nation. Well, we became the conscience of the Nation 2 weeks ago when Senators, both Republicans and Democrats, voted overwhelmingly to pass the Violence Against Women Reauthorization Act and the Trafficking Victims Protection Reauthorization Act. We made protection of these victims our top priority. After compromise and extensive negotiations, we set partisanship aside and came together.

The Leahy-Crapo Violence Against Women Reauthorization Act will provide immeasurable help to all victims of domestic violence and of rape throughout our country and to victims of human trafficking in the United States and around the world. The Senate passed it with an appropriate show of bipartisan unity. A majority of Republican Senators voted for our bill, as did every woman elected to this body and every single Democratic Senator and the two Independents who caucus with the Democrats. My amendment adding significant human trafficking legislation passed with the support of 93 Senators.

Senators from across the political spectrum have shown that stopping do-

mestic and sexual violence in the most effective way possible is an issue above politics. I mention this not to pat ourselves on the back but to say that, in contrast to this action where Republicans and Democrats came together to protect women in this country, the House leadership is poised to once again take a different route. Tomorrow they are scheduled to substitute our bipartisan bill with a partisan alternative that leaves vulnerable victims without protection and mires our efforts in partisan politics, which delays getting help to victims. I hope they reconsider this ill-conceived approach. The overwhelming bipartisan support in the Senate for the VAWA reauthorization Senator CRAPO and I introduced sent a powerful message to survivors of violence. But this bill is about so much more than sending a message. It includes real, meaningful additions to the law to fill gaps and address needs that law enforcement, victims, and the service providers who work with victims every day have identified for us. None of these provisions are about politics. They are about preventing terrible crimes and helping the survivors of violence.

The Senate-passed bill takes new steps to prevent domestic violence homicides. It will increase the focus of law enforcement and victim service providers on rape and sexual assault crimes that too often slip through the cracks. It will take needed steps to address the horrifying epidemic of domestic violence in tribal communities and to increase protections for vulnerable immigrant victims. It ensures access to services for LGBT victims who experience domestic and sexual violence at rates at least as high as the rest of the population but often have no place to go for help.

Our bill strengthens protections on campuses, where too many students experience devastating violence instead of the wonderful experience of learning and growth that we all wish for our children. It includes new bipartisan measures to ensure that rape kits are promptly tested so that victims no longer live for years in fear when the perpetrators could be identified and taken off the streets. Our bill would give law enforcement and service providers new tools to crack down on sex trafficking and labor trafficking and help the victims of these appalling crimes. These common sense provisions will make a real difference in so many lives.

The poor substitute the Republican House leadership is putting forward once again takes a tragically different approach. Instead of taking up legislation developed over years of work with victims and those who help them, they have presented a version put together by a few here in Washington. For reasons I cannot understand, they have jettisoned the Trafficking Victims Pro-

tection Reauthorization Act altogether and stripped provisions developed by Senator CORNYN, Senator GRASSLEY, and me to take meaningful steps to reduce the backlog of untested DNA evidence in rape kits. Those provisions could help victims and could help law enforcement keep our communities safe.

The House substitute drastically weakens protections for vulnerable victims. It eliminates key protections intended to keep college students safer. It fails to include meaningful language to ensure that LGBT victims can get the same help as any other victims. For immigrant victims, the House substitute actually adds new hurdles that would make it harder for victims to help law enforcement and receive assistance. It adds new burdens and loopholes to protections for Native women who experience domestic violence at horrific rates. The House substitute would continue to allow the most aggressive abusers of native women to escape justice since the most that could be charged in tribal courts would be a misdemeanor. That is not justice for the most vulnerable victims of domestic violence.

I have been working on this legislation for years. During the last year we have amended and tweaked its language many times to accommodate the requests of various Republicans who support the effort. I stand ready to work with House leadership and have reached out to Speaker BOEHNER several times. I have not heard from House leadership once this year. I appreciate the efforts of such conservative House Republicans as Congressmen TOM COLE and DARRELL ISSA, who have tried to find common ground with reasonable compromise approaches to the tribal provisions. I know there are many others in the House of Representatives who believe that we must reauthorize and reinvigorate the Violence Against Women Act so that it protects all victims. It is not too late for others in the House to follow their lead and come together to pass a meaningful reform that protects all victims.

The poor substitute the Republican House leadership is proposing will disappoint the community of violence survivors and those of us who are trying to prevent further violence by passing needed protections. If the House leadership were serious about getting the Violence Against Women Act reauthorized and protecting our most vulnerable victims against rape, sexual violence, stalking, and human trafficking, they would simply take up the Senate bill. So many Republicans, Democrats, and Independents here support it and passed that bill.

I don't understand this picking and choosing about who is going to be considered a victim. I have said this so many times on this floor, I almost wonder if anybody hears it, but, as

many other Senators have, I had the privilege of being a prosecutor before I came here. I went to a lot of very violent crime scenes at 2 and 3 and 4 o'clock in the morning, and some of them I remember almost as graphically as if it were yesterday, with a victim of severe violence, often dead, there on the floor. The police never said: Well, we have to find out if this victim is gay or straight, if this victim is Native American or an immigrant. No, they knew that a victim was a victim was a victim. If somebody has been treated that way, a crime has been committed, and the police want to find out who committed the crime and stop them before they do it again.

Back then, we didn't have anything like the Violence Against Women Act—an act which has protected so many people before they could become a victim, and which provides the tools to prevent this sort of victimization. I think of some of the victims I saw, sometimes in the morgue, and I know if we had something like our Violence Against Women Act at that time, they would be alive today.

So let's put aside gamesmanship and let's worry about the real victims in this country. None of us here will face the horrendous things these women go through, but we can help stop these horrendous things from happening to them, and we should do that.

TRIBUTE TO MICHAEL J. MULLIGAN

Mr. REID. Mr. President, I rise today to recognize the important work of Michael J. Mulligan, who retired February 1, 2013. Mr. Mulligan demonstrated great dedication to enhancing the safety and security of the United States Senate, staff, and visitors.

Beginning his career as a combat engineer officer in the U.S. Army, Mr. Mulligan served a 15-year tour at Fort Ritchie, MD, as the Chief of Engineering and Plans. During this time, he directed the largest expansion of facilities, infrastructure, and community planning in the installation's history. While on temporary assignment to the Army Corps of Engineers in Kuwait, Mr. Mulligan led technical advisors to provide engineering assistance to restore two war damaged air bases.

Mr. Mulligan went on to serve as Director of Facilities at the Alternate Joint Communications Center-Site R. He directed operations to sustain facility excellence in engineering, contingency planning, life support, and logistics in support of Continuity of Operations for the senior DOD leadership—a mission which he ably executed on September 11, 2001.

Mr. Mulligan was appointed to the Senior Executive Service in 2011. As a senior leader in the National Security Agency, Mr. Mulligan provided invaluable

stewardship of an important classified program that supported the National Security Emergency Preparedness program.

Furthermore, Mr. Mulligan has authored several writings on public administration and leadership and received numerous service medals and commendations for exceptional public service.

I, along with my colleagues in the Senate, congratulate Mr. Mulligan on his well-earned retirement and wish him all the best in his future endeavors.

REMEMBERING JUSTICE MARY ANN McMORROW

Mr. DURBIN. Mr. President today I wish to pay tribute to Justice Mary Ann McMorrow, a devoted public servant and a pioneer of the Illinois legal community who passed away last weekend at the age of 83.

Justice McMorrow was a native Chicagoan, attending Immaculata High School and Rosary College which is now Dominican University. She went on to attend the Loyola University School of Law, where she was elected class president and served as associate editor of the Law Review. She graduated in 1953 as the only woman in her class. Yet as Justice McMorrow set off on her legal career, she refused to let glass ceilings stop her from reaching the greatest heights.

Justice McMorrow embarked on a public service career that would span decades and culminate in her service as the first woman on the Illinois Supreme Court and its first female chief justice. Her public sector career began with a post as an assistant State's attorney in Cook County, where she became the first woman in Cook County to prosecute major felonies. On one occasion she was told by a supervisor in the State's attorney's office that she would not be presenting an oral argument before the Illinois Supreme Court because women had not done that before. Well, before long Justice McMorrow would preside over the very same arguments from which she was once excluded.

In 1976, Justice McMorrow was elected as a judge of the Circuit Court of Cook County, and she joined the Illinois Appellate Court in 1985. She was elected to the Illinois Supreme Court in 1992 and became the chief justice of that court in 2002. The importance of this achievement cannot be overstated. As Justice McMorrow said upon becoming chief justice, "When I went to law school, women couldn't even dream of such a thing. I hope this would forever indicate that there's nothing that limits women in any job or any profession." Justice McMorrow served as chief justice until her retirement in 2006, and overall she wrote 225 majority opinions during her Supreme Court tenure.

Justice McMorrow was an active member of her church, St. Mary of the Woods, and along with her late husband Emmett she was committed to her community and to various charities. Among the many accolades Justice McMorrow received during her career were the Medal of Excellence award from the Loyola University School of Law Alumni Association, the Chicago Bar Association's Justice John Paul Stevens Award, the American Bar Association's Margaret A. Brent Women Lawyers of Achievement Award, and the Myra Bradwell Woman of Achievement Award, the highest award given by the Women's Bar Association of Illinois. In addition to these honors, she also received four honorary degrees and numerous other awards. When asked about her illustrious career, Justice McMorrow responded, "I just simply tried to do my best in every task that was presented to me."

Justice McMorrow was truly a model of what hard work and humility can accomplish. During a time when women were not accepted as equals in the legal profession she proved herself superior. When young women in classrooms across Illinois are asked what they want to be when they grow up, they can confidently respond that they will be judges and have Justice McMorrow as a beacon to strive towards. Today as we mourn her passing we also celebrate her achievements and the legacy of opportunity she has created for countless young women in our State.

Loretta and I send our condolences to Justice McMorrow's daughter Mary Ann, her sister Frances, and her other family and friends across Illinois and the Nation.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

RULES OF PROCEDURE

Ms. LANDRIEU. Mr. President, the U.S. Senate Committee on Small Business and Entrepreneurship today adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules adopted by the U.S. Senate Committee on Small Business and Entrepreneurship be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES FOR THE U.S. SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR THE 113TH CONGRESS

JURISDICTION (ESTABLISHED IN THE SENATE STANDING RULES)

Per rule XXV(1) of the Standing Rules of the Senate:

(o)(1) Committee on Small Business and Entrepreneurship to which committee shall

be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration;

(2) Any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the Chair of the Committee on Small Business and Entrepreneurship, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portion of the measure dealing with the Small Business Administration and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

GENERAL SECTION

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and of 1970 (as amended), shall govern the Committee.

MEETINGS

(a) The regular meeting day of the Committee shall be the first Thursday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 5 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefore, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chair is not present at any regular, additional or special meeting or hearing, such member of the Committee as the Chair shall designate shall preside. For any meeting or hearing of the Committee, the Ranking Member may delegate to any Minority Member the authority to serve as Ranking Member, and that Minority Member shall be afforded all the rights and responsibilities of the Ranking Member for the duration of that meeting or hearing. Notice of any designation shall be provided to the Chief Clerk as early as practicable.

(b) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless an electronic copy of such amendment has been delivered to the Clerk of the Committee at

least 2 business days prior to the meeting. Following receipt of all amendments, the Clerk shall disseminate the amendments to all Members of the Committee. This subsection may be waived by agreement of the Chair and Ranking Member or by a majority vote of the members of the Committee.

QUORUMS

(a)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term "routine business" includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(b) Proxies will be permitted in voting upon the business of the Committee. A Member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, or through oral or written personal instructions to a Member of the Committee or staff. Proxies shall in no case be counted for establishing a quorum.

NOMINATIONS

In considering a nomination, the Committee shall conduct an investigation or review of the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. In any hearings on the nomination, the nominee shall be called to testify under oath on all matters relating to his or her nomination for office. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis.

HEARINGS

(a)(1) The Chair of the Committee may initiate a hearing of the Committee on his or her authority or upon his or her approval of a request by any Member of the Committee. If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days. Written notice of all hearings, including the title, a description of the hearing, and a tentative witness list shall be given at least 5 business days in advance, where practicable, to all Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chair and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, but must be in writing.

(b) (1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact.

(2) The Chair and Ranking Member shall be empowered to call an equal number of witnesses to a Committee hearing. Subject to Senate Standing Rule 26(4)(d), such number shall exclude any Administration witness unless such witness would be the sole hearing witness, in which case the Ranking Member shall be entitled to invite one witness.

The preceding two sentences shall not apply when a witness appears as the nominee. Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chair or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least two business days in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chair and the Ranking Minority Member.

(c) Any witness summoned to a public or closed hearing may be accompanied by counsel of his or her own choosing, who shall be permitted while the witness is testifying to advise the witness of his or her legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying.

(d) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be authorized by the Chair with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chair may subpoena attendance or production without the consent of the Ranking Minority Member when the Chair has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chair or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable.

(e) The Chair shall rule on any objections or assertions of privilege as to testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings.

(f) Testimony may be submitted to the formal record for a period not less than two weeks following a hearing or roundtable, unless otherwise agreed to by Chair and Ranking Member.

CONFIDENTIAL INFORMATION

(a) No confidential testimony taken by, or confidential material presented to, the Committee in executive session, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members. Other confidential material or testimony submitted to the Committee may be disclosed if authorized by the Chair with the consent of the Ranking Member.

(b) Persons asserting confidentiality of documents or materials submitted to the Committee offices shall clearly designate them as such on their face. Designation of submissions as confidential does not prevent their use in furtherance of Committee business.

MEDIA & BROADCASTING

(a) At the discretion of the Chair, public meetings of the Committee may be televised, broadcasted, or recorded in whole or in part

by a member of the Senate Press Gallery or an employee of the Senate. Any such person wishing to televise, broadcast, or record a Committee meeting must request approval of the Chair by submitting a written request to the Committee Office by 5 p.m. the day before the meeting. Notice of televised or broadcasted hearings shall be provided to the Ranking Minority Member as soon as practicable.

(b) During public meetings of the Committee, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

SUB-COMMITTEES

The Committee shall not have standing subcommittees.

AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determined at a regular meeting with due notice, or at a meeting specifically called for that purpose.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

RULES OF PROCEDURE

Mr. ROCKEFELLER. Mr. President, the Committee on Commerce, Science, and Transportation has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Senate Committee on Commerce, Science, and Transportation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

113TH CONGRESS

RULE I—MEETINGS OF THE COMMITTEE

1. IN GENERAL.—The regular meeting dates of the Committee shall be the first and third Tuesdays of each month. Additional meetings may be called by the Chairman as the Chairman may deem necessary, or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. OPEN MEETINGS.—Meetings of the Committee, or any subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any subcommittee, on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, when it is determined that the matter to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. STATEMENTS.—Each witness who is to appear before the Committee or any subcommittee shall file with the Committee, at least 24 hours in advance of the hearing, a written statement of the witness's testimony in as many copies as the Chairman of the Committee or subcommittee prescribes.

4. FIELD HEARINGS.—Field hearings of the full Committee, and any subcommittee thereof, shall be scheduled only when authorized by the Chairman and ranking minority member of the full Committee.

RULE II—QUORUMS

1. BILLS, RESOLUTIONS, AND NOMINATIONS.—A majority of the members, which includes at least 1 minority member, shall constitute a quorum for official action of the Committee when reporting a bill, resolution, or nomination. Proxies may not be counted in making a quorum for purposes of this paragraph.

2. OTHER BUSINESS.—One-third of the entire membership of the Committee shall constitute a quorum for the transaction of all business as may be considered by the Committee, except for the reporting of a bill, resolution, or nomination or authorizing a subpoena. Proxies may not be counted in making a quorum for purposes of this paragraph.

3. TAKING TESTIMONY.—For the purpose of taking sworn testimony a quorum of the Committee and each subcommittee thereof, now or hereafter appointed, shall consist of 1 member of the Committee.

RULE III—PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, the required quorum being present, a member who is unable to attend the meeting may submit his or her vote by proxy, in writing or by telephone, or through personal instructions.

RULE IV—CONSIDERATION OF BILLS AND RESOLUTIONS

It shall not be in order during a meeting of the Committee to move to proceed to the

consideration of any bill or resolution unless the bill or resolution has been filed with the Clerk of the Committee not less than 48 hours in advance of the Committee meeting, in as many copies as the Chairman of the Committee prescribes. This rule may be waived with the concurrence of the Chairman and the ranking minority member of the full Committee.

RULE V—SUBPOENAS; COUNSEL; RECORD

1. SUBPOENAS.—The Chairman, with the approval of the ranking minority member of the Committee, may subpoena the attendance of witnesses for hearings and the production of memoranda, documents, records, or any other materials. The Chairman may subpoena such attendance of witnesses or production of materials without the approval of the ranking minority member if the Chairman or a member of the Committee staff designated by the Chairman has not received notification from the ranking minority member or a member of the Committee staff designated by the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph, the subpoena may be authorized by vote of the Members of the Committee, the quorum required by paragraph 1 of rule II being present. When the Committee or Chairman authorizes a subpoena, it shall be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman. At the direction of the Chairman, with notification to the ranking minority member of not less than 72 hours, the staff is authorized to take depositions from witnesses. The ranking minority member, or a member of the Committee staff designated by the ranking minority member, shall be given the opportunity to attend and participate in the taking of any deposition. Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present.

2. COUNSEL.—Witnesses may be accompanied at a public or executive hearing, or the taking of a deposition, by counsel to advise them of their rights. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of the witness at any public or executive hearing, or the taking of a deposition, to advise the witness, while the witness is testifying, of the witness's legal rights. In the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during testimony before the Committee by personal counsel not from the government, corporation, or association or by personal counsel not representing other witnesses. This subparagraph shall not be construed to excuse a witness from testifying in the event the witness's counsel is ejected for conducting himself or herself in such manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of a hearing or the taking of a deposition. This subparagraph may not be construed as authorizing counsel to coach the witness or to answer for the witness. The failure of any witness to secure counsel shall not excuse the witness from complying with a subpoena.

3. RECORD.—An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings and depositions. If testimony given by deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee. The record of a witness's testimony, whether in public or executive session or in a deposition, shall be made available for inspection by the witness or the witness's counsel under Committee supervision. A copy of any testimony given in public session, or that part of the testimony given by the witness in executive session or deposition and subsequently quoted or made part of the record in a public session, shall be provided to that witness at the witness's expense if so requested. Upon inspecting the transcript, within a time limit set by the Clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman or a member of the Committee staff designated by the Chairman shall rule on such requests.

RULE VI—BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

RULE VII—SUBCOMMITTEES

1. HEARINGS.—Any member of the Committee may sit with any subcommittee during its hearings.

2. CHANGE OF CHAIRMANSHIP.—Subcommittees shall be considered *de novo* whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

TRIBUTE TO JOHN D. BENNETT

Mrs. FEINSTEIN. Mr. President, I also wish to recognize and pay tribute to Mr. John D. Bennett, the Director of the National Clandestine Service, NCS, of the Central Intelligence Agency, who will retire from the CIA, for the second time, on February 28, 2013. Mr. Bennett's career spans over 30 years in the CIA during which he distinguished himself as a patriot, leader, and friend of the U.S. Senate. John Bennett also served as an infantry officer in the U.S. Marine Corps from 1975 to 1980.

It is a rare opportunity to pay tribute publicly to one of the men and women who serve beyond the front lines, working in secret to protect and serve the Nation. Having "come in from the cold," I am pleased to be able to say a few words about John.

A Massachusetts native, Mr. Bennett received a B.A. degree in government from Harvard University in 1975 and an M.A. in National Security Studies from Georgetown University in 1991.

Since joining the CIA in 1981, John served more than 17 years abroad in

multiple assignments, including as chief of station in multiple countries, in Southeast Asia and Africa, where he was able to use his language fluency of French. In addition to returning from retirement to take the helm of the NCS in July 2010, he has held Senior Executive Service level Headquarters assignments as Deputy Director of the National Clandestine Service for Community Human Intelligence from 2005–2006; Chief, Special Activities Division from 2003–2005; and Deputy Chief, Africa Division and Chief of Africa Operations from 1995–1999. Mr. Bennett served also as the Executive Assistant to the Deputy Director of Central Intelligence from May 1990 to May 1991.

When Director Panetta asked John to return to service he stated:

John says what he thinks and he does what he says. I trust him, and I rely on him.

He has helped guide the agency through some of the most complex and challenging operations imaginable, including the historic takedown of Osama bin Laden.

John Bennett served with distinction as the Director of the NCS for the past 3 years. In this capacity, John had frequent interaction with Senators and staff of the Senate Select Committee on Intelligence. His professionalism, mature judgment, expertise, and frank advice earned him the respect and confidence of the committee. His sound judgment, courage, and candor also directly contributed to his successful representation of the CIA's interests before the committee and Congress.

Throughout his career, John Bennett demonstrated a profound commitment to our Nation, selfless service to the CIA, deep concern for agency officers and their families, and a commitment to excellence. John is the consummate intelligence professional whose performance, in over 30 years of service, has personified those traits of courage, competency, and integrity that our Nation expects from its professional intelligence officers.

I ask my colleagues to join me in thanking Mr. John Bennett for his honorable service to the Central Intelligence Agency and the people of the United States, and also to thank John's wife Kit for her support and understanding, as well as her sacrifices in allowing John to selflessly commit himself to protecting our Nation.

We wish John and Kit Bennett all the best in the future.

TRIBUTE TO L. CHRISTINE HEALEY

Mrs. FEINSTEIN. Mr. President, today I wish to recognize the dedicated career and service to the Congress and the Nation of Louise Christine "Chris" Healey, who is retiring at the end of this week after nearly 30 years of work for the legislative branch. I am pleased to have the opportunity to publicly

thank her and to note my appreciation for her dedicated and dignified efforts.

Chris is leaving the Senate as the general counsel on the Senate Select Committee on Intelligence, serving as the top legal advisor to the committee.

As committee counsel and general counsel over the past 8 years, Chris has been instrumental in the debating and drafting of every significant piece of intelligence legislation passed, and in some cases not passed, over the past decade. She was one of the principal drafters of the FISA Amendments Act of 2008, which is among the most complex pieces of legislation recently enacted, and certainly one of the most important to the security of our Nation. She has been as responsible as anyone for the passage of a string of four annual intelligence authorization bills, including the fiscal year 2013 act that was completed in December.

In her time at the SSCI, Chris has exemplified the professional and bipartisan spirit of the committee, working closely with Members and staff on both sides of the aisle. She has invested herself in conducting oversight, drafting bills, carrying out investigations, and reviewing and shepherding the President's nominees to Senate-confirmed positions, among many other things.

Her approach has always been dignified and calm. I am proud to be able to say that the rancor and divisiveness of the Senate over the past years has not infiltrated the work of the committee. Among the reasons we have been able to work together, review and debate serious issues, and come to bipartisan solutions is that we have people like Chris Healey who are more interested in getting the right results the right way rather than succeeding at the expense of someone else.

Prior to working for the committee, Ms. Healey worked for the Government Affairs Committee on the landmark legislation that reformed the intelligence community and created the position of the Director of National Intelligence. She was a senior counsel and team leader on the 9/11 Commission. And prior to that, she spent a decade on the House Permanent Select Committee on Intelligence, including as staff director. Chris has been the institutional memory of intelligence in the Congress, and her expertise and experience will be sorely missed.

But while a leading voice within these congressional committees and commissions and in interactions with the nonprofit community and executive branch, Chris has managed the rare feat of having a life as well.

She married musician Ryan Brown in 1989 and had her first son, Nathaniel, in 1990. Nathaniel has begun following Chris' footsteps, exploring his own work in government and politics. Chris and Ryan had their second son, Gabriel, in 1994, and he, too, has now grown up and is nearing his graduation

from Oberlin College. Chris has walked to work every day from her Capitol Hill home, while supporting in many ways Ryan Brown's Opera Lafayette. He notes that in addition to her dedication to public service, Chris is an avid reader and an enthusiastic theater and concert goer, and looks forward to exploring the wider world in the years to come. I wish her the very best as she now has the time to pursue those interests, rather than being stuck in a windowless office in front of multiple computers for long hours.

Mr. President, I am one of many Members of Congress to have benefited from the advice and hard work of Chris Healey, starting with Barbara Kennelly, including NANCY PELOSI and Jane Harman, and ending with JAY ROCKEFELLER and myself. On behalf of them, and the Senate Intelligence Committee, I thank Chris Healey and wish her the very best in what I know will be a long and productive retirement from the Congress.

BRILLO PAD CENTENNIAL

Mr. PORTMAN. Mr. President, today I wish to congratulate Armaly Brands on the 100th anniversary of its iconic Brillo pad product. The Brillo pad was introduced on January 13, 1913. In 1921, the manufacturing of the product was moved to a factory in London, OH, where it has been produced ever since. Brillo was a revolutionary product, as Americans transitioned from heavy cast iron cookware to aluminum pots and pans in the early 20th century.

The Brillo pad has been featured in motion pictures, songs, and households nationwide. In 1964, the Brillo pad reached the height of its cultural popularity when Andy Warhol created a series of shipping cartons highlighting the iconic logo.

Besides being a staple of the modern kitchen, the Brillo pad has also brought jobs and manufacturing to Ohio. Brillo's London factory employs over 50 Ohioans whose products are shipped around the world.

Since 2010, Brillo has been owned by Armaly Brands of Walled Lake, MI. I would like to congratulate Armaly Brands and the Brillo pad on this 100th anniversary milestone.

ADDITIONAL STATEMENTS

RECOGNIZING ALASKA'S OUTSTANDING STUDENTS

• Mr. BEGICH. Mr. President, I would like to congratulate and honor two young Alaska students who have achieved national recognition for exemplary volunteer service in their communities. Shaylee Rizzo of Kenai and Samuel Allred of Wasilla have just been named State Honorees in the 2013 Prudential Spirit of Community

Awards Program, an annual honor conferred on only one high school student and one middle-level student in each State and the District of Columbia.

Ms. Rizzo earned recognition for starting a public service campaign called "Missy the Moose Program" to raise youth awareness of the dangers of cars hitting moose on Alaska's highways—a common occurrence in her area during the hazardous winter months. Her idea was inspired by a photograph of a local motel owner posing with an orphaned moose he had saved after its mother was killed by a car. To launch her program, Shaylee wrote and illustrated a children's book that told the story of a collision from a moose calf's perspective. Wearing a moose costume, she then visited elementary school classrooms as Missy the Moose, sharing her book with the kids and offering ideas on how to encourage their parents to watch out for Missy and her friends. With her father's help, she wrote a theme song, recorded radio announcements urging children to get their parents to slow down, and solicited local businesses to buy more air time for her announcements. Currently, she is trying to gain State of Alaska's approval to post Missy the Moose signs in high moose-traffic areas to remind motorists to drive with care.

Mr. Allred earned recognition for making travel-size pillows and distributing them to children's hospitals across the country to provide comfort to sick kids. As a toddler, he was diagnosed with a rare kidney disease that resulted in hospitalizations and the need to take medications that altered his appearance. In 2008, a video of Samuel singing went viral on YouTube and garnered millions of views—along with comments that were mostly good—but judged his appearance. He decided to start a nonprofit organization with the goal of changing lives through compassion. In 2009, Samuel, along with friends and family members, made 300 pillows out of bright, cheerful fabric and donated them to a local children's hospital. But Samuel knew he could do even more if he got the community involved, so he began visiting local schools to talk about kindness and compassion. It wasn't long before others were helping to craft pillows for Samuel's "Project Comfort." Elementary school students stuffed pillows, senior citizens stitched them closed, and middle-school students made more than 1,700 pillows. Today, many groups in Alaska are creating pillows. Samuel sends the pillows to children's hospitals throughout the United States.

Given the challenges we face today, it is important that we encourage and support the kind of selfless contributions that these young Alaskans have made. Youth volunteers like Ms. Rizzo and Mr. Allred are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

I thank Ms. Rizzo and Mr. Allred for their initiative in seeking to make their communities better places to live, and for the positive impact they have had on the lives of others. I also would like to salute Allison Ostrander and Reese Qualls, young people in my State who were named distinguished finalists by The Prudential Spirit of Community Awards for their outstanding volunteer service.

All of these young people demonstrate a level of commitment and accomplishment that is rarely seen today, and they deserve our sincere admiration and respect. Their actions show that young Americans can, and do, play important roles in their communities, and that America's community spirit continues to hold tremendous promise for the future.

Thank you for allowing me to take a moment to recognize these great young volunteers in Alaska.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 3, 2013, the Secretary of the Senate, on February 15, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 15. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

MESSAGES FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2013, the Speaker appoints the following Members of the House of Representatives to the Joint Economic Committee: Mr. CAMPBELL of California, Mr. DUFFY of Wisconsin, Mr. AMASH of Michigan, Mr. PAULSEN of Minnesota, Mr. HANNA of New York, Ms. LORETTA SANCHEZ of California, Mr. CUMMINGS of Maryland, and Mr. DELANEY of Maryland.

At 2:12 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 273. An act to eliminate the 2013 statutory pay adjustment for Federal employees.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 273. An act to eliminate the 2013 statutory pay adjustment for Federal employees;

to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 38. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, without amendment:

S. Res. 39. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship for March 1, 2013 through September 30, 2013.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. Res. 40. An original resolution authorizing expenditures by the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 374. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. COCHRAN, Mr. GRASSLEY, Mr. LEVIN, Mr. DURBIN, Mrs. MCCASKILL, Mr. HARKIN, Mr. ISAKSON, Mr. MERKLEY, Mr. BEGICH, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. LEAHY, Mr. KING, Ms. WARREN, Mr. FRANKEN, Mr. UDALL of Colorado, Mr. WYDEN, Mr. UDALL of New Mexico, Mr. CARDIN, Mr. BLUMENTHAL, Mr. GRAHAM, Mr. REED, Mr. BAUCUS, and Mrs. SHAHEEN):

S. 375. A bill to require Senate candidates to file designations, statements, and reports in electronic form; to the Committee on Rules and Administration.

By Mr. PRYOR (for himself, Mr. MORAN, Mr. THUNE, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado):

S. 376. A bill to reauthorize the National Integrated Drought Information System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 377. A bill to add the 9/11 Health and Compensation Programs to the list of exempt programs under PAYGO; to the Committee on the Budget.

By Mr. BEGICH (for himself, Mr. TESTER, and Mr. WYDEN):

S. 378. A bill to amend title 37, United States Code, to provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN:

S. Res. 38. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Ms. LANDRIEU:

S. Res. 39. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship for March 1, 2013 through September 30, 2013; from the Committee on Small Business and Entrepreneurship; to the Committee on Rules and Administration.

By Mr. MENENDEZ:

S. Res. 40. An original resolution authorizing expenditures by the Committee on Foreign Relations; from the Committee on Foreign Relations; to the Committee on Rules and Administration.

By Mr. ENZI (for himself, Mr. LAUTENBERG, Mr. MENENDEZ, and Mr. CARDIN):

S. Res. 41. A resolution supporting the designation of March 2013, as National Colorectal Cancer Awareness Month; considered and agreed to.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. REID, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 6, a bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 119

At the request of Mrs. BOXER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 169

At the request of Mr. HATCH, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 170

At the request of Ms. MURKOWSKI, the names of the Senator from Ohio (Mr.

PORTMAN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 175

At the request of Mr. ROBERTS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 175, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 190

At the request of Mr. JOHANNIS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 190, a bill to prohibit the use of Federal funds for certain activities of the National Labor Relations Board and the Consumer Financial Protection Bureau.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 209

At the request of Mr. PAUL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from co-educational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 230

At the request of Mr. PORTMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 230, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 234

At the request of Mr. REID, the names of the Senator from New Jersey

(Mr. LAUTENBERG), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 252

At the request of Mr. ALEXANDER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 252, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 278

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 278, a bill to replace the Budget Control Act sequester for fiscal year 2013 by eliminating tax loopholes.

S. 294

At the request of Mr. TESTER, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the names of the Senator from Iowa (Mr. HARKIN), the Senator from California (Mrs. BOXER), the Senator from Hawaii (Ms. HIRONO), the Senator from Massachusetts (Ms. WARREN), the Senator from Massachusetts (Mr. COWAN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 298

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 298, a bill to prevent nuclear proliferation in North Korea, and for other purposes.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 346

At the request of Mr. TESTER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 369

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S.J. RES. 4

At the request of Mr. VITTER, the name of the Senator from Kentucky (Mr. PAUL) was withdrawn as a cosponsor of S.J. Res. 4, a joint resolution proposing an amendment to the Constitution of the United States relating to United States citizenship.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 38—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration:

S. RES. 38

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not ex-

ceed \$5,381,475, of which amount (1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 39—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR MARCH 1, 2013, THROUGH SEPTEMBER 30, 2013

Ms. LANDRIEU submitted the following resolution; from the Committee on Rules and Administration; which was referred to the Committee on Rules and Administration:

S. RES. 39

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013, through September 30,

2013, under this resolution shall not exceed \$1,524,917, of which amount—

(1) not to exceed \$25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required—

(A) for the disbursement of salaries of employees paid at an annual rate;

(B) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) for the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) for payments to the Postmaster of the Senate;

(E) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) for the payment of Senate Recording and Photographic Services; or

(G) for payment of franked mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate.

SENATE RESOLUTION 40—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. MENENDEZ submitted the following resolution; which was referred from the Committee on Foreign Relations; to the Committee on Rules and Administration:

S. RES. 40

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations (in this resolution referred to as the “committee”) is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable

basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$3,866,195, of which amount—

(1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate.

SENATE RESOLUTION 41—SUPPORTING THE DESIGNATION OF MARCH 2013, AS NATIONAL COLORECTAL CANCER AWARENESS MONTH

Mr. ENZI (for himself, Mr. LAUTENBERG, Mr. MENENDEZ, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 41

Whereas colorectal cancer is the second leading cause of cancer death among men and women in the United States, killing more non-smokers than any other cancer;

Whereas every year it is estimated that more than 135,000 individuals in the United States are diagnosed with colorectal cancer and more than 50,000 individuals die from the disease;

Whereas colorectal cancer is one of the most highly preventable forms of cancer because screening tests can find polyps that can be removed before becoming cancerous;

Whereas screening tests can detect colorectal cancer early, when treatment works best;

Whereas the Centers for Disease Control and Prevention estimates that if every indi-

vidual aged 50 or older had regular screening tests, as many as 60 percent of deaths from colorectal cancer could be prevented;

Whereas the 5-year survival rate for patients with localized colorectal cancer is 90 percent, but only 39 percent of all diagnoses occur at this stage;

Whereas colorectal cancer screening can effectively reduce colorectal cancer incidence and mortality, yet 1 in 3 adults between the ages of 50 and 75 are not up to date with recommended colorectal cancer screening;

Whereas public awareness and education campaigns on colorectal cancer prevention, screening, and symptoms are held during the month of March each year; and

Whereas educational efforts can help provide information to the public of methods of prevention and screening, as well as about symptoms for early detection: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Colorectal Cancer Awareness Month; and

(2) encourages the President to issue a proclamation calling upon the people of the United States to observe the month with appropriate awareness and educational activities.

NOTICE OF HEARINGS/MEETINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, February 26, 2013, at 2:30 p.m. in room 216 of the Hart Senate Office Building to conduct a hearing entitled “State Leadership and Innovation in Disability Employment.”

For further information regarding this meeting, please contact Alyssa Mowitz of the committee staff on (202) 228-3453.

COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Tuesday, February 26, 2013, in room SD-628 of the Dirksen Senate Office Building, at 3:00 p.m. to conduct a business meeting to organize for the 113th Congress by electing the Chairwoman and Vice Chairman of the Committee and to adopt the rules of the Committee and any other organizational business the Committee needs to consider.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, February 27, 2013, at 10:00 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Animal Drug User Fee Agreements: Advancing Animal Health for the Public Health.”

For further information regarding this meeting, please contact Kathleen Laird of the committee staff on (202) 224-6840.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WYDEN. Mr. President, I would like to advise that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, March 7, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nomination of Sally Jewell to be the Secretary of the Interior.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet February 25, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 25, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 25, 2013, from 5 to 7 p.m. in The President's Room off the Senate floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, on behalf of Senator MENENDEZ of New Jersey, I ask unanimous consent that Margaret Taylor be granted the privilege of the floor during the executive session to consider Executive Calendar No. 7, the nomination of Robert Bacharach of Oklahoma to be U.S. circuit judge for the Tenth Circuit.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREE-
MENT—EXECUTIVE CALENDAR

Mr. BLUMENTHAL. I ask unanimous consent that on Tuesday, February 26, 2013, the Senate proceed to executive session and that the motion to proceed

to the motion to reconsider the vote by which cloture was not invoked on Executive Calendar No. 10 be agreed to, the motion to reconsider be agreed to, the time until 12:00 p.m. be equally divided in the usual form, and that following the use or yielding back of time, the Senate proceed to vote on cloture on the nomination, upon reconsideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREA NONPROLIFERA-
TION AND ACCOUNTABILITY ACT
OF 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 16, S. 298.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 298) to prevent nuclear proliferation in North Korea, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted is shown in italic.)

S. 298

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “North Korea Nonproliferation and Accountability Act of 2013”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) On February 12, 2013, the Government of North Korea declared that it had conducted its third test of a nuclear device, following its first self-declared test on October 9, 2006, and its second test on May 25, 2009.

(2) United Nations Security Council Resolution 1718, adopted on October 14, 2006, condemned the nuclear test proclaimed by North Korea on October 9, 2006, in flagrant disregard of its relevant resolutions, in particular Security Council Resolution 1695 (2006), and demanded that North Korea not conduct any further nuclear test or launch of a ballistic missile; immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT); and return to the NPT and International Atomic Energy Agency (IAEA) safeguards.

(3) United Nations Security Council Resolution 1718 further decided that North Korea shall suspend all activities related to its ballistic missile program and in this context reestablish its pre-existing commitments to a moratorium on missile launching; shall abandon all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner; shall act strictly in accordance with the obligations applicable to parties under the NPT and the terms and conditions of its IAEA Safeguards Agreement; shall provide the IAEA transparency

measures extending beyond these requirements, including such access to individuals, documentation, equipments and facilities as may be required and deemed necessary by the IAEA; and shall abandon all other existing weapons of mass destruction (WMD) and its ballistic missile program in a complete, verifiable, and irreversible manner.

(4) United Nations Security Council Resolution 1718 also required United Nations Member States to prevent—

(A) transfers to, and procurement from, North Korea of—

(i) items, materials, equipment, goods, and technology listed in the resolution; and

(ii) other items, determined by the Security Council or the 1718 Committee, which could contribute to North Korea's nuclear-related, ballistic missile-related, or other weapons of mass destruction-related programs;

(B) certain military equipment or technology transfers related to the prohibited items; and

(C) the transfer of luxury goods to North Korea.

(5) United Nations Security Council Resolution 1718 further required United Nations Member States to prevent the entry into and transit through their territories of individuals designated by the Security Council or the 1718 Committee as being responsible for North Korea's ballistic missile-related, nuclear-related, or other weapons of mass destruction-related programs, and the immediate freezing of funds, other financial assets, and economic resources of persons or entities designated by the Security Council or the 1718 Committee as being engaged in or providing support for such programs, or by persons or entities acting on their behalf or at their direction.

(6) On May 25, 2009, the Government of North Korea declared that it had conducted a second test of a nuclear device.

(7) United Nations Security Council Resolution 1874, adopted on June 12, 2009—

(A) decided that North Korea shall abandon all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner;

(B) authorized and required United Nations Member States to seize and dispose of proscribed illicit North Korea items related to its missile, nuclear, and WMD programs identified in inspections called for by the resolution;

(C) banned the export to North Korea of all arms and related material other than small arms and light weapons; and

(D) decided that Member States shall—

(i) prevent the provision of financial services or the transfer to, through, or from their territory of any financial or other assets or resources that could contribute to North Korea's nuclear-related, ballistic missile-related, or other WMD-related programs or activities; and

(ii) deny fuel or supplies to service the vessels carrying them except where necessary on humanitarian grounds.

(8) On December 12, 2012, in flagrant defiance of past United Nations Security Council resolutions, the international community, and its Six-Party partners, the Government of North Korea launched a three-stage, long-range missile, which overflowed Japanese territory near Okinawa and dropped debris into the Yellow Sea, the East China Sea, and waters adjacent to the Philippines.

(9) The United Nations Security Council adopted Security Council Resolution 2087 on January 22, 2013, which condemned North Korea's December 12, 2012, missile launch as a

breach of Security Council Resolutions 1718 and 1874, demanded that North Korea “abandon all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner,” and expressed the determination of the Security Council “to take significant action in the event of a further DPRK launch or nuclear test”.

(10) the transition to the leadership of Kim Jong-Un after the death of Kim Jong-Il has introduced new uncertainties, yet the fundamental human rights and humanitarian conditions inside North Korea remain deplorable, thousands of North Koreans remain imprisoned in modern-day gulags, North Korean refugees remain acutely vulnerable, and the findings in the North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7801 et seq.), the North Korean Human Rights Reauthorization Act of 2008 (Public Law 110-346), and the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012 (Public Law 112-172) remain substantially accurate today.

(11) There has been extensive military cooperation between the Governments of North Korea and Iran that dates back to the 1980s.

(12) The latest provocative and defiant action by the Government of North Korea represents a direct threat to the United States and to our regional allies and partners.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the test of a nuclear device by the Government of North Korea on February 12, 2013, and the missile launch of December 12, 2012, represent flagrant violations of the sanctions regime created by United Nations Security Council Resolutions 1695 (2006), 1718 (2006), and 1874 (2009), the test of the nuclear device on February 12, 2013, is a clear, deliberate, and provocative violation of United Nations Security Resolution 2087 (2013), and the Government of North Korea continues to defy the United Nations, its Six-Party partners, and the international community;

(2) all Member States of the United Nations should immediately implement and enforce sanctions imposed by these resolutions and censure North Korea;

(3) the Government of North Korea should abandon and dismantle its provocative ballistic missile and nuclear weapons programs, cease its proliferation activities, and come into immediate compliance with all United Nations Security Council resolutions and its commitments under the 2005 Joint Statement of the Six-Party Talks;

(4) restrictions against the Government of North Korea, including sanctions that ban the importation into the United States of unlicensed North Korean products and goods, should remain in effect until the Government of North Korea no longer engages in activities that threaten the United States, our allies and partners, and global peace and stability;

(5) the United States Government should seek a new round of United Nations Security Council sanctions, including the public identification of all North Korean and foreign banks, business, and government agencies suspected of conduct that violates United Nations Security Council resolutions, and implementing necessary measures to ensure enforcement of such sanctions;

(6) all United Nations Member States should—

(A) further strengthen efforts to prevent the transfer of military and dual-use technologies to North Korea, including an expansion of the list of sanctioned materials identified by the United Nations Panel of Experts

on North Korea sanctions and the items on the Nuclear Suppliers Group lists;

(B) exercise enhanced vigilance including monitoring the activities of their nationals, persons in their territories, financial institutions, and other entities with or on behalf of financial institutions in North Korea, or of those that act on behalf or at the direction of financial institutions in North Korea, including their branches, representatives, agents, and subsidiaries abroad; and

(C) prevent transshipments that relate to North Korean military, missile, and nuclear programs and proliferation activities;

(7) the United States Government should explore [all appropriate measures for enhanced military operations by the United States Armed Forces] *appropriate measures by the United States Armed Forces* in the Asia-Pacific region, including in partnership with the armed forces of others countries in the region, to safeguard the national interests, security, and livelihood of the United States and its people, as well as those of United States allies and partners in the region; and

(8) the United States Government, acting through its appropriate diplomatic representatives, should secure the agreement of the United Nations Human Rights Council and General Assembly to adopt the recommendations made in the February 1, 2013, report of Marzuki Darusman, Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, that an inquiry mechanism should be established to investigate North Korea's “grave, widespread and systematic violations of human rights,” as well as to analyze whether crimes against humanity are being perpetrated in North Korea.

SEC. 4. REPORT.

Not later than May 15, 2013, the Secretary of State shall conduct, coordinate, and submit to Congress a comprehensive report on United States policy towards North Korea based on a full and complete interagency review of current policy and possible alternatives, including North Korea's weapons of mass destruction and missile programs and human rights atrocities. The report shall include recommendations for such legislative or administrative action as the Secretary considers appropriate in light of the results of the review.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as a declaration of war or an authorization for the use of force against North Korea.

Mr. BLUMENTHAL. Mr. President, I further ask that the committee-reported amendment be agreed to; the bill, as amended, be read a third time and passed; and that the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The bill (S. 298), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

NATIONAL COLORECTAL CANCER AWARENESS MONTH

Mr. BLUMENTHAL. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 41, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 41) supporting the designation of March 2013, as National Colorectal Cancer Awareness Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 41) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR TUESDAY, FEBRUARY 26, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 26, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session to consider the nomination of Senator Hagel to be Secretary of Defense, under the previous order; further, that following the cloture vote on the Hagel nomination, upon reconsideration, the Senate recess until 2:15 p.m. for the weekly caucus meetings; and finally, that if cloture is invoked, the time during recess, morning business, and adjournment count postcloture on the Hagel nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BLUMENTHAL. Mr. President, there will be a reconsideration of the cloture vote on the Hagel nomination at noon tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BLUMENTHAL. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:32 p.m., adjourned until Tuesday, February 26, 2013, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate, February 25, 2013:

THE JUDICIARY

ROBERT E. BACHARACH, OF OKLAHOMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

HOUSE OF REPRESENTATIVES—Monday, February 25, 2013

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 25, 2013.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

As the people's House reassembles, our Nation faces a complicated and, to many, a confusing economic issue.

Bless each Member of this assembly with the wisdom, knowledge, and understanding needed to meet the interests of the citizens of the United States.

Renew in us all the adoption by Your Spirit, that we may affirm our freedoms, not only with conviction in the way we understand others, but in ourselves by actions proven beyond words.

Bless us this day and every day. May all that is done here this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. FOXX. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE PRESIDENT'S SEQUESTRATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in four short days, thousands of jobs will fall victim to the President's sequester. It is no secret that the very proposal for sequestration originated in the White House. And what has the President done to help Congress solve the mess he created by reaching a solution? He has traveled across the country and made speeches from the White House campaigning for tax increases.

In Friday's Washington Post, Bob Woodward described the President's approach to raise taxes as a substitute for the sequester as "he is moving the goalposts." The best way that our country can avert this devastating policy, which will destroy jobs and place our national security at risk, is for the President to put the interests of the American people before party politics.

House Republicans have voted twice to replace the sequester with common-sense reforms. Time is running out. With just days to go, the President should begin working with House Republicans by engaging in the legislative process.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SAFE CLIMATE CAUCUS

(Mr. WAXMAN asked and was given permission to address the House for 1 minute.)

Mr. WAXMAN. Mr. Speaker, the non-partisan Government Accountability Office took historic action this month. For the first time ever, GAO put climate change on its high-risk list because of the serious threat it poses to the taxpayer.

It makes sense. Just look at Superstorm Sandy and the droughts

and heat waves we have recently endured. Extreme weather events have cost our Nation more than \$180 billion over the last two years.

That's why today the cochairs of the Bicameral Task Force on Climate Change are writing to 69 inspectors general across the Federal Government. We are asking for their help in assessing whether government entities are doing all they can to confront this threat.

As a member of the Safe Climate Caucus, I believe it's time we take this issue seriously. If we don't, we will leave our children an unstable climate and disaster costs that they will not be able to afford.

THE PRESIDENT'S HEALTH CARE TAKEOVER BRINGS MORE CHAOS

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, the Affordable Care Act becomes more apparent every day that goes by, and the problems that are contained therein. Indeed, the President's takeover of health care is delivering more chaos to our health care system.

We have 26 States that are not going to be participating in State exchanges, so a Federal exchange will be set up in those States. The complex eligibility process that citizens will have to go through, the exchange of personal information with Federal agencies that they are going to be required to provide, is truly staggering. Once an individual submits an application to an exchange, the information is then shared with Health and Human Services, the Social Security Administration, the Department of Homeland Security, the Treasury Department, and the IRS.

Enrollees will not only have to submit all of their information when they first enroll, but they will have to re-submit every year.

The President's law intends that exchanges will be ready by October 1. Let me tell you, the five Federal agencies that are involved in this are not forthcoming with the information that they're, in fact, on track. And, in fact, the informatics piece, the information piece that is supposed to be ready when this is all switched on in October is likely not to be ready.

There was a better way to do this. Republicans had better ideas. Governors had better ideas. The administration simply would not listen.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SEQUESTRATION

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, we have now entered the final week before the dangerous, arbitrary, and irrational policy of sequestration, which Republicans proposed first in their cut, cap, and balance bill in July of 2011.

If I were the majority leader, Mr. Speaker, that policy would not go into effect. Budget discipline is absolutely necessary, but damaging job growth in our economy to do so is self-defeating.

The only responsible way forward is for Republicans and Democrats to work together to achieve a balanced solution to deficits that can turn off the sequestration. House and Senate Democrats have each proposed balanced alternatives that combine smart, targeted cuts in spending and tax expenditures. I would hope the majority leader, Mr. CANTOR, would bring that to the floor.

While many Republicans have been praising the sequester as a viable path forward, Democrats recognize this mindless policy for the danger it is.

I urge my colleagues on the other side of the aisle, Mr. Speaker, to recognize the sequester's consequences, and to work with Democrats to find an alternative, or, if that can't be done, to abandon this reckless policy.

We only have 4 days left to go, and our country's overall well-being depends on it.

Mr. Speaker, I ask unanimous consent to call up H.R. 699, which is the balanced Democratic alternative to sequestration, which I know we have ample time to debate over the next few days and, hopefully, send to the Senate.

The SPEAKER pro tempore. The Chair cannot entertain that request without appropriate clearance from both sides.

THE PRESIDENT'S SEQUESTER

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I appreciate the comments of our colleague from Maryland, but I think he needs to direct them to the President, and I am going to speak to that in my 1-minute.

The editorial page of The Washington Post is not known for being critical of the President. This weekend, however, it published an op-ed by one of their most veteran reporters which should establish once and for all that the sequester—arbitrary across-the-board spending cuts that go into effect March 1—was the brainchild of the Obama administration.

Woodward writes that at 2:30 on the afternoon of July 27, 2011, White House officials Jack Lew and Rob Nabors

brought up the idea of the sequester in a meeting with the Democrat Senate Majority Leader HARRY REID. Even more notable is Woodward's assertion that "Obama personally approved of the plan," which was presented.

Jack Lew is now the President's nominee for Treasury Secretary, and Woodward reports that in his confirmation hearings in the Senate, when asked about proposing the sequester, Lew went into "denial mode." The American people are tired of denial mode, Mr. Speaker. We need a serious plan to replace the President's sequester, and it needs to come from the other side of the aisle.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1705

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 5 o'clock and 5 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

NEIL A. ARMSTRONG FLIGHT RESEARCH CENTER AND HUGH L. DRYDEN AERONAUTICAL TEST RANGE DESIGNATION ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 667) to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 667

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION OF DRYDEN FLIGHT RESEARCH CENTER.

(a) REDESIGNATION.—The National Aeronautics and Space Administration (NASA) Hugh L. Dryden Flight Research Center in Edwards, California, is redesignated as the

"NASA Neil A. Armstrong Flight Research Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the flight research center referred to in subsection (a) shall be deemed to be a reference to the "NASA Neil A. Armstrong Flight Research Center".

SEC. 2. REDESIGNATION OF WESTERN AERONAUTICAL TEST RANGE.

(a) REDESIGNATION.—The National Aeronautics and Space Administration (NASA) Western Aeronautical Test Range in California is redesignated as the "NASA Hugh L. Dryden Aeronautical Test Range".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the test range referred to in subsection (a) shall be deemed to be a reference to the "NASA Hugh L. Dryden Aeronautical Test Range".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Maryland (Ms. EDWARDS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 667, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield as much time as he may consume to the gentleman from California, KEVIN MCCARTHY, the majority whip and, I might add, the originator and author of this bill.

Mr. MCCARTHY of California. I would like to thank the chairman for his work.

Mr. Speaker, I rise today in support of H.R. 667, to honor two great pioneers in American aeronautics and space exploration, Dr. Hugh Dryden and Astronaut Neil Armstrong.

Neil Armstrong was a Navy fighter pilot, engineer, test pilot, astronaut, and educator who was always proud to serve this Nation.

Before joining the Astronaut Corps in 1962 and eventually taking the first small step for a man, Armstrong served as a test pilot for 7 years at what is presently called the NASA Dryden Flight Research Center in Kern County, California, which I am proud to represent. Armstrong flew thousands of hours as a test pilot there, mainly in experimental jets and high-speed rocket planes. He was also part of the team in the early 1960s who developed the Lunar Landing Research Vehicle used to train our astronauts on how to safely land on the Moon.

After the success of the Apollo 11 mission, Armstrong remained an active contributor to the aeronautical research programs at the Flight Research Center. Most notably of these

was the digital fly-by-wire program, which is recognized today as a far-reaching technological breakthrough. He returned to visit the center in the years that followed and, throughout his life, remained a strong advocate of flight research.

H.R. 667 would rename the NASA Center in his honor, the Neil A. Armstrong Flight Research Center.

H.R. 667 would also honor Dr. Hugh Dryden's contributions to aerospace engineering that made many of Neil Armstrong's career achievements possible.

Dryden was a key figure in the development of America's aerospace programs from the early part of the 20th century to the much more complex programs that are still ongoing at NASA Flight Research Center, Edwards Air Force Base, and China Lake Naval Air Station in my district.

He was an early pioneer in aerodynamics over the first half of the 20th century and enabled many scientific breakthroughs. When NASA was created in 1958, Dr. Dryden was chosen to be its first deputy administrator, focusing his energies on the programs that allowed our country to explore space and send our astronauts to the Moon.

H.R. 667 will memorialize both men by redesignating the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and naming the center's test range as the Hugh L. Dryden Aeronautical Test Range.

□ 1710

Edwards Air Force Base, Naval Air Weapons Station China Lake, and NASA Flight Research Center in eastern Kern County remain a hub of scientific discovery, aeronautic innovation and space exploration. I look forward to many more groundbreaking achievements from the men and women inspired by the legacy of Neil Armstrong and Hugh Dryden.

Mr. Speaker, H.R. 667 is a fitting tribute to Armstrong and Dryden, and I urge my colleagues to join me in supporting this bill to celebrate the remarkable lives of both men.

Ms EDWARDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 667 has been offered to redesignate the National Aeronautics and Space Administration's Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center. The bill would also rename the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

While I plan to support this bill, it is a bit unfortunate since it honors one aerospace pioneer by stripping away the honor previously extended to another worthy pioneer, Hugh L. Dryden.

Dr. Hugh Latimer Dryden was director of the National Advisory Committee for Aeronautics, NACA, from

1947 until the creation of the National Aeronautics and Space Administration where he was named deputy administrator.

President Johnson said of his passing that it was:

A reason for national sorrow. No soldier ever performed his duty with more bravery, and no statesman ever charted new courses with more dedication than Hugh Dryden.

Whenever the first American spaceman sets foot on the Moon or finds a new trail to a new star, he will know that Hugh Dryden was one of those who give him knowledge and illumination.

NASA's Dryden Flight Research Center in Edwards, California, was named in his honor on March 26, 1976. The center is NASA's premier site for aeronautical flight research. At the dedication ceremony, then-NASA Administrator, James Fletcher, stated:

It is most fitting that this Flight Research Center, with its unique and highly specialized capability for solving aerospace problems, should memorialize the genius of Hugh Dryden.

Neil Armstrong joined NACA in 1955 following his service as a naval aviator. Over the next 17 years, he was an engineer, test pilot, astronaut and administrator for NACA and its successor agency, NASA.

As a research pilot, he flew over 200 different models of aircraft, such as the storied X-15. He transferred to astronaut status in 1962 and was command pilot for the Gemini 8 mission on which he performed the first successful docking of two vehicles in space. As spacecraft commander for Apollo 11, Neil Armstrong successfully led the first manned lunar landing. His service and his famous words, "that's one small step for man, one giant leap for mankind," inspired millions around the world, including this Congresswoman sitting in front of a black and white television.

Mr. Speaker, it's clear that Mr. Armstrong never sought the honor of having a NASA center named after him while alive. In truth, his name will live on throughout history whether or not we ever name anything for him. I doubt, in this era of declining funding for NASA, that either Neil Armstrong or Hugh Dryden would want a single precious dollar to be spent on a cosmetic facility name change when that money could be spent instead on fulfilling NASA's mission to reach for the stars. And, in fact, when Neil Armstrong appeared before our Science Committee, he almost said exactly that.

While I expect that we will approve this legislation today, I hope that all the Members who vote to honor Neil Armstrong today will remember his testimony before the House Science, Space and Technology Committee during which he said:

The key to the success of American investment in space exploration is a clearly articulated plan and strategy supported by the ad-

ministration and the Congress and implemented with all the consistency that the vagaries of the budget will allow. Such a program will motivate the young toward excellence, support a vital industry and earn the respect of the world.

I hope we can honor his words. But his words were foreshadowed by Hugh Dryden in a letter he wrote to Senator Robert Kerr, chairman of the Senate Committee on Aeronautical and Space Sciences in 1961:

The development of space science and technologies strengthen our whole industrial base and serves as insurance against technological obsolescence. Education will profit. The discipline of cooperation in a great national effort may well be the instrument of great social gain.

If the same Members who vote to rename these two NASA facilities today will commit to working in the coming months and years for those exploration goals to which both men devoted their lives, then we will have truly honored both of their legacies in an enduring and a meaningful way.

I reserve the balance of my time.

Mr. SMITH of Texas. I yield myself as much time as I may consume.

Mr. Speaker, I want to thank the gentleman from California, Majority Whip KEVIN MCCARTHY, for honoring Neil Armstrong and NASA Deputy Administrator Hugh Dryden with this bill. Not many people know the relationship between these two men. Hugh Dryden was the visionary behind NASA's X-15 rocket plane and the Apollo program. Neil Armstrong was the one who flew the spacecraft that Dryden envisioned.

The X-15 rocket plane set many speed and altitude records in the early 1960s. Hugh Dryden was the engineer and program manager for that spacecraft which Neil Armstrong flew seven times.

While everyone knows that Neil Armstrong was the first man to set foot on the Moon, not many people know Hugh Dryden's role. The Soviets had launched the first satellite Sputnik in 1957, and cosmonaut Yuri Gagarin became the first man in space in April 1961.

President John F. Kennedy wanted to demonstrate American ingenuity and technical superiority over the Soviet Union, so he convened the National Space Council. President Kennedy asked for their advice on the best way for America to respond to the Soviet's string of firsts in space exploration. In that meeting, Hugh Dryden recommended to the President that the goal of putting a man on the Moon within 10 years was achievable and something the American people could rally behind.

The rest is history. President Kennedy grabbed Hugh Dryden's idea and addressed a joint session of Congress the very next month. The Apollo program was the brainchild of Hugh Dryden. Neil Armstrong turned that

dream into reality by making that “one small step for a man, one giant leap for mankind” on another world almost 240,000 miles away. Hugh Dryden was not able to see his dream become reality, as he died in 1965. And, unfortunately, Neil Armstrong passed away last August.

It is important for us to honor both men's legacies by naming the Flight Research Center after Neil Armstrong and the surrounding Test Range after Hugh Dryden. With this bill, we reaffirm that America is filled with dreamers like Hugh Dryden, and doers like Neil Armstrong, who—working together—can “shoot for the Moon.” Thanks to Mr. MCCARTHY, we honor their legacy, and that reminds us that America always needs to think about new frontiers.

I encourage my colleagues to support this bill.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. HALL), former chairman of this committee.

Mr. HALL. Mr. Speaker, I want to thank Mr. MCCARTHY for reintroducing this bill to redesignate NASA's Dryden Flight Research Center, which is co-located with Edwards Air Force Base in California, as the Neil A. Armstrong Flight Research Center. This bill, H.R. 667, would also rename the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

Neil Armstrong, everybody will say—and it's so true, he needs absolutely no introduction—people know who Neil Armstrong is. He covered the country. He has given of his time. He's an American hero, and he is one who never took personal credit for his accomplishments. Anytime he was speaking about the success of the Apollo 11 mission, he always gave recognition to the teams of engineers, technicians, and scientists at NASA and the industry. He was quiet, thoughtful, and deliberate, choosing his words carefully, whether testifying before a congressional committee, giving a speech, or sharing a moment with a friend.

□ 1720

Last May, I was honored to have Neil, along with General Tom Stafford and Gene Cernan, visit Rockwall, Texas, my hometown in Texas, and address graduating high school seniors from the area's public schools and private schools. Neil spoke to a packed auditorium of seniors and their families and then generously took time for photos with all the graduating classes. This was such a magnanimous gesture on his side and yet typical of his commitment to inspiring other generations of students to pursue fields in science, space, and technology. These Rockwall County students and their families will remember his visit forever, and this was made even more meaningful when Neil passed away just a few months

later and when I received a letter from him 3 days after he died.

Naming the Dryden Flight Center after Neil is very appropriate. After graduating from college, he joined NASA's predecessor agency, the National Advisory Council on Aeronautics, and soon found himself at NASA's High-Speed Flight Station located at Edwards, which would in time become the Dryden Flight Research Center. They were both great friends. He spent 7 years there flying a variety of new-design and high-performance aircraft, including the seven flights at the control of the X-15.

Naming the Western Aeronautical Test Range after Dr. Hugh L. Dryden is also appropriate. Dr. Dryden, as a close friend of Neil's, held the position of Director of the National Advisory Council of Aeronautics from 1947 until it was renamed NASA in 1958, then served as Deputy Director of NASA until his death in 1965. He pioneered research of airfoils near the speed of sound and the problems of airflow and turbulence. He greatly contributed to the designs of wings for aircraft, including the P-51 Mustang and other World War II aircraft.

H.R. 667 honors the life and legacy of two great Americans: Neil Armstrong and Dr. Hugh Dryden.

With that, I urge Members to support this bill.

Ms. EDWARDS. I reserve the balance of my time.

Mr. SMITH of Texas. I yield 3 minutes to the gentleman from California (Mr. CALVERT), who has long been an able spokesman on the issues related to space.

Mr. CALVERT. Mr. Speaker, I proudly stand with my good friend and fellow Californian, Majority Whip KEVIN MCCARTHY, in strong support of this legislation we have both championed, H.R. 667, which will redesignate NASA's Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

One of the great benefits of public service here in the United States House of Representatives is the people you meet in all walks of life. I had the high honor and privilege of meeting Mr. Armstrong on several occasions before he passed away on August 25, 2012, especially when I was chairman of the Space and Aeronautics Subcommittee on Science.

Given his place as a revered global icon, Neil never sought the limelight, as Mr. HALL has said. He never lost his unassuming manner, his nature as a midwesterner, and values that his Ohio roots instilled in him. He was just a wonderful person.

Those of us who were old enough to witness firsthand when he took his first step on the surface of the Moon will never forget the great sense of

pride in our country and inspiration in the ability he placed in mankind. There are few events in history that have had such profound and positive impact, transcending generations across the globe. H.R. 667 is just one way we can pay tribute to this great American hero.

This bill will accomplish three important goals: one, to honor Neil A. Armstrong, who served as an experimental research test pilot at the center from 1955 to 1962; to emphasize the contributions of that center to NASA's current space exploration mission; and to memorialize the extraordinary career of Dr. Hugh L. Dryden by naming the aeronautical test range, approximately 12,000 square miles of special-use airspace, in his honor.

As was said: That's one small step for man, one giant leap for mankind. This is a small step to recognize both Neil Armstrong and Hugh Dryden.

I urge my House colleagues to support passage of H.R. 667.

Ms. EDWARDS. I'd inquire if the gentleman has additional speakers?

Mr. SMITH of Texas. Mr. Speaker, I believe we have one additional speaker.

Ms. EDWARDS. I'll continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I will recognize the gentleman from California (Mr. ROHRABACHER) for as much time as he may consume, and I also note that he is the vice chairman of the Science, Space, and Technology Committee.

Mr. ROHRABACHER. Mr. Speaker, I rise in support of H.R. 667 as a way for us to honor the memories of Neil Armstrong and Dr. Hugh Dryden.

These two men, these two 20th century frontiersmen, technologists, and, yes, visionaries, these two men who led us and, thus, led our country into a new era of human history, the era of aerospace when the technology of mankind uplifted mankind into the air and then into the heavens, this is an era that we are just now seeing the very first steps, and these were the men who pushed the frontier and made those first steps.

Neil Armstrong's name will be one of the few iconic names from our era that are found in history books 1,000 years from now. Most people know him as a brave astronaut who commanded Apollo 11; but before those days, Neil Armstrong was an outstanding aeronautical engineer and a great pilot for the U.S. Navy and for the National Advisory Committee on Aeronautics, the NACA, a precursor to NASA. Neil flew over 900 missions at the NACA High-Speed Air Station, and that very center is what we seek to name in his honor today.

At the same time, we wish to continue to recognize the major and significant contributions of Dr. Hugh Dryden, one of the world's greatest aeronautical scientists who provided critical leadership to the NACA and is reported to be the man who gave President Kennedy the idea that a Moon landing was the right benchmark for America to set as we worked to catch up with the Soviet Union in space.

Today we honor these great men, and by supporting this legislation, we will continue to support them in every way and continue to support NASA in its test-flight mission.

Let us not forget so many people just associate NASA with space, and Neil Armstrong is one of those people. But as I've just pointed out, their work in developing new technology for aerospace and for jet engines and the design of airplanes has had a tremendous impact on our way of life and made America the great aerospace power in the world. So as we honor them today, we reconfirm our commitment to being the number one space power and the number one aerospace power on the planet.

Ms. EDWARDS. I'd inquire if the gentleman is prepared to close as well.

Mr. SMITH of Texas. Mr. Speaker, we are prepared to close. We have no other speakers, and I'm prepared to yield back the balance of my time after the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Speaker, I yield myself such time as I may consume.

I am pleased today that we've been able to bring forward H.R. 667.

Former Chairman HALL was here today, and we had an opportunity to do this in the last Congress. So hopefully, in honor of these two gentlemen, real tremendous patriots and heroes and pioneers, we will be able to bring forward H.R. 667 and rename the Dryden Center after Neil Armstrong. I'm grateful to be here to do that with our colleagues.

It is sad, however, that here we are on a Monday, prepared to honor these two great patriots of NASA, of this Nation, and at the same time, by the close of the week, on March 1, enable a sequester to take effect which could result in the loss of \$894 million from NASA's budget, a budget that would include science, technology, engineering, investigation of climate change, and all of the things that we need to prepare this next generation to be as inspired as our generation was with the exploits and exploration of Hugh Dryden and Neil Armstrong. Yet here we are.

□ 1730

So I am pleased to go forward in supporting this legislation today, making sure that on a Monday we are able to take a vote to rename these two centers and to honor these two pioneers. But I am sad that here in this Congress

we are also prepared to cut millions of dollars in a budget that should be spent on the kind of science and exploration that both of these gentlemen pioneered.

When we think of what needs to be done for the next generation in order to inspire future scientists and those who will work in technology—our engineers, our math students—we regret that they won't see that same kind of inspiration because of the irresponsibility of this Congress. I want to say how pleased I am as I look forward to working with Chairman SMITH, because I know of his commitment to science and to technology, and I know of his commitment to NASA and to moving forward an agency that's going to propel us in 21st century space science and in aeronautics, but this is not the way to do it.

While we do our renaming today in honor of Hugh Dryden and in honor of Neil Armstrong, we will take an ax hammer to NASA's budget on March 1, at the end of this week, taking out \$894 million from an already strapped budget. I dare say that future generations will not be inspired by what this Congress will do, will not be inspired by what the majority is doing by not allowing us and enabling us to sit down and actually negotiate in a way that is going to result in our making the kind of investment in the 21st century that our young people deserve.

Again, I am pleased to be able to redesignate the National Aeronautics and Space Administration Dryden Flight Research Center as the "Neil A. Armstrong Flight Research Center" and to rename the Western Aeronautical Test Range as the "Hugh L. Dryden Aeronautical Test Range"—renaming but slashing a budget.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. I yield myself 1 minute.

Mr. Speaker, let me thank the gentlewoman from Maryland—who is also the ranking member of the Space Subcommittee—for her comments, particularly for her personal comments, and I certainly share her concerns about the severe cuts that NASA and our space exploration programs might take if the sequestration goes into effect, but I also feel compelled to point out that there is a way to avoid that sequestration.

The House of Representatives, under the Republican leadership, has already passed two bills that would take the place of the sequestration, and the Senate has yet to act. After all, the sequestration was the President's idea to start with, so I hope we will hear from the President and the Senate various suggestions as to how the sequestration can be avoided, but the House has certainly done its job to avoid those heavy-handed cuts.

With that, I yield back the balance of my time.

Mr. JORDAN. Mr. Speaker, I want to thank my colleagues for their strong vote last night in support of H.R. 667, which would designate NASA's Dryden Flight Research Center at Edwards Air Force Base as the Neil A. Armstrong Flight Research Center. I thank the gentleman from California, Mr. MCCARTHY, for allowing me to be an original cosponsor of this legislation.

Forty-four years ago this July, Commander Neil Armstrong and his Apollo 11 crewmates achieved something once thought impossible: successfully landing on the moon and returning safely to the earth. They succeeded despite the many dangers they faced and the countless things that could have gone wrong during their pioneering mission.

I am especially honored to represent Neil Armstrong's birthplace: Wapakoneta, Ohio, which takes great pride in being home to the Neil Armstrong Air and Space Museum. The museum has on display various artifacts from the Apollo 11 mission and other articles from Armstrong's long and storied career.

As a test pilot, Armstrong spent seven years at the facility that will soon bear his name. Then called the High-Speed Flight Station, it was a key site for the foundational work done by NASA's predecessor agency, the National Advisory Council on Aeronautics, NACA. Armstrong logged 2,400 hours of flight time there, piloting the X-15 rocket-powered plane and other cutting-edge prototypes. He was also part of the team that designed and tested early mockups of a lunar landing vehicle.

Mr. Speaker, this legislation also renames the Western Aeronautical Test Range at Edwards after Hugh L. Dryden, a good friend of Neil Armstrong who served as NACA director from 1947 to 1958. Upon the creation of NASA in 1958, Dryden was named deputy director. While he did not live to see Armstrong's moon landing, his many contributions in the field of aerodynamics helped make the Apollo missions possible. I am pleased that his career will continue to be celebrated through this legislation.

Neil Armstrong's many achievements in space exploration renewed America's sense of hope for the future. His work at the Dryden Center set the foundation for every NASA mission that followed. He sought no honors during his lifetime and was rich in giving credit to others, never failing to recognize the contributions of the engineers and technicians who helped make his moon landing possible. I was proud to join my colleagues last night in honoring this American hero and son of Ohio.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to speak about H.R. 667, a bill to rename the Dryden Flight Center as the Neil A. Armstrong Flight Research Center. I, along with millions around the world were terribly saddened to hear the news this past August of the passing of Neil Armstrong, a genuine American hero and an inspiration to countless people around the world. This bill was introduced as one way of paying tribute to a man who exemplified the true meaning of public service through a life of inspiring others through his bravery and self-sacrifice. It would rename the Dryden Flight Research Center at

Edwards Air Force Base as the Neil A. Armstrong Flight Research Center, while still naming the Western Aeronautical Test Range within the center as the Hugh L. Dryden Aeronautical Test Range. For those who may be unfamiliar with him, Dr. Dryden was a true aeronautics visionary, and an individual worthy of our recognition and esteem.

Last year, in my capacity as ranking member of the House Committee on Science, Space, and Technology, I had the opportunity to participate in the Congressional Gold Medal ceremony honoring Mr. Neil Armstrong, along with John Glenn, who is also a former senator, Michael Collins and Edwin "Buzz" Aldrin, Jr. Each of these individuals is a genuine national hero and worthy of our gratitude. They and the astronauts that preceded and followed them were willing to put their lives at risk and sometimes make the ultimate sacrifice in order to push back the frontiers of knowledge and help our country achieve preeminence in space exploration.

Yet, it is clear from the way he carried himself and his public statements, that Mr. Armstrong did not seek public tributes such as the House is voting on today. Instead, he cared deeply about the future of our Nation's space program, and in his testimony to our Committee he stressed the importance of sustaining our commitment to a strong NASA. So it's worse than ironic that in the same week that we are voting to rename a NASA Center for him, we are going to allow a sequestration to proceed that will make devastating cuts to NASA's budget and set back the very human space exploration and aeronautics activities that Mr. Armstrong championed when he was alive. These cuts will also hurt the Flight Research Center we are proposing to rename, likely leading to layoffs and furloughs of dedicated individuals who work at the Center—individuals who in many cases were probably inspired by both Dr. Dryden and Mr. Armstrong's examples to work for NASA in the first place.

Mr. Speaker, we can and should do better than this. I would urge the Majority to bring a bill to avoid this sequester to the House floor this week so we can vote on it. We should not be cutting our critical investments in R&D and in NASA. That is no way to honor the legacy of either Neil Armstrong or Hugh Dryden.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 667.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 34 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: agreeing to the Speaker's approval of the Journal, by the yeas and nays; and suspending the rules and passing H.R. 667, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 303, nays 91, answered "present" 1, not voting 36, as follows:

[Roll No. 46]

YEAS—303

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Beatty
Beckerra
Bentivolio
Bera (CA)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cárdenas
Carney
Cartwright

Cassidy
Castro (TX)
Chabot
Cicilline
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Connolly
Conyers
Cook
Cooper
Cramer
Crawford
Crenshaw
Cuellar
Cummings
Daines
Davis (CA)
DeGette
Delaney
DeLauro
DelBene
Denham
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison

Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fleischmann
Fleming
Flores
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Garrett
Gerlach
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Grayson
Green, Al
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris

Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Hinojosa
Holding
Holt
Honda
Horsford
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jenkins
Johnson (GA)
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Lipinski
Loebuck
Lofgren
Long
Lowenthal
Lowe
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maloney,
Carolyn
Maloney, Sean
Marino
Massie
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry

Amash
Bass
Benishek
Bishop (NY)
Burgess
Capuano
Carson (IN)
Carter
Castor (FL)
Chaffetz
Chu
Coffman
Conaway
Cotton
Courtney
Crowley
Davis, Rodney
DeFazio
Dent
Fitzpatrick
Fox
Fudge
Gardner
Gibson
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)

McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pascarell
Payne
Pelosi
Perlmutter
Perry
Petri
Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (SC)
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger

NAYS—91

Grijalva
Hastings (FL)
Heck (NV)
Herrera Beutler
Himes
Hoyer
Hudson
Israel
Jeffries
Johnson (OH)
Johnson, E. B.
Jordan
Kinzinger (IL)
Langevin
Latham
Latta
Levin
LoBiondo
Marchant
Markey
Matheson
Matsui
McDermott
McGovern
Miller (FL)
Neal
Nolan
Pallone

Ryan (WI)
Sánchez, Linda
T.
Scalise
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Upton
Van Hollen
Vargas
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Westrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yarmuth
Yoho
Young (IN)
Paulsen
Pearce
Peters (CA)
Peters (MI)
Peterson
Pittenger
Poe (TX)
Price (GA)
Radel
Rahall
Renacci
Ribble
Rigell
Ryan (OH)
Salmon
Sanchez, Loretta
Sarbanes
Schakowsky
Sewell (AL)
Sinema
Sires
Slaughter
Terry
Thompson (CA)
Thompson (MS)
Tipton
Turner
Valadao

Veasey Visclosky Yoder
Vela Wittman
Velázquez Woodall

ANSWERED "PRESENT"—1

Owens

NOT VOTING—36

Barton Davis, Danny Lynch
Bilirakis Deutch Maffei
Bishop (GA) Doggett Meng
Bishop (UT) Forbes Moran
Boustany Gingrey (GA) Pastor (AZ)
Brady (PA) Gohmert Richmond
Buchanan Gutierrez Roe (TN)
Campbell Hanna Rush
Clarke Joyce Smith (NE)
Coble Lee (CA) Smith (WA)
Costa Lewis Young (AK)
Culberson Lucas Young (FL)

□ 1852

Messrs. CROWLEY, GRIFFIN of Arkansas, and Ms. SEWELL of Alabama changed their vote from "yea" to "nay."

Messrs. GARCIA and TONKO changed their vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

NEIL A. ARMSTRONG FLIGHT RESEARCH CENTER AND HUGH L. DRYDEN AERONAUTICAL TEST RANGE DESIGNATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 667) to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 0, answered "present" 1, not voting 36, as follows:

[Roll No. 47]

YEAS—394

Aderholt Bonner Cartwright
Alexander Brady (TX) Cassidy
Amash Braley (IA) Castor (FL)
Amodei Bridenstine Castro (TX)
Andrews Brooks (AL) Chabot
Bachmann Brooks (IN) Chaffetz
Bachus Broun (GA) Chu
Barber Brown (FL) Cicilline
Barletta Brownley (CA) Clay
Barr Bucshon Cleaver
Barrow (GA) Burgess Clyburn
Bass Bustos Coffman
Beatty Butterfield Cohen
Becerra Calvert Cole
Benishek Camp Collins (GA)
Bentivolio Cantor Collins (NY)
Bera (CA) Caputo Conaway
Bishop (NY) Capps Connolly
Bishop (UT) Capuano Cook
Black Cárdenas Cooper
Blackburn Carney Costa
Blumenauer Carson (IN) Cotton
Bonamici Carter Courtney

Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter

Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Long
Lowenthal
Lowe
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent

Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarella
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Shoock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Southernland
Speier
Stewart
Stivers
Stockman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela

ANSWERED "PRESENT"—1

Johnson, E. B.

NOT VOTING—36

Barton Deutch Meng
Bilirakis Doggett Moran
Bishop (GA) Forbes Pastor (AZ)
Boustany Gingrey (GA) Richmond
Brady (PA) Grijalva Roe (TN)
Buchanan Gutierrez Rush
Campbell Hanna Smith (NE)
Clarke Joyce Smith (WA)
Coble Lee (CA) Stutzman
Conyers Lucas Whitfield
Culberson Lynch Young (AK)
Davis, Danny Maffei Young (FL)

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MAFFEI. Mr. Speaker, on rollcall No. 46 on approving the Journal, I am not recorded because I was absent due to a death in my family. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 47 on H.R. 667, I am not recorded because I was absent due to a death in my family. Had I been present, I would have voted "aye."

HONORING THE WOMEN OF TOMORROW MENTOR AND SCHOLARSHIP PROGRAM

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to recognize Women of Tomorrow, a community organization that encourages and empowers at-risk high school girls to develop to their fullest potential. This south Florida-based organization was founded in 1997 by Jennifer Valoppi and is now in 43 Florida and 13 Michigan cities, helping 2,500 girls in over 100 high schools.

Women of Tomorrow has a bright future and will expand and connect girls across the country to mentoring scholarship opportunities. It's celebrating 16 years of teaching professional and personal skills.

Over 90 percent of the young ladies mentored by Women of Tomorrow improve their grade point average, graduate from high school, pursue higher education, and improve their self-esteem immensely.

The mentors and supporters of Women of Tomorrow work tirelessly to help teens, and I congratulate them on their Sweet 16.

SEQUESTRATION BY THE NUMBERS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, we're hearing a lot about sequestration on the news, the American people are, and I just want to run down sequestration by the numbers.

You know, it's been 290 days since I and my Republican colleagues voted for the first of two bills to replace the President's sequestration with smarter, more responsible spending cuts that total \$1 trillion over 10 years. Now, why is that needed?

Well, Mr. Speaker, the official debt today is \$15.5 trillion. That's \$50,000 for every man, woman and child in this country. And that's not the real debt. The real debt, when you look at what's due with every living individual today with Medicare and Social Security, that's somewhere between 71 and \$72 trillion.

Economists just a week or so ago estimated that by the year 2020, interest alone, interest alone on an annual basis will be \$1 trillion. Sequestration, we're looking at \$85 billion out of a \$3 trillion budget.

I'm going to call on the Senate Democrats and President Obama for smarter, more bipartisan ways to replace the Obama sequester and to address making sure we don't leave a legacy of debt for our children, grandchildren, and all future generations.

TIME TO WORK TOGETHER

(Mr. ENYART asked and was given permission to address the House for 1 minute.)

Mr. ENYART. Mr. Speaker, I rise today because I often hear from folks who work hard but are struggling to make ends meet. Families across southern Illinois are frustrated with the complacency in Washington.

Unless we act, nearly \$1.2 trillion will be cut from defense and domestic programs. Scott Air Force Base, a major economic hub, the largest employer in my district and a vital component of our national security, would be hard hit, as would important programs that keep our children and our Nation safe.

If sequestration goes into effect, 1 million jobs could be in jeopardy. It is irresponsible to let a failed plan with an artificial deadline and politically manufactured crisis cost our workers, our veterans, our men and women in uniform, our seniors, our small businesses their livelihood and risk our fragile economy.

It's time for Congress to set aside partisanship and to work together to produce a comprehensive solution that responsibly addresses the deficit but doesn't cost jobs.

□ 1910

CONGRATULATING EDEN PRAIRIE HIGH SCHOOL BOYS NORDIC SKI TEAM

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate the Eden Prairie Boys Nordic Ski Team for becoming State champions this year. For the first time in nearly 30 years, the Eagles' boys team claimed the State Nordic ski championship title after an excellent performance in the Nordic competition at Giants Ridge earlier this month. The team had an outstanding season and proved their ability and determination in the finals.

Seniors Tom Bye and Ryan Stewart both finished in the top 10, and Henry Zurn and Jay Grootwassink also attained all-State honors. Also deserving of praise, Mr. Speaker, are the coaches, including Coach Doug Boonstra, also known as "Boonie," whose leadership and unwavering support helped motivate these student athletes.

Congratulations to the students, their parents, the coaching staff, and to everybody who helped contribute to the success of the Eagles team.

SEQUESTER EFFECTS ON NEW HAMPSHIRE

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. If Congress fails to act, the sequester is going to trigger mindless, across-the-board cuts that will hurt middle class New Hampshire families and undermine our economy. There's no question we do need to reduce the deficit, but we have to do it in a balanced way that distinguishes between wasteful spending we cannot afford to keep and critical investments we cannot afford to cut.

We cannot afford to cut investments in research at colleges like Dartmouth and UNH. We cannot afford to cut investments in programs that prepare our students for the 21st century economy, like those at Nashua Community College. We cannot afford to cut investments in critical defense systems produced by companies like BAE, that protect our troops and create good jobs.

The only way to protect these priorities while avoiding the sequester is for both parties to pass a balanced, bipartisan plan that will responsibly reduce the deficit, grow our economy, and pro-

tect middle class families. Now is the time for Congress to step up and do its job.

CONGRATULATING THE STEPHENVILLE YELLOW JACKETS

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. I rise to salute the mighty Stephenville Yellow Jackets for winning their fifth State championship in football.

Texas football has been written about in TV shows, movies, and books, but Hollywood's version isn't nearly as exciting as the real thing. During the 2012 high school football season, Stephenville lost only one game as it prepared to enter the playoffs. In the championship game, quarterback Tyler Jones threw for five touchdowns and 422 yards and rushed for another 126.

What makes this team so remarkable is not only that it won, but that it was worthy of winning. These are good kids who do credit to their school and their town. Stephenville, Texas, is the cowboy capital of the world. The 17,000 Texans who live there are patriotic, passionate people who take care of business and take care of their neighbors; and, like their high school team, they are winners at everything they do.

I am proud to represent Stephenville, Texas, in the United States Congress, and I am proud to salute the Yellow Jackets on their fifth State title. I look forward to congratulating them next year on another championship.

INVESTING IN OUR INFRASTRUCTURE

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, many will be hurt by the sequester, but San Diego will be hurt in particular. Today, I'm here to urge Congress to work together to find a bipartisan solution to sequestration.

The Port of San Diego is our window to national and international commerce, as well as a main driver of our economy. The Port of San Diego is the fourth largest port in California, and one of 17 commercial strategic ports in America, overseeing two maritime cargo terminals, two cruise ship terminals, and hundreds of maritime leases to small businesses.

Since 2001, the port has received almost \$22 million in Federal funding for critical infrastructure projects, which has allowed the port to hire more San Diegans and boost San Diego's economy. The American Society of Engineers found that with an additional investment of \$15.8 billion between now and 2020, our national system of ports could provide \$270 billion in U.S. exports and \$697 billion in GDP.

Now is not the time to be cutting critical investments in our infrastructure. Let's work together to find a solution.

HONORING MR. JAMES E. WALKER

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, I rise today to commemorate the life of a great American, Mr. James E. Walker.

Mr. Walker was born on April 12, 1924, in Gulfport, Mississippi. He grew up in a close-knit family of seven children. After graduating from Woolmarket High School, he joined the United States Marine Corps and served in World War II from 1942 to 1945. Upon returning home, he earned a degree in engineering and became the engineering supervisor at the VA in Biloxi, retiring after 35 years.

Mr. Walker was also the loving husband of Helen Peterson Walker. They wed on February 21, 1946, exactly 67 years to the date of his recent passing.

Mr. Walker was known for his love of trout fishing, his hometown of Gulfport, Mississippi, and most importantly, his family. I stand before you today and declare without a shadow of a doubt that he was the epitome of what we consider a member of the Greatest Generation.

Mr. Walker, you will be missed, not only by your family, but also by the country you so faithfully served in the Marine Corps. Semper fidelis.

SEQUESTER AND THE CHILDREN

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Because they have no voting rights, a group that we don't hear a lot about is children. On Friday, March 1, our children will be in the eye of the storm. The sequester that will occur will impact children, particularly Head Start.

So many of my Head Start organizations have cried out for relief and Title I funding, so I want to say to them that we are going to come together. It may not be on Friday, but we know that we're going to look forward to overturn what has been a process that was put in place because President Obama and the Democrats were ready to make sure the government was going to run and others were not.

Now we have a crisis, but that crisis will not last long because we Democrats will put children first and find a solution to ensure that the American people have the resources that are necessary to provide services to ensure the quality of life that their tax dollars pay for. We must have revenue and, yes, we must have spending responsibility, but we cannot undermine the American people.

SEQUESTRATION

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise today to express my strong disappointment in the House Republican leadership in committing such legislative malpractice by failing to do anything about automatic spending cuts that will happen this Friday.

Here we are on the brink of another economic disaster manufactured by Washington, and, just as before, this crisis will have real consequences to real people. In my district alone, schools will lose \$11 million in Federal funding. California will be losing \$87.6 million in funding for primary and secondary schools. Fewer students will be learning and more teachers will be out of work.

There's a rational way to approach balancing the people's budget, and this is not it. We can cut foolish spending without foolishly cutting spending.

H.R. 699, of which I'm a cosponsor, would replace this meat-cleaver method of budgeting with a balanced approach. It would include additional revenue from multimillionaires and smart cuts for unnecessary spending.

We might not agree on what the right way to cut spending is, but we also should agree that using broad, indiscriminate cuts is the wrong way to cut spending. Let's come together to pass legislation to avert these cuts.

□ 1920

RECOGNIZING DR. IRVING FRADKIN

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, I rise today to recognize Dr. Irving Fradkin of Fall River, Massachusetts, a finalist for the national "Citizen Service Before Self" award.

The son of Russian immigrants, Dr. Fradkin's story of service began in the late 1950s. As an optometrist opening his new practice in a struggling former mill city, he was immediately struck by how few of his young patients had plans to go to college. When he asked why, the response was always a simple answer: My parents can't afford it.

At the time, the average cost of tuition was a couple hundred dollars a year. Dr. Fradkin did the math. He figured that if each of Fall River's 30,000 households gave a single dollar, they could send every single graduating senior in the city to college. And so Dollars for Scholars was born.

With the deep faith and compassion of a tight-knit community, Dr. Fradkin began collecting as little as \$1 from his neighbors and friends to pro-

vide scholarships to the local students. Over four decades later, what began as a card table operation in a determined Massachusetts town became Scholarship America, an organization that has awarded nearly \$3 billion in scholarships across 38 States.

At 92 years old, Dr. Fradkin continues to fight for that city that he loves and the students that have made his life's work. Tonight, I congratulate him and his wife, Charlotte, on a recognition deeply deserved.

SEQUESTRATION

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, when the Republicans refer to President Obama's sequestration, they must think that no one in the country remembers the events of the last 2 years. Remember that 2 years ago, the Republicans blackmailed the entire country by saying that they would not permit the debt ceiling to be increased and they would force the country to default on its debts—and in fact destroy the economy—unless we cut the budget by \$2.4 trillion. We cut it by \$1.2 trillion. But no one could figure out, no one could agree how to cut another \$1.2 trillion, so both parties put in the sequester to kick the can down the road on this entirely artificial demand for an extra \$1.2 trillion in cuts. That's why we're here now facing an economic catastrophe—because of the blackmail of an even worse catastrophe of failing to pay our bills, of calling into question the full faith and credit of the United States. That's what got us to this point. The only way to get us out is either to just repeal the entire sequester entirely—because we've made enough budget cuts—or to say, all right, we'll do half the budget, half the \$1.2 trillion in cuts, and half by adopting loophole-closing measures that the Republicans themselves supported last year.

SEQUESTER REBUTTAL

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, I was sitting in the back of the House, listening to some of my colleagues on the other side of the aisle, and I just had to rise to answer some of the things that they just said.

The gentlewoman from Texas was talking about sequester and the effect that it would have on children. I'd like to remind the gentlewoman from Texas that the effect that the millions—or billions and trillions—of dollars of debt we are leaving on the backs of our children is going to have an equally negative effect.

This sequester—we are accused of not doing anything on this side. We have passed two bills out of this House doing away with the sequester, but they have not been acted on by the President or the Senate. We have done our job.

The President has asked for a balanced approach. He got his increase in revenue; it's now time to come up with some cuts. Sequester isn't the way to do it, but we cannot give up on getting rid of wasteful spending here in Washington.

HONORING CONGRESSMAN SAM JOHNSON ON 40TH ANNIVERSARY OF RELEASE FROM PRISONER OF WAR CAMP

The SPEAKER pro tempore (Mr. HOLDING). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POE of Texas. Mr. Speaker, I want to talk about a remarkable individual that serves with us in the House of Representatives.

We are really surrounded by remarkable people, 435 individuals who came from other walks of life. Most of them had other careers before they came to the House of Representatives. But tonight, we're going to talk about the anniversary of one individual. Because, you see, 40 years ago, Colonel SAM JOHNSON was released as a prisoner of war in Vietnam. He had spent 7 years as a prisoner of war in Vietnam.

It all started when he was flying one of his F-4s, being a pilot. This was not a new experience. I mean, after all, he had served in Korea and flew 62 combat missions in an F-86 Sabre called Shirley's Texas Tornado, after his wife, Shirley. So he flew 62 in the Korean war; Vietnam, he's on his 25th mission flying an F-4 Phantom. He left Laotian airspace, came into North Vietnam, and he was shot down by ground fire. This was not his first tour of duty in Vietnam; it was his second tour of duty. SAM JOHNSON is an American warrior.

After he was shot down on this day, April 16, 1966, his life took a turn, a different turn. When he parachuted out of his plane, his shoulder was injured—of course the Vietnamese, they didn't do anything to help his injuries, and he still carries some of those wounds from his prisoner days and from when he crashed or when he came back down to

Earth in that parachute. He was captured by the North Vietnamese Army and he was put in a prisoner of war camp.

The North Vietnamese probably developed prisoner of war camps better than anyplace on Earth. They were hard, they were tough, they were mean, and not everybody survived those camps. So he spent 7 years as a prisoner of war, and they interrogated him every day. But SAM never gave in. In fact, the Vietnamese called him "Die Hard." He was the first person that I know of that was called "Die Hard" because he would never die no matter how hard they beat him.

He was so obstinate, Mr. Speaker, that they sent him to the infamous "Hanoi Hilton"—satire, of course; it was everything but a hotel—and put him in a section called Alcatraz, where he and 11 obstinate prisoners of war were put together. SAM JOHNSON was so tough, would never break, would never give information, that they finally put him in solitary confinement.

Mr. Speaker, I want to describe the cell to you that he spent 4 years of his life in—solitary confinement. It was 3 feet by 9 feet. It's about the size of this table, 3 feet, over to about that podium, 9 feet. That was his cell. That's where he was for 4 years. They left the light on constantly. At night, they would come in and put him in leg irons—4 years solitary confinement. But he never gave up.

He learned how to communicate with other prisoners by tapping on the wall. He learned the names of the other 374 members, memorized their names so that when he got out—because he expected to get out—that he could tell their families that they were there.

But he never broke. He was never broken. He continued to do what he was supposed to do to honor America and represent America, but he never gave information to America's enemies.

So tonight, we commemorate his 40th anniversary of being released from that prisoner of war camp when the war was over. Seven years of his life he gave to this country in a camp that most of us would never survive.

At this time, I'd like to yield to the majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman from Texas.

Mr. Speaker, we are here tonight to honor and celebrate our friend, SAM JOHNSON, the gentleman from Texas that we all know as a friend and colleague, but that I think America knows as a hero.

SAM, as the gentleman from Texas points out, was awarded two Silver Stars and two Purple Hearts, among his many other decorations, for fighting bravely for freedom, and for 7 years SAM JOHNSON was held as a prisoner of war by the North Vietnamese—the hor-

ror of which none of us will ever know but lies deep within the soul of this great American patriot.

□ 1930

Indeed, Mr. Speaker, the 40th anniversary of his freedom is reason for celebration and is the reason we are gathered here in the Chamber tonight. SAM's heroism and bravery are acts for which all Americans owe him a debt of gratitude.

But I'd also like to talk about our friend, SAM. Mr. Speaker, it's no exaggeration when I say I believe that SAM JOHNSON is the moral compass of our conference. He considers every issue fairly, and he's never afraid to reach across the aisle and work with Members there or on our side of the aisle or with freshman Members, as he did with me when I first came to Congress in 2001.

As many of us know, SAM and Shirley JOHNSON recently lost their son, Bob. All of us would like to extend our deepest sympathy to the Johnsons for their loss. Over these past weeks, we all saw anew the grace and humility that SAM carries with him every day.

Mr. Speaker, that's SAM. America and his beloved Texas are better places because of his decades-long service. And my life, Mr. Speaker, has been immeasurably enriched by our friendship.

Mr. POE of Texas. I thank the majority leader for his important words.

I now yield to the gentleman from Texas, Mr. PETE SESSIONS.

Mr. SESSIONS. I appreciate the gentleman from Texas (Mr. POE) for leading the discussion tonight in honor of the great Member of Congress from the Third Congressional District, SAM JOHNSON. I want to take a few minutes tonight to not just acknowledge how great SAM JOHNSON is to the Texas delegation but really to highlight what he means to this body.

SAM JOHNSON has been a Member of this body since 1991. He came in a special election as a result of a hard-fought race in Dallas, Texas, when Congressman Steve Bartlett stepped down. And SAM JOHNSON came to the United States Congress not just with a background of 29 years of serving in the United States Air Force as being a top gun pilot and a man who had served this country in war and at the Hanoi Hilton, but he came here with thoughts and ideas about his home of Texas, representing Collin County and Dallas County, Texas.

It's not just a high honor for us to have SAM as our Member of Congress at that time and currently, but SAM came to this body with ideas that he felt like would make our country stronger and better. More than just respect for the flag and respect for the men and women that serve in our military, but really for respect for human life and individuals, he believes that individuals make our country stronger and better;

and he has devoted his life, the times we fly back and forth, SAM talks about how important people are and people's dreams, people back home. He remembers not just the stories about individuals, but I think he idolizes hard work and people who commit themselves to the sacrifice for others.

SAM is known in this body for several years now as the most admired Member of Congress. And he's not the most admired Member of Congress because of just being a nice man—and that he is—but really for standing up and talking about the values of this country, the values of this country, what we stand for and how he wants it to be even better.

He and Shirley have, for years, stood up across Texas and across this country and talked about how important we are if we sacrifice to make others' lives better, if we leave our country better than the way we found it. And so tonight on behalf of the people of the 32nd Congressional District, which is Dallas, which is right next to Congressman SAM JOHNSON, I stand up and applaud the life of SAM JOHNSON, his service to our country, not just the United States Air Force and the American people, but also the man that calls home Plano, Texas, and the Third Congressional District, our great friend and colleague, Congressman SAM JOHNSON.

So, SAM, congratulations. Congratulations for not just a job well done but for the 40 years that you have been back home and what you have done to your life as a result of the service for what you believe was the right thing to do.

I thank the gentleman from Texas, Judge POE, for the time.

Mr. POE of Texas. I thank the gentleman. The gentleman, Mr. SESSIONS, points out a little-known fact that after Colonel SAM JOHNSON got out of that prisoner-of-war camp, he stayed in the Air Force and served a total of 29 years. He also served in the famed Thunderbirds. He has quite a remarkable Air Force career.

I now yield to the gentleman from Texas, Mr. RALPH HALL, the senior member of the Texas delegation and the House of Representatives.

Mr. HALL. Mr. Speaker, I thank my colleague. I do rise, as others, today for a great American and a very dear friend, SAM JOHNSON. It's been said over and over again about Operation Homecoming, but that's one of the great days that I remember. And I'm sure it's in SAM's mind and heart and that he appreciates all of us here getting to say a few words about him.

He served, as you know, for 29 years in the United States Air Force flying combat missions in both Korea and Vietnam, captured by enemy forces, going to spend 7 years in captivity as a prisoner of war, including 42 months of solitary confinement. Despite that con-

finement, SAM never lost his faith in God. He continued to show leadership and courage, helping to teach other prisoners how to survive. Through those 7 years, SAM remained committed to staying strong and helping other fellow soldiers doing the same thing.

Finally, on February 12, 1973, he returned to U.S. soil with other fellow American servicemen in what was known as Operation Homecoming. Once home, he was united with his wife, Shirley, who faithfully waited and prayed for SAM's safe return.

It's a fact about SAM's fighting for our country. He also suffered for our country. This isn't the prime reason his constituents vote for him, though it would be enough; but SAM is completely aware of the rules of the House of Representatives and one of the Speaker's leading whips. When SAM speaks, we listen.

SAM and Shirley suffered the loss of a son the last week of February. I hope they felt the love and grief we shared with them and the family. We know that grief is addressed in the Bible. Love spawns grief, and without love there's little grief. There is much love in the Johnson family for their neighbors and friends. For the approximately 7 years SAM and the others suffered in the Hanoi Hilton, a 4-letter word was always on their mind: home.

In closing, let me just say that SAM continues to fight on behalf of our veterans and members of the armed services. After 40 years, he continues to serve the American people with the same strength and resolve that he demonstrated in Vietnam. I'm truly honored to have the opportunity to serve with such an exemplary American and to call him a friend. SAM's commitment to his country, faith, and family are values that every American should live by. I ask all my colleagues, of course, to vote "aye."

Mr. Speaker, I rise today to celebrate a great American and a dear friend of mine, SAM JOHNSON, in honor of the 40th Anniversary of "Operation Homecoming." On February 12, 1973, 591 American prisoners of war, including SAM JOHNSON, returned from Vietnam after being held as prisoners for seven years. SAM is the epitome of a true American hero. His unwavering dedication to freedom and to serving his country exemplifies what it means to be a patriot.

SAM served for 29 years in the United States Air Force, flying combat missions in both the Korean and Vietnam Wars. In 1966, during one of his missions, SAM's plane was shot down over North Vietnam. He was captured by enemy forces and would go on to spend seven years in captivity as a Prisoner of War, including 42 months of solitary confinement.

After his capture, SAM was sent with 10 other POWs to a special facility where they were kept in solitary confinement from 1967–1969. Self-named the "Alcatraz Gang," they were sent there for their strong resistance

against their captors. They were shackled in legcuffs every night and endured continued torture. SAM never lost hope, and remained unbreakable against his torturers. SAM, along with the other members of the "Alcatraz Gang," was moved back to the infamous Hanoi Hilton where he served out the remainder of his time in Vietnam.

Despite his confinement, SAM never lost his faith in God. He continued to show leadership and courage, helping to teach other prisoners how to survive. Throughout those seven years, SAM remained committed to staying strong and helping other fellow soldiers to do the same.

Finally on February 12, 1973, SAM returned to U.S. soil with other fellow American servicemen in what was known as "Operation Homecoming." Once home, he was reunited with his wife Shirley, who faithfully waited and prayed for SAM's safe return.

SAM and I shared Collin County for many years in the U.S. Congress and we would often speak to constituents together. I always dreaded to compare my war service as a fighter pilot with the Navy with SAM's service. His record, every phase, was so much more admirable and dangerous than my several years, that I felt like I had run off to Canada.

As a fact, about SAM's fighting for our country, he also suffered for our country. This isn't the prime reason his constituents vote for him, though it would be enough. SAM is completely aware of the rules of the House of Representatives and is one of the Speaker's leading Whips. When SAM speaks, we listen.

SAM and Shirley suffered the loss of a son the last week of February, and I hope they felt the love and grief we shared with them and the family. We know that grief is addressed in the Bible. Love spawns grief, and without love, there is little grief. There is much love in the Johnson family, and their neighbors and friends.

For the approximately seven years SAM and the others suffered in the Hanoi Hilton, a four-letter word was always on their mind: HOME.

My dad was in WWI, and he went overseas with the same soldiers, and returned back to the USA with many of those he fought with. To show how much they loved home and the sight of the Statue of Liberty, as they entered the New York Harbor, one of my dad's friends said to the Statue of Liberty, "Old lady, if you ever see me again, you are going to have to turn around." That's what going home meant to most veterans of the various wars.

SAM continues to fight on behalf of our veterans and members of the Armed Services. After 40 years, he continues to serve the American people with the same strength and resolve that he demonstrated in Vietnam. I am truly honored to have the opportunity to serve with such an exemplary American, and to call him "friend." SAM's commitment to his country, faith, and family, are values that every American should live by. I ask all my colleagues present today to join me in honoring such an outstanding American hero, SAM JOHNSON.

Mr. POE of Texas. I thank the gentleman for his wise words.

I now yield to the gentlewoman from Fort Worth, Texas, Ms. KAY GRANGER.

Ms. GRANGER. Mr. Speaker, we're here tonight to honor our friend and

colleague, SAM JOHNSON, a man of service, a man of faith, and a man of tremendous courage.

SAM was released from captivity 40 years ago as part of Operation Homecoming. It was a plan to bring home POWs. As part of the Paris Peace Accords of 1973, 591 POWs were brought home as part of that operation, and our dear friend, SAM, was one of those.

Sometimes there are people that do great things but very few people know about it, people in their family or a few close friends. SAM JOHNSON's life has not been that way because it's been recognized because his achievements are so outstanding and he's been such a leader. So I think those recognitions deserve to be repeated tonight: two Silver Stars, two Legions of Merit, the Distinguished Flying Cross, a Bronze Star with Valor, two Purple Hearts, four Air Medals, three Outstanding Unit Awards; and the Congressional Medal of Honor Society gave JOHNSON their highest civilian accolade, the National Patriot Award.

SAM, it's such an honor for all of us to serve in this House with you, be a friend of yours and learn from you. Thank you for all your service.

Mr. POE of Texas. Mr. Speaker, I yield to the gentleman from Texas, Mr. MICHAEL CONAWAY.

□ 1940

Mr. CONAWAY. I thank the gentleman from Texas for setting up this evening to honor our friend and colleague, SAM JOHNSON.

SAM's career and exploits have been talked about several times now, and I won't repeat those, but there are a couple of things I would like to highlight. One, not only was he an Air Force pilot, but he was also a member of the elite Thunderbirds, which is the Air Force's best of the best. That is a demonstration team that goes across this country and around the world representing the Air Force, representing our country.

Another thing about SAM is that he had the good fortune of marrying Shirley. If you read SAM's book, "Captive Warriors," one of the most poignant parts of that book is Shirley's unwavering, steadfast belief that SAM was still alive. There was a long time while SAM was in captivity that we didn't have proof of life. Shirley was being told by some very influential folks that SAM had perished, and she just flat out simply refused to believe that, throughout all of the evidence. And so for a number of years there she held that vigil, and it was rewarded, of course, by SAM's coming home some 40 years ago this week.

I don't have a lot of heroes on this Earth. SAM JOHNSON is one of them. If I ever get around to writing memoirs and somebody asked me what am I the most proud of of service in this House, one of those things will be being able

to say that I'm among the select and privileged group to have served with SAM JOHNSON. He is a warrior of the best order, and it is with the most heartfelt emotions that I can muster that I thank him for his service. If I count the years correctly, it's 29 in the Air Force, 10 years in the Texas Legislature, and some 22 years here. That's 61 years. I don't know how old SAM is, but that has got to be about half his life anyway.

So it is with great pleasure that I thank SAM for his long service to our country. Thank you, SAM.

Mr. POE of Texas. I thank the gentleman from Texas.

I now yield to the gentleman from Round Rock, Texas, Judge JOHN CARTER.

Mr. CARTER. I thank the gentleman for yielding.

SAM JOHNSON is an American hero, and everybody in this House knows that. He's an American hero for all kinds of ways that he served this country. Many of the people here are going to talk about those ways, and every one of them are important.

I read SAM's book. It's an awesome book. It makes you cry at points; it makes you struggle. But it also expresses the kind of a man and, quite frankly, the kind of a family SAM JOHNSON has.

SAM was a guy with a broken leg, dislocated shoulders, who looked them straight in the eye and spit in their face and told them to take their best shot. And he suffered for it, he suffered unmercifully for it, but he never gave in to the enemy. He always stood his ground, to his detriment, and it harmed him in so many physical ways. And yet the thing that makes me always tear up is you read the part of the book where SAM steps off that plane, when we finally repatriated our prisoners, and saluted and said, Colonel SAM JOHNSON reporting for duty, sir. And SAM reports for duty.

People say, Who do you want to have your back in a foxhole? But people also say, Who do you want to have your back in Congress? I want SAM JOHNSON to have my back in Congress. He's a friend. He's one of my best friends in this Congress. I've gotten to know him very well. He and I go to a Christian retreat together almost every year.

And that's one of the things you notice from the book. SAM didn't talk about himself. He talked about when they took him out and he thought, This time they're going to shoot me. He prayed to God that he could stand there and be a man. And they went, Ready, aim, fire, click, and one more time they didn't shoot him. And at that time he thanked God and his Savior, because he knew he had witnessed a miracle.

Meanwhile, his sweet wife was praying and fighting on the home front because she didn't know. She got very lit-

tle news about what was going on in SAM's life, but she never gave up because her faith strengthened her. And that's part of the theme of that book that you need to pick up and read, that their faith strengthened them in trials that none of us can ever imagine.

SAM JOHNSON is a hero, not just because of what went on in Vietnam and what our enemy did to him. He's a hero because he comes here every day and he fights for the people of his district and for the State and for this country. He's willing to take a risk and step out, even now after all the years of service, both legislatively and in the Congress. SAM JOHNSON is one who is willing to step out and take the shots.

I was once asked by "60 Minutes" to define what a leader is, and I said, Well, I'm just a history guy who reads history. I always thought in the First World War how hard it would have been to come out of those trenches and charge those machine guns with a bolt-action rifle, and that the officers who climbed out in front and said, "Let's go, boys; let's go get 'em," were the heroes, and the guys that stayed in the bottom and said, "You go get 'em, boys," they were not heroes. And a special hero is one who says, "I'm going first and I'll take the shots."

There's plenty of shots to be had in this Chamber, and those are political shots. But I'm proud to say that that same hero that spit in the enemy's face, SAM JOHNSON, is still willing to stand up and take the shots in Congress. And for that reason, I today honor my good friend SAM JOHNSON and tell him I want him to keep taking care of my back, because I need it real bad.

God bless you, SAM. You're my friend.

Mr. POE of Texas. I thank the gentleman.

Mr. Speaker, Judge CARTER points out something that happened to SAM JOHNSON during that 7 years that a lot of people don't realize.

When he was in that little cell, 3-foot by 9-foot, he was so obstinate, the North Vietnamese Army would take him out of the cell; they would beat him up. He would never break. They would get so mad at that, that he wouldn't break, that they would line him up against the wall and they would tell him they're going to shoot him. They would blindfold him. They would get their AK-47s ready and, as Judge CARTER mentioned, they would pull the trigger—click, click, click—then they would laugh at him.

SAM JOHNSON would say, "Is that the best you got? Is that the best you got?" He didn't take anything from the Vietnamese, even though they tried to do everything they could to break him down.

That's what makes him so remarkable. You may notice, Mr. Speaker, he's sitting back here on our scriptural

row. All the Texans sit on the same row. He sits in the middle. One reason we sit back there is because that's the row he picks. So we all sit next to him. And you'll see every day when the House is in session, the Texans, we're all together sitting around SAM JOHNSON. We kind of stick together for a lot of reasons.

I now yield to the gentleman from Texas, Dr. MICHAEL BURGESS.

Mr. BURGESS. I thank the gentleman for yielding.

Mr. Speaker, we are here tonight to honor Congressman SAM JOHNSON. It's also appropriate to take a moment and send our thoughts and prayers to Congressman JOHNSON's family during a difficult time that they're going through right now.

As we've heard tonight, Congressman JOHNSON is a decorated war hero. During his 29-year service in the United States Air Force, Congressman JOHNSON flew in 62 combat missions in the Korean War and 25 missions in the Vietnam War. He endured almost 7 years as a prisoner of war in Hanoi, with a majority spent in solitary confinement, after being captured in North Vietnam.

Congressman JOHNSON persevered through this dreadful experience, returned to the United States and was reunited with his wife and three children on February 12, 1973. This week marks the 40th anniversary of his release, and we celebrate his achievements and the sacrifice for his country. In fact, 10 years ago this week, I gave what was my first speech on the House floor honoring then SAM JOHNSON's 30th anniversary of freedom, and at that time his wife, Shirley, was with us in the gallery.

□ 1950

When SAM came home, he undertook a duty to continuously support and protect every man and woman who risks his life fighting for the United States of America. This was a motivation for his decision to run for office, and it is a true statement to the character and virtues that he gained from his service to this country.

In thinking about Shirley, every summer, she does a fashion show in Frisco, Texas. SAM is my neighbor to the east from the congressional district that I represent. Shirley does a fashion show, the proceeds of which go to provide scholarships for kids in the area—true dedication to community service. We are all so honored to have SAM and Shirley in our lives.

Thank you, Congressman JOHNSON. Thank you for being my friend and my mentor, for providing me expertise when I ran for the House and when I arrived at the House. You continue to provide mentorship to me today.

Mr. POE of Texas. Mr. Speaker, I now recognize the gentleman from Tyler, Texas, Judge GOHMERT.

Mr. GOHMERT. I thank my friend, a former judge as well.

It is an honor to be here and to be part of this Special Order to honor our friend SAM JOHNSON.

SAM and Shirley are public servants in every sense of the word. There were the 29 years in the Air Force. The United States service was what he was. It's what he did. There were the 7 years in Hanoi Hilton—one of the worst prisons ever concocted in the imagination of sick minds—and he spent 42 months of that in solitary confinement. There are people running around the world saying that you can't put people in solitary confinement, but they were not around to help SAM JOHNSON during that horrible time in Hanoi. This is the 40th anniversary of his release, and America has been better for SAM JOHNSON's living and serving and for Shirley's being his partner even though, for 7 years, they were apart.

I know, on the first day I was sworn in, I was sitting right over here on the aisle, talking to another Republican, and SAM came down the aisle. His body still shows the torture and the broken bones that never healed properly and the bones that grew around nerves that they were never able to fix.

When he got even with me, I stood up and shook his hand and said, SAM, it is such an honor to serve with you in this body. SAM has always been a man of honesty and integrity, a man whose judgment I could trust.

He said, Well, it's an honor serving with you—which was a stretch—but then he said, But don't trust that fella next to you. I found out after that that SAM JOHNSON's advice was always good and always advice that could be well taken.

After some of the revelations in the Middle East of a U.S. prison camp, I said, SAM, did you hear about the torture of making people strip down and put panties on their heads?

And he said, Yeah.

I said, Was that ever a choice that you were given?

He said, If it had been, I'd be naked, wearing panties still today.

That was nothing compared to the hell that that man was put through in Hanoi.

Then I found out that in our U.S. prisons—it's open information—that we provide not only a Koran, which has never been touched by American hands, but also an arrow on the floor that points in the direction that the Islamic prisoner would want to pray, and we give him a prayer rug.

I asked SAM, When you were in Hanoi, did you have a prayer rug and a Bible, as that was part of your faith?

And he said, No. Actually, what we had was a tiny, little rod that was placed on the floor—our feet in shackles. We would be beaten on the back until we dropped, and my knees would hit that tiny rod.

It doesn't sound like much, but when you spend hours or days with your knees and all your weight on a tiny, little rod on the floor, it gets pretty unbearable. And that was some of the less torturous stuff this man went through on our behalf.

Part of his service to this country are his children and his grandchildren, and it is with great sadness that I know SAM and Shirley and this country lost Bob Johnson—Plano High School to Texas A&M. His children and grandchildren.

SAM, our hearts are with you. You have sacrificed more than anybody I know on behalf of this country, and it is an honor to serve with you.

Mr. POE of Texas. I thank the gentleman from Tyler, Texas.

I now recognize a gentleman from Texas, Mr. LAMAR SMITH.

Mr. SMITH of Texas. First of all, I want to thank the gentleman from Texas (Mr. POE) for organizing this Special Order tonight.

Mr. Speaker, today's Special Order is to honor our friend, colleague and a true American patriot, Congressman SAM JOHNSON, and his 40th anniversary of freedom.

Congressman JOHNSON has a long history of serving our country. He spent 29 years in the United States Air Force and flew 87 combat missions during the Korean and Vietnam wars. He was awarded two Silver Stars, the Distinguished Flying Cross, a Bronze Star with Valor, and has received many other recognitions. Today, we celebrate Operation Homecoming and observe the 40th anniversary of his release from a Vietnamese prisoner-of-war camp.

Congressman SAM JOHNSON was captured and held for 7 years in a POW camp in Vietnam. He spent 42 months in solitary confinement—an unfortunate record. Though tested both physically and mentally, almost beyond comprehension, his unwavering love of God and country remained steadfast. A firsthand account of Congressman JOHNSON's experience in the Vietnamese POW camp can be found in his riveting and inspiring book, "Captive Warriors," which will cause you to weep.

His commitment to his country was matched only by his wife Shirley's commitment to him. Friends say she set a seat at the table every night while he was gone with the hope and expectation that he would come home.

After his release, Congressman JOHNSON started a homebuilding business from the ground up. Then he was elected to the Texas House of Representatives for 7 years, and he has now represented Texas' Third Congressional District since 1991.

It is a professional honor and a personal privilege to serve with Congressman SAM JOHNSON. Today, we thank him for his service to our country and to the American people.

Mr. POE of Texas. I thank the gentleman.

Mr. Speaker, I would like to recognize another aviator, although he wasn't in the Air Force—he was in the Navy, which still counts. He served our country as a naval aviator before coming to the House of Representatives, Mr. PETE OLSON of Sugar Land, Texas.

Mr. OLSON. I want to thank my friend and fellow Texan, Judge TED POE, for hosting this Special Order: celebrating the greatest Texan in Congress, Colonel SAM JOHNSON, on the 40th anniversary of his return home after 7 years as a prisoner of war in Vietnam.

We've heard the stories of SAM's lifetime of service to our Nation. They are the stuff of legends—the best of the best. SAM was shot down on his 25th mission over Vietnam, captured and imprisoned by the enemy. He was put in a special prison known as Alcatraz. His 2 years in Alcatraz were described by SAM as "hell on Earth."

Twenty years after SAM left Alcatraz, I began my training to become a naval aviator. Part of that training included prisoner-of-war school, also known as SERE school—survival, evasion, resistance, and escape. In SERE school, we were locked in a dark box. We were deprived of sleep and exposed to interrogation techniques depicted in the movie "Zero Dark Thirty." The main lesson I learned in SERE school was because of SAM JOHNSON: that my duty as a POW was to resist and to resist and to resist and to resist and to resist—to my breaking point as a human being.

□ 2000

When I hit that point, my duty was to bend a little, give some incomplete and vague information, regroup, and start anew—to resist, to resist, to resist, to resist, and to resist.

Because of SAM JOHNSON's experience, every U.S. military pilot who follows in his footsteps, like me, knows in his heart if we're captured, we will never stop resisting our captors, and we will always come home with honor, like SAM did.

The heart of SAM JOHNSON, the SAM JOHNSON I know, can be summed up in the first sentence SAM reportedly said to his fellow POWs after he left solitary confinement: Lieutenant Colonel SAM JOHNSON, reporting for duty, sir.

I imagine that our POW in charge responded to SAM with a slow, crisp salute saying, Colonel JOHNSON, take charge, and carry out the plan of the day.

SAM has been taking charge and carrying out the plan of the day his whole life. I wasn't there to greet SAM when he came home 40 years ago, so I say it to my friend now: Welcome home, SAM. Welcome home.

Mr. POE of Texas. I thank the gentleman from Sugar Land, Texas, for his insightful words. You pointed out, Mr.

OLSON, that he spent 4 years in a prisoner-of-war camp. During those 4 years, he didn't talk to another American for 4 years. He could tap on the wall to contact them in codes that they'd developed over the numerous years they'd all been in confinement. They tapped out the names of the other prisoners, the 374 other prisoners that had been in the Hanoi Hilton at one time. They all memorized the 11, the Alcatraz Gang, as they called themselves. They memorized those names because they all expected that they were going to escape and get back and be able to tell those families who had come into the camp. A remarkable story.

I now yield to the gentleman from Texas, Mr. ROGER WILLIAMS.

Mr. WILLIAMS. I'm honored to stand here today and say a few words about one of my personal heroes and friends, and one of America's greatest patriots, SAM JOHNSON. This month is cause for celebration as it marks 40 years since nearly 600 American POWs, including Congressman JOHNSON, stepped foot on American soil after enduring years of captivity during the Vietnam war.

Many of us couldn't endure for one day what SAM JOHNSON endured for 7 years, much less endure it with unbreakable strength, unending faith in God, and constant hope that this incredible man has.

His captors knew him as a die hard, one of the few POWs who refused to give in and cooperate with their anti-American propaganda. His fellow American prisoners knew him as a leader, one whose spirit could not be broken, whether he was in leg stocks or solitary confinement, for 4 years. And his family knew him as their hero, a man who loved serving his country and was willing to sacrifice his life in defense of freedom.

I'm honored to know him as a friend. Throughout his 29-year career in the Air Force, he earned many distinguished decorations, awards, and merits. But for those who have had the pleasure of sitting at the dinner table with SAM, you know those years were also filled with laughter and antics. After all, he did fly with the legendary Thunderbirds before the FAA existed.

Men like SAM JOHNSON are what have made our military great—and our country—the greatest force on Earth. He has built a remarkable legacy with his lifelong service to America, to the great State of Texas and, most importantly, to his family and loved ones.

Colonel JOHNSON, thank you for your service to our country and for your example to us all. And I'd like to remind people, America doesn't give because it's rich; America is rich because it gives. And it's given us SAM JOHNSON, and for that we're very grateful.

Luke 6:38 says:

A good measure be given to you, pressed down, shaken together, put into your lap; for

the measure you give will be the measure you get back.

SAM, you gave it all to us, and you deserve every great thing that happens to you. So may God bless you, and may God bless our troops.

Mr. POE of Texas. I thank the gentleman.

I now yield to the gentleman from Lubbock, Texas, Mr. RANDY NEUGEBAUER.

Mr. NEUGEBAUER. I thank the gentleman. It is indeed an honor and a privilege for me to participate in this recognition of our colleague but, more importantly, my friend, SAM JOHNSON.

You know, when I got to Congress, you get to know people, and particularly because SAM was in the Texas delegation, and people started saying, they'd say you know SAM's story, and they would begin to tell me a few things about SAM JOHNSON. So some of the things that you're hearing tonight are things you would have never heard from SAM JOHNSON because SAM doesn't talk about what he does. He just goes about doing the right thing.

In fact, he's got a history of serving this country. When you think about SAM JOHNSON, you think about service. You know, a lot of people serve. SAM has served in our military. He served in our Texas House, and now in the United States Congress, but not everybody serves with equal sacrifice. And when you think about SAM JOHNSON's life, you think about sacrifice.

How I learned more about SAM was an interesting trip that I took with then-Speaker of the House, Denny Hastert. We flew to Vietnam to be one of the first delegations to have a Speaker of the House be in Vietnam since the end of the Vietnam war. And so I decided on that trip that I would read SAM's book. So all of the way over there, I read SAM's book, and it was just by fate that I read the last page as we landed in Hanoi.

Tears streamed down from my eyes as I had been on this journey that SAM takes you through his book of sacrifice and pain, but also a man that had faith. And it was his faith that he relied on on a daily basis, and his commitment to his country and his commitment to those who were with him, and the fortitude that he showed of taking those sometimes daily beatings, and this quietness of solitude. As we landed there, I was thinking about SAM and his spending 7 years in those conditions and then coming back home.

But as you read that book, what you also know is another hero, and SAM would be quick to point out, and that was his wife, Shirley, who never gave up hope, never gave up on SAM because she knew the SAM JOHNSON that we've been talking about tonight. She knew that SAM wouldn't go down easy.

SAM, we're so proud of you and so glad to serve with you. One of the memorable points of that trip is just a

few months before that, SAM himself had traveled back to Hanoi, the first time since he had left, and he had signed the guest book just a few pages over:

Sam Johnson back again, where I spent 7 years of my life.

It was an honor for me to sign just a few pages over. For a great American hero but, more importantly, for a great friend: God bless you, SAM JOHNSON, and God bless the United States of America.

Mr. POE of Texas. I thank the gentleman.

I would ask the Speaker how much time I have remaining.

The SPEAKER pro tempore (Mr. RADEL). The gentleman has 17 minutes remaining.

Mr. POE of Texas. I thank the Speaker.

I yield to the gentleman from Texas, Mr. BLAKE FARENTHOLD.

Mr. FARENTHOLD. Thank you, Congressman POE.

I'm honored today to stand up here to honor the bravery and commitment that Congressman SAM JOHNSON has shown his country. SAM lived through an experience that would bring even the toughest soldier to his knees. He was in the Air Force for 29 years and was a prisoner of war for 7 after his F4 plane was gunned down in North Vietnam.

Now today, 40 years after he was released from captivity, we celebrate his freedom. He was beaten and tortured and kept in a small cell; yet he refused to give up or disclose any information to the enemy. The sacrifice and peril that SAM went through is on the heart of every young man or woman who commits himself to serve the Armed Forces. SAM and his family just suffered a tragic personal loss. I have no notes here; you can read about SAM and his accomplishments and his heroics on the Internet. Or better yet, buy the book.

I want to talk for a minute about my experience in the slightly over 2 years that I have been in the House serving with SAM.

There is nobody that has the respect of this Congress the way SAM JOHNSON does.

□ 2010

I don't know a single person on either side of the aisle that doesn't appreciate SAM's service and sacrifice and hold him in the highest esteem. And that's saying something, when we're serving in a body that's constantly bickering, that has an 8 percent approval rating. But if all of us who serve were half the man that SAM JOHNSON is, we would have a 100 percent approval rating here in Congress.

I'm honored to serve with SAM. I thank him for his service, though that seems just too little for what he has done and given up for this country. But I'm proud to call him a friend.

God bless you, SAM. God bless Texas, and God bless the U.S.A.

Mr. POE of Texas. I thank the gentleman for his comments.

Mr. Speaker, I yield to the gentleman from Texas, Mr. STEVE STOCKMAN.

Mr. STOCKMAN. Mr. Speaker, when I got here 18 years ago, when I first got here I was wet under the ears, and I started looking at different people's voting patterns. And I didn't know, you know, which way to go or whatever. All I know is SAM in private is the way he is publicly. And privately, SAM, you're a hardcore American patriot. And I started to learn a lot from you.

But reading your history and what you did, I just can't imagine being in that confinement for that period of time. It seems like it would be beyond what anybody could take. Yet, time and time again, you stood up, and there was only 11 of you that resisted the torture and resisted the torture of the Vietnamese, which broke every Geneva Convention protocol.

And SAM, in this area in which you've served our Nation, I understand—I think it was five rows across and five rows down. So A A would be tap, tap, B would be tap, tap, tap—in other words, they would do the alphabet five five that way, and they would tap out at night. And that's all the communication they had.

And serving with SAM, and watching SAM go through his service and his commitment to the American people, I don't know if we actually read all of his medals, but he has two Silver Stars, two Legions of Merit, the Distinguished Flying Cross, a Bronze Star with Combat Valor, two Purple Hearts, four Air Medals, three Air Force Outstanding Units, and he was also awarded the Prisoner of War Medal.

That's just one individual having all those medals, and he's served our Nation and our country and continues to serve our Nation and our country.

I'm honored to serve with SAM. And at this time, when he's lost his son, you're in our prayers. God bless you.

And thank you for offering the opportunity to say a little bit on behalf of SAM.

Mr. POE of Texas. I thank the gentleman.

I now yield to Mr. BILL FLORES from Texas.

Mr. FLORES. I thank the gentleman from Texas for organizing this very special evening.

Mr. Speaker, I rise today to express my deepest admiration and respect for Congressman SAM JOHNSON. Tonight, America has heard many accolades for and compliments dedicated to SAM JOHNSON, and I'm not going to repeat those in my comments.

Rather, I want to say that our country needs more SAM JOHNSONS during these difficult times. We need more persons like SAM to bravely move and serve in our country's military today.

We need more persons like SAM to serve as statesmen.

We need more people like SAM who put principle ahead of politics or personal gain. We need more persons like SAM to be knightly gentlemen in an unstable society. We need more persons like SAM who are devoted husbands and loving fathers.

Mr. Speaker, America needs more heroes like SAM JOHNSON. I pray that America continues to produce men and women of strength and perseverance and character like SAM JOHNSON.

God bless SAM and his wife, Shirley, and his family, in particular. We remember their son, Bob Johnson, this evening.

I'm honored and humbled, and I have to say deeply humbled, to serve with my good friend from Texas, Congressman SAM JOHNSON.

Mr. POE of Texas. I thank the gentleman for his comments.

Mr. Speaker, SAM JOHNSON is a remarkable individual. The nickname that the Vietnamese gave him of Diehard, he's still that way. He's hardcore. He is opinionated, and he can back up everything he says. But that's a good thing. He does represent the best that we have in this country.

His military background: We have, in the House of Representatives, Members of Congress, both sides, that have served in our military, all branches, in the Reserves, the National Guard, they served in World War II, they served in Korea and Vietnam, like SAM JOHNSON. They've served in both Iraqi wars, the Afghanistan war, and they're still serving today.

We have Members who have lost their limbs for this country while on active duty serving this country. And SAM JOHNSON is among that elite that have represented America, the flag, and our country when our country needed our military.

He's married, three kids—you now know that one of them died recently—and he has 10 grandkids.

He served in the war, the second war, not the Korean War, but the second one, the Vietnamese War, came back home. Americans didn't treat our war veterans from Vietnam very well. They were treated real bad, in fact. Some of our American troops, when they came back home from serving in Vietnam, they wouldn't wear the uniform because Americans would ridicule them for what the country asked them to do.

America has learned since Vietnam. We treat our warriors a lot better now. We treat them like they ought to be treated when they come back home from Iraq, Afghanistan, and other parts of the world.

Our warriors from Vietnam didn't get the appropriate welcome back, as already mentioned. Tonight, we welcome back one of them. We welcome back Colonel SAM JOHNSON, United States Air Force, reporting for duty.

After spending 7 years in a prisoner-of-war-camp, 4 years in solitary confinement, as I pointed out, 9 feet by 3 feet for 4 years, 24 hours a day, leg irons at night, taken out in the daytime and beat. Never broke. Diehard. Never gave in. He was never broken.

Remarkable individuals, these Americans who serve and wear the uniform. It's a rare breed, but it's the American breed, and that's what makes us free, those people, those remarkable people who wear the uniform and serve, and serve overseas, and serve in prisoner-of-war camps, if necessary.

So we thank SAM JOHNSON. We thank all who have served and are serving today for their service to our great country. But especially tonight, we welcome home SAM JOHNSON of the United States Air Force. And that's just the way it is.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, this year marks the 40th anniversary of "Operation Homecoming," which made possible the release of hundreds of American heroes held captive in North Vietnam.

One of those courageous POWs is my friend and our distinguished colleague, Congressman SAM JOHNSON of Texas, who didn't see his family for seven years as a prisoner of the North Vietnamese. Forced to endure severe torture, solitary confinement, malnutrition, and attempts by their captors to force confessions for propaganda, SAM JOHNSON and countless other American POWs conducted themselves with uncommon courage and heroic strength of character.

In SAM's book, "Captive Warriors," he writes about a phrase found scribbled onto the walls of his cell: "Freedom has a taste to those who fight and almost die that the protected will never know." Because of men like SAM, I know that my nine-year-old son and my ten-year-old daughter sleep in a freer and a safer America tonight.

President Calvin Coolidge once said, "The nation which forgets its defenders will itself be forgotten." I, for one, am committed to ensuring this nation never forgets the sacrifice Congressman SAM JOHNSON and the countless American POWs who have endured such extreme hardship—and in many cases paid with their lives—to protect the freedom we cherish.

Mr. Speaker, as a Texan and as an American, I am proud to salute patriot SAM JOHNSON.

Mr. MARCHANT. Mr. Speaker, I rise today in celebration of Congressman SAM JOHNSON'S 40th anniversary of freedom. On February 12, 1973, Congressman JOHNSON and 590 other American POWs were released from captivity in Vietnam. With 29 years in the United States Air Force, nearly seven of those spent imprisoned, and 22 years of service in Congress, Congressman JOHNSON has been selflessly dedicated to the betterment of our nation for more than 50 years. As we celebrate his 40 years of freedom today, we must also recognize that his half century of dedicated service has helped to preserve the freedom and prosperity of all Americans. It is a great privilege to represent Texas alongside such an inspiring patriot. I am proud to call SAM JOHNSON a true friend and a personal hero.

CBC HOUR: VOTING RIGHTS ACT, SECTION 5

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nevada (Mr. HORSFORD) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. HORSFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HORSFORD. The Congressional Black Caucus is proud to anchor this hour, and I'm pleased to be here with our chair, the Honorable MARCIA FUDGE, from the 11th Congressional District of Ohio, and to yield her such time as she may consume.

Ms. FUDGE. Thank you so very much. And thank you, as well as Mr. JEFFRIES, for anchoring these CBC hours. It is wonderful to have new Members come to the House floor and do the work that we've been doing for so long. I am so proud of them and appreciative of the work they do, so thank you very much.

Mr. Speaker, I rise today to send a clear message to those who would seek to undermine our constitutional right to vote: You will not win. The race is not to the swift nor the battle to the strong. This is not the first time section 5 of the Voting Rights Act has been challenged, and there is a very good chance that it will not be the last.

□ 2020

The Congressional Black Caucus and many others, even a number of Members from the other side of the aisle, have continually reauthorized and worked to protect section 5. In a matter of days, the Supreme Court will review the constitutionality of section 5. If the Supreme Court does not ultimately decide to protect the uninhibited right to vote for all voters, no matter their race, the Court will not and must not have the last word on this matter.

The 15th Amendment provides that the right of citizens to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous servitude. Despite the passage of the 15th Amendment and ratification by the States, Congress has been forced to act in order to protect African American voters from violence and intimidation.

Prior to the Voting Rights Act, the courts' attempts to protect voters proved inadequate. In 1965, at the height of the civil rights movement, when vicious dogs and poll taxes were used to block the ballot, Congress passed the Voting Rights Act. This law was necessary then, and the last two

Federal elections have shown, without a shadow of a doubt, that section 5 remains essential today.

The right to vote is among the most important rights we enjoy as Americans. Because of its importance, because of the power behind the vote, it is the one right most often compromised; and for the same reasons, it is a right that we must do everything in our power to protect.

Martin Luther King, Jr., once said:

So long as I do not firmly and irrevocably possess the right to vote, I do not possess myself.

As the Supreme Court prepares to hear arguments in *Shelby County, Alabama v. Holder*, we must remember the words of Dr. King and the importance of section 5.

Since 1982, approximately 2,400 discriminatory voting changes have been successfully blocked by the section 5 preclearance process. After the 2010 midterm elections, 8 of 11 States that were a part of the former confederacy passed new voting restrictions. These laws require government-issued photo ID to cast a ballot, proof of citizenship to register to vote, many cut back on early voting, and several disenfranchise ex-offenders. These laws are specifically designed to make it more difficult for minorities and other traditionally marginalized eligible voters to participate in the political process.

The recent assault on voters was not restricted to the States with a history of voting discrimination. In my home State of Ohio, and in many other States and jurisdictions not covered by section 5, there were attempts to pass restrictive laws. Leading up to the 2012 election, 22 laws and 2 executive actions restricting voting rights were passed in 17 States, and 176 restrictive bills were filed in 41 States.

The Federal Government should be doubling down on the Voting Rights Act by expanding and strengthening Federal protections. The long lines in Florida and the voting scams in Arizona were no coincidence. Section 5 is as necessary today as it was on the date of its inception in 1965 and should include more States and jurisdictions.

Mr. HORSFORD. Thank you, Chairwoman FUDGE. We look forward to your leadership on this issue and other issues under your steady hand of the Congressional Black Caucus in the 113th Congress.

I now yield to the distinguished Member from North Carolina, Representative BUTTERFIELD.

Mr. BUTTERFIELD. I thank the gentleman for yielding, and particularly thank the chair of the Congressional Black Caucus for her leadership in convening this special hour tonight.

As many of our colleagues know, before being elected to Congress 8 years ago, I was a trial judge and an appellate judge in my home State of North Carolina. But what many of you may

not know is that, for some 6 years before becoming a judge, I spent considerable time litigating cases under the Voting Rights Act and presenting comments to the Department of Justice in section 5 cases.

Mr. Speaker, so many people do not understand section 5. This preclearance provision does not apply in every jurisdiction in America. It only applies to selected counties where there was evidence of discriminatory voting practices when the Voting Rights Act was first enacted in 1965. These jurisdictions are required to submit to the Department of Justice any changes in election law or procedure for determination of whether the change could have a negative impact on the voting strength of minority groups. If the jurisdiction fails in their proof, the change is not allowed. And I will say for the RECORD today that, in the early days of section 5, many jurisdictions ignored the requirement.

It has been proven, Mr. Speaker, time and time again in courtrooms across America that racially polarized voting has existed at the ballot box since the 15th Amendment was ratified—and it exists today. My congressional district in North Carolina, though it is improving, continues to have voting based on the race of the candidate. Many white voters choose not to vote for a candidate who is clearly the preferred candidate of the African American community. When this happens, the black community is handicapped. We call it vote dilution. And so section 5's preclearance provision simply is a backstop against jurisdictions devising election schemes that will make it more difficult for the African American community to elect a candidate of its choice, taking into consideration the existence of racially polarized voting.

Mr. Speaker, I can cite dozens of instances in North Carolina where discriminatory changes were proposed to election systems and the Department of Justice stepped forward and denied the change. Had it not been for section 5, black electoral success in my congressional district would be considerably less. Many of the cities and counties in my district now have single-member election districts that were ordered by the courts. The courts have required that some of these districts had to be majority African American, which now enable the African American community to elect candidates of their choice. Elimination of section 5 could enable mischievous jurisdictions to eliminate this in favor of at-large elections, where concentrations of black voters would be submerged into at-large systems.

Mr. Speaker, the time has not come when we should eliminate the protection of section 5. The evidence continues to suggest racially polarized voting that discriminates against the

African American community. If this protection is struck down, some governing boards at the State and the local level will seize the opportunity to promulgate election rules that disadvantage minority voters, and the only remedy then will be to file an expensive Federal lawsuit and prove intentional discrimination in the district court. And so, Mr. Speaker, I urge the Supreme Court to carefully look at the legislative history that we have provided and decide to maintain the protection of section 5.

Again, I thank the gentleman from Nevada for his friendship and his leadership and for working to make this hour happen tonight.

Mr. HORSFORD. Thank you, Mr. BUTTERFIELD. We, again, appreciate your leadership as the vice chairman of the Congressional Black Caucus and look forward to working under your leadership, as well as Chairwoman FUDGE.

At this time I now yield to my colleague and friend, the distinguished Member from New Jersey, Representative PAYNE.

Mr. PAYNE. Thank you.

Mr. Speaker, I want to thank my good friends and colleagues, Congressman HORSFORD of Nevada and Congressman JEFFRIES of New York, for anchoring tonight's CBC Special Order on the Voting Rights Act.

Fair and equal access to the ballot box is an important topic and one of these that has not been fully resolved. One hundred-fifty years ago, President Lincoln signed the Emancipation Proclamation, but it took another 100 years to pass the Civil Rights Act, and eventually the Voting Rights Act of 1965. Since then, our country has made progress in achieving justice and equality, but it is no secret this process has been painfully slow and noticeably deficient.

The Supreme Court will hear the case this week of *Shelby v. Holder*, which, if ruled in the favor of Shelby County, Alabama, would take us back 50 years and undo protections granted in the Voting Rights Act.

□ 2030

Some argue that we no longer need some of these protections provided in the Voting Rights Act. Some argue that we have achieved equality and justice for all. Some argue that section 5 is outdated because racism has been eviscerated. It is true we've come a long way and times have changed, but the unfortunate fact is that we have not changed enough.

Let's look at the facts. This past November, people across this Nation had to wait in line to vote for hours in places such as Miami, Tampa, Richmond, Charlotte, and Raleigh. Sometimes people waited 6, 7, or 8 hours to exercise their fundamental right to vote.

In the President's State of the Union Address, President Obama had a guest, a woman by the name of Desiline Victor, who waited 6 hours in Florida to vote. She was 102 years old. This is simply unacceptable. And unfortunately, long voting lines have become all too commonplace, particularly in urban and minority-rich areas.

So the big question I get asked from my constituents is: Why wouldn't we want everyone who is eligible to have the opportunity to vote? The answer is simple: When more Americans vote, they tend to vote for Democrats.

Regardless of someone's political persuasions, every eligible American should have the fair opportunity to cast their ballot—whether they be white, black, Asian, Latino, man, woman, gay, straight, Protestant, Catholic, atheist, or agnostic—because of the simple fact that we are all Americans and voting is a fundamental right in this country. This is about preserving democracy, and eliminating section 5 would undermine that right upon which this country was founded.

This past year, 37 State legislatures shamelessly passed laws that often-times targeted minorities and attempted to limit their access to the ballot. Strict photo ID laws, limitations on early voting, and stringent voter registration laws all had one purpose: It wasn't about reducing fraud; it was about preventing certain populations from voting.

It is astonishing—and it could not be more evident—that racism and the effort to suppress the right to vote is alive and well in this Nation. Luckily, section 5 rightly ensured that many of these laws never passed preclearance. So it cannot be plainer that now is the time to strengthen, not weaken, section 5, as it still serves as a very real and critical purpose in preserving our democracy and the right to vote for millions.

Mr. HORSFORD. Thank you, Representative PAYNE, Jr. We appreciate your remarks.

I now yield to the distinguished Member from Maryland, Representative CUMMINGS, who is the ranking member on the House Oversight and Government Reform Committee, the committee that has jurisdiction on voting reform issues.

Mr. CUMMINGS. I thank the gentleman for yielding.

I also take this moment to thank the Congressional Black Caucus for making this happen. And I thank Representatives HORSFORD and JEFFRIES for leading this. It is quite encouraging—and I know that our chairman, MARCIA FUDGE, agrees with me—when we see our new Members come to the forefront and lead. That's why our constituents sent us here. I just want you to know that we are very, very, very proud of you, as we are of our other new Member, Mr. PAYNE, who just

spoke. We are certainly glad that you are here and leading.

We all know our Nation's disgraceful history in this area of voting rights. I've often said that if we did not have the Voting Rights Act, these past few years have taught us that we would have to invent it.

For decades and decades, racist and exclusionary voting practices kept minorities from accessing the ballot box. I'm reminded of my great-great-grandfather, Mr. Scipio Rhame. In the South Carolina of 1868, he overcame tremendous hardships and life-threatening dangers just to register to vote, only a few years after he had come out of slavery. Sadly, this country has witnessed very slow progress toward equality in voting. The reality is that in the year 2013, we are still fighting for the right to vote for all Americans.

In election after election, discriminatory voting laws and exclusionary practices still surface. This past election cycle, we saw a new wave of efforts to suppress the vote. We saw racially motivated efforts to cut back on early voting. We saw physical destruction of voter registration forms. Across the country, we saw eligible voters prevented from casting their ballots because of long lines, inaccurate voter records, and poorly trained poll workers.

As the ranking member on the Committee on Oversight and Government Reform, I launched an investigation last year into the actions of True the Vote, a Tea Party organization that claims to promote "voter integrity" efforts. In fact, True the Vote sought to make it harder for Americans to vote. They challenged the registration of thousands of legitimate voters across the country before Election Day, and they deployed volunteers across the country to challenge access to the polls for legitimate voters.

Efforts by groups like True the Vote disproportionately affect minority communities, and they are just one small example of the practices that still seek to suppress the vote in our country.

The Voting Rights Act is often cited as the most effective civil rights law in our history. Section 5 has been one of the most powerful tools in the act because it combats discriminatory attempts to marginalize voters before they can take root. When President Lyndon Johnson signed the Voting Rights Act in 1965, he said this:

There were those who said smaller and more gradual measures should be tried. But they had been tried. For years and years they had been tried, and tried, and tried, and they had failed, and failed, and failed. And the time for failure is gone.

So, in closing, I hope the Supreme Court Justices remember these words as they consider this most recent challenge to section 5 of the Voting Rights Act.

Today, in the year 2013, section 5 remains as critical as ever to protecting the right to vote in the United States of America.

Mr. HORSFORD. Thank you, Representative CUMMINGS. I know under your leadership, as the ranking member of the House Committee on Oversight and Government Reform, the issue of voting rights will continue to be a top priority in this Congress.

Mr. CUMMINGS. You're absolutely right. Thank you.

Mr. JEFFRIES. Mr. President, I now—excuse me, Mr. Speaker, I now yield to the distinguished Member from Maryland, our whip, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, STEVE and I were both in the Senate, and you have a president in the Senate. That's why he was referring to you as Mr. President. I understand that, STEVE.

I am pleased to join MARCIA FUDGE, the chairman of the Congressional Black Caucus, and my good friend, STEVE HORSFORD, the gentleman from Nevada. And I notice that DON PAYNE is here. His father was a very close friend of mine, active some 45 years ago. So it's good to see you here, DON, and HAKEEM JEFFRIES, two of our really great new Members. I'm pleased to join you.

□ 2040

Mr. Speaker, I want to thank the Congressional Black Caucus for organizing this Special Order hour. America's greatest strength—and its greatest gift to the world—is our democratic system of government based on an equal voice for every citizen. It is what grants legitimacy to our laws and earns us respect from those in other parts of the world who yearn for the freedoms we enjoy.

For most of our history, our democracy was deeply flawed: excluding women, African Americans, Native Americans and many others. But part of what makes America great is that we are constantly working to perfect our democracy by correcting such flaws. The Voting Rights Act of 1965 was a central part of that effort—and an incredibly successful one. Before that legislation was enacted, millions of African Americans were systematically prevented from registering to vote or casting their ballots across much of the South. And I would venture to say that there were other parts of America where they were dissuaded from voting, as well. Poll taxes, "grandfather clauses," literacy tests and other nefarious devices were employed to keep Americans from exercising their most fundamental civil right.

Perhaps the greatest impetus for enacting the Voting Rights Act was the horrific violence and hatred of "Bloody Sunday," when peaceful civil rights

marchers were beaten and turned back at the Edmund Pettus Bridge outside Selma, Alabama.

Mr. Speaker, this weekend, a number of us here will be traveling to Selma, led by the same man who helped organize those 1965 marches, our friend and colleague, Representative JOHN LEWIS, an extraordinary historic figure, an extraordinary gentle man, but a giant of courage and principle. We are going as part of an annual pilgrimage to remember that day, "Bloody Sunday," March 7, 1965, and the cause for which those brave Americans, black and white, risked their lives: political equality and the perfection of our democracy.

Mr. Speaker, I've been privileged to walk with JOHN LEWIS across that bridge and others, including at least two Presidents, for 10 out of the 13 times that JOHN LEWIS has reenacted that walk. Walking in their footsteps is one way to honor that cause. But it is far from the best way. The best way to do it is to carry on their work—to defend and promote the protections included in the Voting Rights Act that they fought so hard to bring about.

On Wednesday, Mr. Speaker, the Supreme Court will hear arguments in *Shelby County v. Holder*, which challenges the constitutionality of one of the Voting Rights Act's central provisions, and that is pre-clearance, making sure that the Justice Department says, yes, this is fair; yes, this will not exclude; yes, this is a policy that will be consistent with our democracy. Pre-clearance, established by section 5 of the act, mandates that jurisdictions with a long history of voter suppression and civil rights violations must submit to the Justice Department for approval any plans to change their election practices or district boundaries before doing so. Section 5 has been instrumental in ending discrimination and protecting eligible voters at the polls. Its constitutionality is rooted in article I and has been working as intended for nearly half a century.

At a time when we are hearing about problems voters faced all over the country in last November's election—with long lines, registration errors, voting machines that malfunctioned and deceptive practices—we ought to be working together to make the Voting Rights Act stronger, not weaker.

I will continue, along with my colleagues, to stand up for the Voting Rights Act on this floor and in every forum of debate. Because those who marched at Selma or braved the dangers of the freedom rides did not do so in vain. Their legacy is our responsibility. The more perfect democracy they helped forge is ours to safeguard, not only for our sake, but for the sake of those who will inherit our democracy in generations to come.

So, Mr. Speaker, I'm proud to join my colleagues in the Congressional Black Caucus in strong support of section 5 of the Voting Rights Act—and

the rest of it as well—as it faces meritless challenges this week that I am confident will be surmounted.

And, again, in closing my part of this Special Order, I want to congratulate STEVE HORSFORD, Congressman HORSFORD, from Nevada. He's new to this body, but he's not new to legislative representation. He understands the legislative process very, very well; and it is appropriate that in one of his first Special Orders on this floor that it's on behalf of every American—not just black Americans, not just Hispanic Americans and not just disabled Americans—every American. Because if one American's right to vote is compromised, there will be a risk to all Americans that their vote will be compromised. And I thank my friend, Congressman HORSFORD.

Mr. HORSFORD. Thank you, Representative HOYER. As our whip, you have provided a strong and articulate voice on these and other issues, and we look forward to continuing to work with you as we move our country forward and protect the most fundamental of all rights—the right to vote.

Mr. Speaker, at this time, I now yield to my co-anchor, my colleague as a freshman member in this 113th Congress. I am pleased to be working with him as one of the co-anchors for the Congressional Black Caucus and bringing these important issues to all of our constituents throughout this great country, the distinguished Member from New York, Representative HAKEEM JEFFRIES.

Mr. JEFFRIES. Let me first just thank the distinguished gentleman from the Silver State, my good friend and colleague, Representative STEVEN HORSFORD, for anchoring this CBC Special Order. I also, of course, want to thank Chairwoman MARCIA FUDGE for the tremendous leadership that she has continued to provide and, of course, to our whip, STENY HOYER, for his eloquence and his leadership on this and many other issues on behalf of this great country of ours.

It is my honor and my privilege to co-anchor this CBC Special Order, this “hour of power,” so to speak, where members of the Congressional Black Caucus have an opportunity to speak directly to the American people today on an issue of great importance as it relates to the integrity of our democracy. There's no more fundamental issue to preserving the integrity of the great democracy that we have here in America than the right to vote. The right to vote is something that should be cherished, something that should be protected, something that should be respected. But the right to vote has not always been treated in this fashion in this Republic of ours. During the founding of this country, we know, of course, that African Americans were largely excluded from being able to participate in our democracy as a re-

sult of the conditions of their enslavement.

In 1869, this Congress came together and sent to the States for ratification the 15th Amendment to the United States Constitution, an amendment that was designed to remedy the situation related to the failure to meaningfully include African Americans in our democracy. It was designed to provide constitutional protection to limit the ability of States to disenfranchise individuals on the basis of race, color, or prior conditions of servitude.

Yet we understand that for about 100 years subsequent to the passage and ratification of the 15th Amendment to the United States Constitution, it was largely evaded in many parts of America as a result of legislative schemes that were devised to prohibit or limit the ability of African Americans and other communities of color to participate in our democracy. These legislative schemes took many forms. Some have already called their names—poll taxes, “grandfather clauses” and literacy tests—legislative schemes devised to limit the ability of African Americans and others to participate in this glorious democracy of ours. A large part of it took place in the Deep South, but there were instances of this all over America.

□ 2050

Mr. Speaker, that is why the Congress came back in the midst of the turbulent era of the 1960s and passed the 1965 Voting Rights Act, which included a section 5 preclearance provision that was designed to require those covered jurisdictions, or jurisdictions of all or parts of 16 States, to get approval from either the Department of Justice or a three-judge Federal Court panel here in Washington, D.C., whenever any of these jurisdictions sought to change a law with respect to voting.

The rationale for this section 5 preclearance requirement was because, in these covered jurisdictions, there was a history of discrimination as it related to the franchise, deliberate schemes designed to limit the ability of American citizens to participate in our democracy; and as a result of this history, the section 5 preclearance requirement was put into place. And it has worked. Over close to five decades that it has been in effect, it is perhaps the most successful piece of civil rights legislation that this Congress has passed.

Now, as a result of its success, there are some who have contended that it is no longer a relevant provision of law, and that when the Congress came together in bipartisan fashion in 2006 to reauthorize this provision, that this body, the House of Representatives and the Senate, which passed the reauthorization 98 to 0, Democrats and Republicans, the contention is that this body exceeded its constitutional authority

because section 5 allegedly, according to the defenders of disenfranchisement, is no longer relevant.

Now, in the aftermath of Barack Obama's historic election in 2008, there was a Supreme Court case involving Austin, Texas, I believe, in 2009 that was heard just a few months after his inauguration. And part of the argument that was made in that Supreme Court case by those who sought to invalidate section 5's preclearance requirement was that, as a result of this historic election of Barack Obama, race seems no longer to be an issue in America, and they pointed to the elevation of Barack Obama to 1600 Pennsylvania Avenue.

Now, of course, that was an extremely important moment in the history of our Republic. It was a substantial step forward. But the reality is that the election of Barack Obama has also served to illustrate that in America there's still some issues of race that we've got to confront.

It's interesting, because if you look at the election of Presidents since the passage of the 1965 Voting Rights Act, it's unprecedented in the aftermath of President Obama's election to have seen the level of voter suppression laws and efforts that we were forced to confront in this country. These efforts presumably are based on the thin claim that those who are advancing these laws are trying to guard against fraud. No evidence of fraud, but those who are advancing these voter suppression laws are attempting to guard against fraud.

When you look at the record, what's fascinating is that when Richard Nixon was elected in 1968, there was no explosion of concern for alleged fraud. He was reelected in 1972, no explosion of concern for alleged fraud. And then Jimmy Carter is elected in 1976, no explosion of concern for alleged fraud. And then Ronald Reagan is elected in 1980 and reelected in 1984, no explosion of concern for alleged fraud. George H.W. Bush elected in 1988, no explosion of concern for alleged fraud. Bill Clinton elected in 1992, reelected in 1996 and no explosion of concern for alleged fraud. George W. Bush elected, some would argue under questionable circumstances given the dynamics in the great State of Florida, but again, no explosion of concern related for alleged fraud. The same was true in 2004, notwithstanding some concerns in the great State of Ohio, no explosion of concern for alleged fraud. Yet Barack Obama is elected in 2008, and all of a sudden in the aftermath of this historic election there's an outbreak of concern, a pandemic of anxiety as it relates to the fraud that allegedly is taking place in America.

And so, as this chart illustrates—it is a wonderful chart that was prepared by the Brennan Center for Justice in my home State of New York, connected to my alma mater, New York University.

It illustrates that since 2001, 41 States introduced 180 restrictive laws. Those States are illustrated by the red on the map. Parenthetically, a curious choice of colors, but those States are illustrated by the red on the map. Forty-one States introduced 180 restrictive laws.

And then you have 34 States introduced photo identification requirements; 17 States introduced proof of citizenship requirements; 16 States introduced bills to limit registration; and nine States introduced bills to limit or reduce early voting periods—unprecedented in the history of our democracy.

I just went through the election of several Presidents who were inaugurated post the 1965 Voting Rights Act, but, for some reason, the American people are smart enough to draw cause and effect when this President was elected. We had an outbreak of concern related to alleged fraud.

Now, thankfully, the Voting Rights Act in section 5 was in place to do something about it. I just talked about the fact that there were 41 States that introduced some form of voter restrictions.

On this map, we see that as of October in 2012 there were 25 laws and two executive actions that were passed in a total of 19 States. A large amount of this activity, as you can see on this map, Mr. Speaker, took place in the Deep South and in Texas, States that are largely covered by the section 5 preclearance requirements.

□ 2100

Let me just pause parenthetically and note that what's also interesting is that there were two States, Iowa and Florida, that in the past had executed through executive order reforms designed to allow those who as a result of the criminal justice system had had their ability to vote taken away from them restored through a process that had been put in place; but in the aftermath of the election of President Obama, what we saw is that in Iowa and in Florida—those two States—through executive order, they repealed those positive steps forward to make it almost impossible for those who had brushes with the law to ever be able to reengage in the ability to participate in American democracy.

These were laws that were passed. Yet, because of the section 5 preclearance requirement, not all of these laws actually were able to take effect. That's an important point as it relates to the continuing relevance of section 5's preclearance requirement. As of October 2012, approximately 12 courts either halted or blunted—they pushed back—some of those laws that States had attempted to enact.

Perhaps the most relevant example of why section 5 continues to be relevant is due to what took place in the Lone Star State, the great State of

Texas, when the legislature passed what would have been the most restrictive voter identification law in the country. It would have prohibited potential voters from presenting student college identifications; they were deemed in this law as invalid. It would have prevented voters from presenting State government identification; IDs that were actually issued by the State of Texas would not have been valid under this law.

I find it interesting, particularly in light of the current debate that we're having related to how we deal with gun violence in America, that one of the forms of ID that actually would have been accepted was a license that allowed an individual to carry a concealed handgun permit. This was too much to accept for the Justice Department and for those who in good conscience seek to defend our democracy, and because Texas is a covered jurisdiction, it had to be presented for preclearance by the Department of Justice or a three-judge panel, and it was rejected. So this law, though passed, never took effect. The same thing happened in Alabama. The same thing happened in South Carolina. There is a law that was passed by the State of Florida that is under consideration. So, as a result, even though many objectively believed it was designed to suppress the vote, it did not take effect in advance of the 2012 election because it was under review by the Department of Justice and their preclearance requirement.

Mr. Speaker, in America, certainly we have come a long way, but we still have a long, long way to go. Jim Crow may be dead, but he has still got some nieces and nephews who are alive and well; and until every single descendant of Mr. Jim Crow's is dead and buried, we in the Congressional Black Caucus believe that the section 5 preclearance requirement of the Voting Rights Act remains as relevant today as it was when it was passed in 1965.

Mr. HORSFORD. Thank you, Representative JEFFRIES.

Mr. Speaker, may I ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 13 minutes remaining.

Mr. HORSFORD. Mr. Speaker, as the Congressional Black Caucus has discussed this evening, voting rights are an issue that all Americans are entitled to, and we should be helping more voters to participate in our democracy, not creating laws that prevent or discourage anyone from voting.

As my colleague just explained, the coanchor from New York (Mr. JEFFRIES), we have made tremendous progress in recent history in securing the right to vote for many minority communities. A fully free and democratic society is always a work in progress, and with each election we are reminded that we cannot rest. We must

always come to the defense of voting rights, and we cannot be caught off guard or pretend that because time has passed that we do not need to continue to fight to safeguard our rights. Now, no successful social justice movement has secured freedom absent vigilance, and that's why we are here tonight—to defend a pillar of justice and democracy.

The Voting Rights Act of 1965 was approved by Congress to protect fundamental voting rights and to protect minority groups from disenfranchisement. After a series of violent attacks on civil rights leaders who were registering African Americans to vote, former President Lyndon B. Johnson sent draft legislation to Congress to protect voting rights, and it was signed into law soon thereafter.

Since then, the Voting Rights Act has been one of the Nation's most effective civil rights laws and tools to combat discrimination and voting. Over time, the tactics used to stop people from voting have become more sophisticated. Unfair voter ID laws, barriers to voter registration, and narrowed early voting opportunities were all used in an attempt to suppress the vote in 2012. Overall, 2,400 changes in voting laws were stopped because of section 5 of the Voting Rights Act, as my colleague Mr. JEFFRIES just outlined.

In January, NAACP President Benjamin Jealous said:

The Nation has been facing some of the "greatest attacks on voting rights since segregation" and that the potential to repeal section 5 is the biggest threat yet.

Whether it's attempts to restrict early voting in Ohio or in Florida or whether it's throwing up billboards in minority communities that read "voter fraud is a felony," we know that our work is not done. Intimidation is still a tactic employed by some seeking to scare voters from the polls. Until that threat is extinct, section 5 of the Voting Rights Act still has a very important role to play in making full democratic enfranchisement a reality in our society. We secured the integrity of our electorate in 2012, and it's in part because of the Voting Rights Act.

This is not a partisan issue. There is bipartisan consensus on that point. In 2006, the Voting Rights Act was reauthorized with overwhelming support from both sides of the aisle. In fact, this body, the House of Representatives, has voted four times—with strong bipartisan support every time—to reauthorize section 5 of the Voting Rights Act.

□ 2110

Every reauthorization has been signed into law by a Republican President. The most recent reauthorization vote was 390–33 in the House and 98–0 in the Senate.

As part of the last reauthorization, Congress released over 15,000 pages of

committee reports that demonstrated large-scale evidence of voting discrimination. Not only did these findings lead to a bipartisan vote to reauthorize the legislation, but Congress also cited the invaluable role of section 5 in thwarting racial injustice. According to the committee report, without the continuation of the Voting Rights Act's protections, the evidence is clear that "racial and language minority citizens will be deprived of the opportunity to exercise their right to vote, or will have their votes diluted."

In other words, Mr. Speaker, the Voting Rights Act is important for many different communities.

The writing is on the wall. Our work is not done. Section 5 must be upheld. And because of that, we stand in strong support of the Voting Rights Act here tonight.

I'd like to now bring my colleague, Mr. JEFFRIES, up so we can highlight some of the provisions of the Voting Rights Act, both from a historical perspective but most importantly how it still applies today.

Mr. JEFFRIES. Thank you, Mr. HORSFORD.

I think you hit on a very important point that should be reemphasized in the context of this debate. Every single reauthorization of the Voting Rights Act section 5 was signed into law by a Republican President. And so in 1970, the reauthorization was signed into law by President Richard Nixon. In 1975, it was President Gerald Ford. In 1982, it was Ronald Reagan. And in 2006, it was George Bush.

It was the current House majority, held in different form, but when Republicans were in charge of the Chamber, they allowed the reauthorization to move forward through the Judiciary Committee on a bipartisan basis. Now this may seem strange in the current poisonous environment of Washington that we exist in right now, but there was significant cooperation, tremendous leadership shown by the then-chairperson and the ranking member, JOHN CONYERS. It passed in the House of Representatives 390-33.

It's also interesting to note historically that prior to this year, every time section 5 and the Voting Rights Act has been used to address alleged concerns with redistricting, which traditionally takes place 2 years after the completion of the census, when it was used by the Justice Department to block or modify redistricting reforms or changes prior to the Obama administration, on every other occasion since the passage of the Voting Rights Act in 1965 it was a Republican Justice Department charged with the responsibility of addressing concerns with redistricting and the problem of racial gerrymandering. It was the Nixon Justice Department in 1972. It was the Reagan Justice Department in 1982. It was the George H.W. Bush Justice De-

partment in 1992. It was the George W. Bush Justice Department in 2002.

And so the history of section 5 and the Voting Rights Act is a glorious one, not just as it relates to the preservation of our democracy, addressing the need to make sure that every American, regardless of race or color, has the capacity to participate in a meaningful way, but it's been traditionally viewed and executed through a bipartisan lens. We're hopeful that when the Supreme Court takes up oral argument on this matter in 2 days, that they will evaluate it on the merits and give due deference to Congress, which has consistently reauthorized it pursuant to its power under article I of the Constitution as well as the 15th Amendment to the Constitution of the United States of America.

There really is no case to be made that it should be declared invalid. I believe we've illustrated time after time how it's been used to protect the integrity of our democracy, and we're hopeful that at some point down the road, it will no longer be necessary. But, Mr. Speaker, that moment has not arrived in America as of today.

Mr. HORSFORD. Thank you, Representative JEFFRIES. As you just indicated, Wednesday's hearing before the Supreme Court is to hear arguments as they pertain to whether to preserve section 5 of the Voting Rights Act. That is why the Congressional Black Caucus has come to the floor this evening, to bring attention to this very important provision of current law and to ensure that, as the legislative branch, we have the ability to preserve and to strengthen the Voting Rights Act as necessary.

We want to continue to push forward. There are those who have come before who have fought, bled, and died for our right to vote. We want to continue to fight and preserve everyone's right to vote.

Mr. Speaker, at this time I yield back the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, in the run-up to the 2012 elections Republican-controlled legislatures passed a wide range of bills designed to restrict, rather than broaden, access to the ballot box. Despite multiple comprehensive reports and findings demonstrating that impersonating another voter is more rare than being struck by lightning, thirty one states now require ID, fifteen require photo ID, for voting, potentially disenfranchising five million voters mostly minorities, especially African Americans, and senior citizens. Other recent oppressive state laws aim at making it more difficult to register to vote and scale back early voting periods. Several states undertook massive (and subsequently proven fraudulent) purges of the voting rolls. Some of the most egregious attempts at suppressing the vote occurred in states which required pre-clearance under the 1965 Voting Rights Act because of their long history of voter suppression. Without Section 5 in place, many of the roughly 2,400 blocked voting

changes proposed since 1982 would have had a significant adverse impact on voters.

Following the Civil War Congress recognized the critical central role of voting in our democracy and passed the fifteenth amendment which gives the Federal Government primary authority to prevent discrimination in voting. The amendment was ratified by the states and the Voting Rights Act (VRA) is a direct implementation of that authority to prevent any attempt to limit access to the ballot. The Supreme Court has itself noted that Congress, not the Court, has the special responsibility to protect voting rights. The fact is that, in an overwhelming bipartisan vote in 2006, Congress found that voting discrimination continues to persist, and it undermines our democracy and therefore reauthorized the VRA for twenty-five years.

This year marks the 48th Anniversary of the 1965 Selma-to-Montgomery March which led to the passage of the Voting Rights Act and I join in calling for a new generation of Freedom Riders to join with tens of thousands of original Freedom Riders in standing tall for our hard won voting rights.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as the Supreme Court prepares to hear arguments in *Shelby County v. Holder* this week, it is critical that we recognize the importance of upholding the Voting Rights Act (VRA) in order to preserve the rights of all Americans. To strip the VRA of its most effective provision now would be to turn our backs on millions of Americans who continue to be targeted by discriminatory voting practices.

The 2012 Presidential Election exemplified the persistent threats that work to disenfranchise voters. Long lines at polling places, the purging of voter registration rolls, and blatant efforts to intimidate select groups of voters have mired the electoral process in many localities. In Texas, two harsh voter mandates were passed in 2012 which were designed to create hurdles to voting with restrictive voter ID laws, and to dilute the voting power of the burgeoning minority population. In a testament to the necessity of the VRA, both measures were blocked under Section 5, preventing inequality of voting rights in Texas.

Historically, Congress has always reauthorized Section 5 of the VRA on a bipartisan basis, and as recently as 2006. The U.S. Department of Justice has filed more than 1,000 objections under Section 5 since 1982, protecting millions of voters from discrimination. The Supreme Court has upheld Section 5 of the VRA four times.

Mr. Speaker, voter disenfranchisement still poses a great threat to the electoral process. The Voting Rights Act is an essential tool in our fight to preserve equal voting rights for all Americans. Through the VRA, Congress has exercised its constitutional authority under the Fourteenth and Fifteenth Amendments to ensure voters have free and fair access to the polls. Until there is sufficient evidence to suggest that efforts to suppress minority voters have been mitigated, the Voting Rights Act must be upheld in its entirety.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mr. HORSFORD. Mr. Speaker, I move that the House do now adjourn. The motion was agreed to; accordingly (at 9 o'clock and 18 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 26, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third and fourth quarters of 2012 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. FRANK D. LUCAS, Chairman, Jan. 25, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Adrienne Ramsay	10/7	10/9	Russia		802.00						802.00
Commercial Airfare	10/9	10/11	Switzerland		900.00						900.00
Donna Shahbaz	10/8	10/11	Italy		806.00		10,439.70				10,439.70
10/12	10/13	Luxembourg									806.00
10/13	10/14	France									
10/14	10/17	Germany			360.58						360.58
Local Transportation Costs							1,722.00				1,722.00
Misc. Staff Delegation Costs								1,859.44			1,859.44
Commercial Airfare							2,561.20				2,561.20
Sarah Young	10/8	10/11	Italy		806.00						806.00
10/12	10/13	Luxembourg									
10/13	10/14	France									
10/14	10/17	Germany			360.58						360.58
Local Transportation Costs							1,843.00				1,843.00
Misc. Staff Delegation Costs								1,859.44			1,859.44
Commercial Airfare							2,845.40				2,845.40
Robert Blair	10/14	10/20	Russia		2,278.00						2,278.00
Local Transportation Costs							3,899.00				3,899.00
Interpreter's Service								4,466.58			4,466.58
Commercial Airfare							9,460.25				9,460.25
Loraine Heckenberg	10/14	10/23	Russia		3,379.35						3,379.35
Local Transportation Costs							4,011.00				4,011.00
Interpreter's Service								4,466.58			4,466.58
Commercial Airfare							7,615.05				7,615.05
Tanjia Berquam	10/14	10/20	Russia		2,278.00						2,278.00
Local Transportation Costs							3,829.00				3,829.00
Interpreter's Service								4,466.58			4,466.58
Commercial Airfare							9,465.65				9,465.65
Brooke Boyer	10/9	10/10	Italy		328.50						328.50
10/10	10/13	Kenya			914.78						914.78
10/13	10/16	Uganda			928.68						928.68
10/16	10/17	Djibouti			340.00						340.00
Misc. Transportation Costs							126.00				126.00
Commercial Airfare							9,846.50				9,846.50
Tim Prince	10/9	10/10	Italy		328.50						328.50
10/10	10/13	Kenya			914.78						914.78
10/13	10/16	Uganda			928.68						928.68
10/16	10/17	Djibouti			340.00						340.00
Misc. Transportation Costs							32.00				32.00
Commercial Airfare							9,846.50				9,846.50
BG Wright	10/9	10/10	Italy		328.50						328.50
10/10	10/13	Kenya			914.78						914.78
10/13	10/16	Uganda			928.68						928.68
10/16	10/17	Djibouti			340.00						340.00
Misc. Transportation Costs							138.00				138.00
Commercial Airfare							9,846.50				9,846.50
Megan Rosenbusch	10/9	10/10	Italy		328.50						328.50
10/10	10/13	Kenya			914.78						914.78
10/13	10/16	Uganda			928.68						928.68
10/16	10/17	Djibouti			340.00						340.00
Misc. Transportation Costs							155.00				155.00
Commercial Airfare							9,846.50				9,846.50
Dena Baron	10/14	10/17	France		310.00						310.00
10/17	10/19	Germany			293.00						293.00
Misc. Staff Delegation Costs							1,214.60				1,214.60
Misc. Transportation Costs							168.74				168.74
Commercial Airfare							3,153.50				3,153.50
Michael Friedberg	10/14	10/17	France		310.00						310.00
10/17	10/19	Germany			293.00						293.00
Misc. Staff Delegation Costs								1,214.60			1,214.60
Misc. Transportation Costs							168.74				168.74
Commercial Airfare							3,018.50				3,018.50
Doug Disrud	10/16	10/17	France		165.00						165.00
10/17	10/19	Germany			293.00						293.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Misc. Staff Delegation Costs									550.60		550.60
Misc. Transportation Costs							168.74				168.74
Commercial Airfare							3,102.74				3,102.74
Kate Hallahan	10/14	10/17	France		310.00						310.00
	10/17	10/19	Germany		293.00						293.00
Misc. Staff Delegation Costs									1,214.60		1,214.60
Misc. Transportation Costs							168.74				168.74
Commercial Airfare							3,118.50				3,118.50
Joseph William Carlile	10/14	10/17	France		310.00						310.00
	10/17	10/19	Germany		293.00						293.00
Misc. Staff Delegation Costs									1,214.60		1,214.60
Misc. Transportation Costs							168.74				168.74
Commercial Airfare							3,118.50				3,118.50
Hon. Rodney Frelinghuysen	12/7	12/9	Bahrain		³ 248.00						248.00
	12/9	12/11	Saudi Arabia		³ 126.00						126.00
	12/10	12/11	Belgium		³ 154.00						154.00
Committee total					25,416.35		113,883.69		22,527.62		161,827.66

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. HAROLD ROGERS, Chairman, Jan. 28, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to India, Afghanistan, October 12–19, 2013:											
Hon. Duncan Hunter	10/17	10/18	Afghanistan		56.00						56.00
Commercial Transportation							21,063.95				21,063.95
Hon. Adam Smith	10/13	10/17	India		293.94						293.94
Commercial Transportation	10/17	10/18	Afghanistan				18,030.85				18,030.85
Hon. Todd Platts	10/13	10/17	India		305.94						305.94
Commercial Transportation	10/17	10/18	Afghanistan		25.00						25.00
Ryan Crumpler	10/13	10/17	India		629.00		15,037.40				15,037.40
Commercial Transportation	10/17	10/18	Afghanistan		56.00						56.00
Paul Arcangeli	10/14	10/17	India		520.00		17,130.50				17,130.50
Commercial Transportation	10/17	10/18	Afghanistan		56.00						56.00
Michael Casey	10/13	10/17	India		629.00		19,585.56				19,585.56
Commercial Transportation	10/17	10/18	Afghanistan		56.00						56.00
Visit to Japan and Taiwan, November 16–21, 2012:							17,130.50				17,130.50
Hon. Robert J. Wittman	11/18	11/19	Japan		245.00						245.00
	11/19	11/21	Taiwan		212.01						212.01
Commercial Transportation	11/21	11/21	Japan				10,200.60				10,200.60
Hon. Madeleine Z. Bordallo	11/18	11/19	Japan		245.00						245.00
	11/19	11/21	Taiwan		212.01						212.01
Commercial Transportation	11/21	11/21	Japan				10,200.60				10,200.60
Michele Pearce	11/18	11/19	Japan		245.00						245.00
	11/19	11/21	Taiwan		212.01						212.01
Commercial Transportation	11/21	11/21	Japan				10,200.60				10,200.60
Debra Wada	11/18	11/19	Japan		245.00						245.00
	11/19	11/21	Taiwan		212.01						212.01
Commercial Transportation	11/21	11/21	Japan				10,200.60				10,200.60
Visit to United Arab Emirates, Afghanistan, Bahrain, November 16–22, 2012 with CODEL Chaffetz:											
Hon. Mike Coffman	11/18	11/18	United Arab Emirates		194.70						194.70
	11/18	11/19	Afghanistan		28.00						28.00
	11/19	11/21	Bahrain		333.91						333.91
Committee total					5,011.53		148,781.16				153,792.69

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. HOWARD P. "BUCK" McKEON Chairman, Jan. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Bill Flores	11/18	11/19	Japan		245.00						245.00
	11/19	11/21	Taiwan		212.01						212.01
	11/21	11/21	United States				13,575.10				13,575.10
Committee total					457.01		13,575.10				14,032.11

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PAUL RYAN, Chairman, Jan. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Brett Guthrie	6/30	7/2	Slovakia		542.29		(³)				542.29
	7/2	7/4	Georgia		862.62		(³)				862.62
	7/4	7/5	Djibouti		342.04		(³)				342.04
	7/5	7/6	Spain		496.89		(³)				496.89
Hon. Gene Green	6/30	7/3	Portugal		807.00		(³)				807.00
	7/3	7/4	Spain		345.00		(³)				345.00
	7/4	7/9	Croatia		1,488.33		(³)				1,488.33
Hon. Marsha Blackburn	9/4	9/5	Thailand		103.00		(³)				103.00
	9/5	9/7	India		218.00		(³)				218.00
	9/7	9/8	Azerbaijan		373.00		(³)				373.00
	9/8	9/10	Austria		708.00		(³)				708.00
Hon. Phil Gingrey	8/18	8/20	Spain		320.50		(³)				320.50
	8/20	8/22	Germany		593.04		(³)				593.04
	8/23	8/25	United Kingdom		586.00		(³)				586.00
Hon. Adam Kinzinger	6/30	7/2	Slovakia		542.29		(³)				542.29
	7/2	7/4	Georgia		862.62		(³)				862.62
	7/4	7/4	Djibouti		342.04		(³)				342.04
	7/5	7/6	Spain		496.89		(³)				496.89
Committee total					10,029.55						10,029.55

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. FRED UPTON, Chairman, Jan. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Shannon Taylor	10/21	10/25	Uruguay		874.83		4,044.64		950.00		5,869.47
Returned per diem	10/21	10/25	Uruguay		(30.00)						(30.00)
Michelle Ash	10/21	10/25	Uruguay		874.83		4,044.64		1,000.51		5,919.98
Returned per diem	10/21	10/25	Uruguay		(156.08)						(156.00)
Felipe Mendoza	10/21	10/25	Uruguay		874.83		3,773.04		950.00		5,597.87
Returned per diem	10/21	10/25	Uruguay		(30.91)						(30.91)
Mary Neumayr	11/12	11/16	Switzerland		1,936.50		1,981.50				3,918.00
Returned per diem	11/12	11/16	Switzerland		(325.32)						(325.32)
Jacqueline Cohen	11/12	11/16	Switzerland		1,936.50		1,981.50				3,918.00
Returned per diem	11/12	11/16	Switzerland		(220.00)						(220.00)
David Redl	12/3	12/7	United Arab Emirates		1,245.78		2,538.70		343.20		4,127.68
Shawn Chang	12/3	12/7	United Arab Emirates		1,245.78		2,538.70				3,784.48
Returned per diem	12/3	12/7	United Arab Emirates		(130.00)						(130.00)
Roger Sherman	12/3	12/7	United Arab Emirates		1,245.78		2,538.70				3,784.48
Returned per diem	12/3	12/7	United Arab Emirates		(261.00)						(261.00)
Committee total					9,081.52		23,441.42		3,243.71		35,766.65

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. FRED UPTON, Chairman, Jan. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Stevan Pearce	11/8	11/12	Egypt		175.00						175.00
	11/12	11/12	England		175.00		19,524.60		218.66		19,743.26
Committee total					175.00		19,524.60		218.66		19,918.26

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEB HENSARLING, Chairman, Jan. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Dennis Halpin	10/9	10/13	China		911.00		10,983.80				11,894.80
	10/13	10/16	South Korea		987.00		(⁴)				987.00
	10/16	10/19	Japan		1,545.00		(⁴)				1,545.00
Janice Kaguyutan	10/9	10/13	China		886.00		14,237.00				15,123.00
	10/13	10/16	South Korea		877.00		(⁴)				877.00
Douglas Anderson	10/9	10/13	China		851.00		11,018.80				11,869.80
	10/13	10/16	South Korea		987.00		(⁴)				987.00
	10/16	10/19	Japan		1,439.00		(⁴)				1,439.00
Hon. Karen Bass	10/6	10/7	Ghana		319.00		(³)				319.00
	10/7	10/11	Gabon		2,100.00		(³)				2,100.00
	10/11	10/13	Botswana		405.00		630.00				1,035.00
	10/13	10/14	Senegal		285.00		7,039.00				7,324.00

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REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 2012—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Russ Carnahan	10/6	10/7	Ghana		319.00		(³)				319.00
	10/7	10/11	Gabon		2,100.00		(³)				2,100.00
	10/11	10/13	Botswana		405.00		630.00				1,035.00
	10/13	10/14	Senegal		285.00		3,400.70				3,685.70
Hon. David Cicilline	11/17	11/19	Japan		245.00		14,716.10				245.00
	11/19	11/21	Taiwan		247.00		(⁴)				247.00
Hon. Chris Smith	12/6	12/9	Bolivia		401.47		3,471.90				3,873.37
Sheri Rickert	12/6	12/9	Bolivia		427.69		122.99				550.68
Hon. Jeff Duncan	11/18	11/19	Afghanistan				(³)				
	11/19	11/20	Bahrain		439.65		11,581.70				12,021.35
	11/18	11/18	United Arab Emirates		194.66		(⁴)				194.66
Alan Makovsky	12/7	12/9	Bahrain		150.00						
Committee total				16,806.47		16,806.47		77,831.99			94,638.46

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.⁴ Commercial air fare.

HON. ILEANA ROS-LEHTINEN, Jan. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DOC HASTINGS, Chairman, Jan. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jason Chaffetz	10/5	10/7	Germany		247.00		8,023.90				8,270.90
James Lewis	10/5	10/7	Germany		247.00		1,821.70				2,068.70
Hon. Jason Chaffetz	11/17	11/18	United Arab Emirates		194.66						194.66
	11/18	11/19	Afghanistan								
	11/19	11/21	Bahrain		439.65		11,713.50				12,153.15
Thomas Alexander	11/17	11/18	United Arab Emirates		194.66						194.66
	11/18	11/19	Afghanistan								
	11/19	11/21	Bahrain		439.65		11,713.50				12,153.15
Delegation expenses								2,636.81			2,636.81
Committee total											37,672.03

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DARRELL E. ISSA, Chairman, Jan. 28, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. David Dreier	10/6	10/13	Africa		944.00		6,441.00				7,385.00
Bradley Smith	10/6	10/13	Africa		944.00		6,441.00				7,385.00
Rachael Leman	10/6	10/13	Africa		944.00		5,740.00				6,684.00
Hugh Halpern	10/14	10/16	Belgium		546.00		2,076.90				2,622.90
Miles Lackey	10/14	10/16	Belgium		546.00		2,076.90				2,622.90
Hugh Halpern	10/16	10/19	United Kingdom		1,497.00						1,497.00
Miles Lackey	10/16	10/19	United Kingdom		1,497.00						1,497.00
Hon. Pete Sessions	11/30	12/2	Mexico		190.00				503.00		693.00
Hon. Jared Polis	11/30	12/2	Mexico		190.00				442.00		632.00
Committee total											31,018.80

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PETE SESSIONS, Chairman, Jan. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Brad Miller	10/14	10/15	India		109.00		(?)				109.00
	10/15	10/16	India		126.00		(?)				126.00
	10/16	10/17	India		109.00		(?)				109.00
	10/17	10/18	Afghanistan		56.00		(?)				56.00
Neil Canfield	11/25	11/30	United Arab Emirates		2,133.30		7,655.70				9,789.00
					2,533.30		7,655.70				10,189.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. RALPH M. HALL, Jan. 29, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jeff Miller	11/8	11/12	Czech Republic		544.00		5,278.96		1,154.21		6,977.17
Committee total					544.00		5,278.96		1,154.21		6,977.17

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Jan. 29, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Ron Kind	10/17	10/18	Afghanistan		56.00						56.00
	10/13	10/17	India		1,065.63						1,065.63
			United Arab Emirates		194.66		3,152.26				33,152.26
Hon. Erik Paulsen	11/17	11/18	Afghanistan		439.95						439.95
	11/18	11/19	Bahrain				11,132.70				11,132.70
	11/19	11/21									
Committee total					1,756.24		44,284.96				46,041.020

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, Jan. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Darren Dick	10/14	10/15	Middle East		485.00						
	10/15	10/16	Middle East		267.00						
	10/16	10/18	Middle East		737.64						
	10/18	18/19	Middle East		493.00						
Commercial Airfare							10,523.20				12,505.84
Heather Molino	10/14	10/15	Middle East		485.00						
	10/15	10/16	Middle East		267.00						
	10/16	10/18	Middle East		737.64						
	10/18	18/19	Middle East		493.00						
Commercial Airfare							10,523.20				12,505.84
Geof Kahn	10/14	10/15	Middle East		485.00						
	10/15	10/16	Middle East		267.00						
	10/16	10/18	Middle East		737.64						
	10/18	18/19	Middle East		493.00						
Commercial Airfare							10,523.20				12,505.84
Darren Dick	10/25	10/27	Eurasia		501.10						
	10/27	10/29	Eurasia		595.76						
	10/29	10/30	Eurasia		359.12						
	10/30	11/1	Eurasia		731.04						
Commercial Airfare							4,602.60				6,789.62
Sarah Geffroy	10/25	10/27	Eurasia		501.10						
	10/27	10/29	Eurasia		595.76						
	10/29	10/30	Eurasia		359.12						
	10/30	11/1	Eurasia		731.04						
Commercial Airfare							4,602.60				6,789.62
Hon. Mike Rogers	12/7	12/9	Middle East		³ 1,545.18						
	12/9	12/10	Middle East		³ 485.00						
	12/10	12/11	Europe		³ 353.21						2,383.39
Hon. Dutch Ruppersberger	12/7	12/9	Middle East		³ 1,545.18						
	12/9	12/10	Middle East		³ 485.00						
	12/10	12/11	Europe		³ 353.21						2,383.39
Hon. Devin Nunes	12/7	12/9	Middle East		³ 1,545.18						
	12/9	12/10	Middle East		³ 485.00						
	12/10	12/11	Europe		³ 353.21						2,383.39

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Michael Conaway	12/7	12/9	Middle East		\$1,545.18						
	12/9	12/10	Middle East		\$485.00						
	12/10	12/11	Europe		\$353.21						2,383.39
Hon. Rodney P. Frelinghuysen	12/7	12/9	Middle East		\$1,545.18						
	12/9	12/10	Middle East		\$485.00						
	12/10	12/11	Europe		\$353.21						2,383.39
Michael Allen	12/7	12/9	Middle East		\$1,545.18						
	12/9	12/10	Middle East		\$485.00						
	12/10	12/11	Europe		\$353.21						2,383.39
Heather Molino	12/7	12/9	Middle East		\$1,545.18						
	12/9	12/10	Middle East		\$485.00						
	12/10	12/11	Europe		\$353.21						2,383.39
Susan Phalen	12/7	12/9	Middle East		\$1,545.18						
	12/9	12/10	Middle East		\$485.00						
	12/10	12/11	Europe		\$353.21						2,383.39
Jamil Jaffer	12/7	12/9	Middle East		\$1,545.18						
	12/9	12/10	Middle East		\$485.00						
	12/10	12/11	Europe		\$353.21						2,383.39
"In accordance with title 22, United State Code, Section 1754(b)(2), information as would identify the foreign countries in which Committee Members and staff have traveled is omitted."											
Committee total											81,720.26

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. MIKE ROGERS of Michigan, Chairman, Jan. 31, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve Cohen	9/28	10/2	Georgia	Lari	1,129.00		14,550.00				15,679.00
Paul Carter	9/23	9/27	Poland	Zloty	1,028.00		17,118.10				18,146.10
	9/28	10/3	Georgia	Lari	1,608.00						1,608.00
	12/2	12/8	Ireland	Euro	2,433.00		1,295.80				12,631.23
Winsome Packer	9/28	10/3	Georgia	Lari	1,815.43		10,815.80				12,631.23
Robert Hand	10/4	10/8	Albania	Lek	867.00		3,603.50				4,470.50
Orest Deychakiwsky	10/25	10/30	Ukraine	Hryvnia	1,789.58		7,856.20				9,645.78
	10/30	11/1	Germany	Euro	643.35						643.35
Daniel Redfield	10/25	10/30	Ukraine	Hryvnia	1,650.75		8,300.00				9,950.75
	10/30	11/1	Germany	Euro	643.36						643.35
Mischa Thompson	9/30	10/5	Poland	Zloty	1,285.00		2,713.70				3,998.70
	10/5	10/7	France	Euro	991.00						991.00
	11/14	11/17	Austria	Euro	906.00		1,790.10				2,696.10
	12/1	12/3	Spain	Euro	280.00		2,405.60				2,685.60
	12/3	12/7	Ireland	Euro	2,095.23						2,095.23
Erika Schlager	9/20	9/23	Austria	Euro	1,130.00		2,248.60				3,378.60
	10/23	10/4	Poland	Zloty	2,714.00						2,714.00
	10/23	10/26	Germany	Euro	1,044		1,963.10				3,007.10
	11/26	11/30	Czech Republic	Koruna	1,564.00		1,705.20				3,269.20
Janice Helwig	9/23	10/4	Poland	Zloty	3,167.00						3,167.00
	10/4	10/6	Albania	Lek	578.00		883.00				1,461.00
	11/6	11/8	Slovenia	Euro	286.00		816.40				1,102.40
	12/2	12/8	Ireland	Euro	2,400.00		2,131.80				4,531.80
	10/6	12/21	Austria	Euro	19,472.03		3,134.60				22,606.63
Michael Ochs	9/27	10/4	Poland	Zloty	2,799.00		1,464.50				3,263.50
Alex Johnson	8/1	8/6	Poland	Zloty	1,285.00		5,456.30				6,741.30
Allison Hollabaugh	9/27	10/2	Poland	Zloty	1,277.37		1,495.50				2,772.87
Shelly Han	10/15	10/18	Austria	Euro	1,193.00		3,297.70				4,490.70
Committee total					57,074.09		95,045.50				152,119.59

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

Mr. MARK MILOSCH, Jan. 31, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

500. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's "Major" final rule — Ability-to-Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z) [CFPB-2011-0008; CFPB-2012-0022] (RIN: 3170-AA17) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

501. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's "Major" final rule — Mortgage Servicing Rules Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2012-0033] (RIN: 3170-AA14) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

502. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's "Major" final rule — Mortgage Servicing Rules Under the Real Estate Settlement Procedures Act (Regulation X) [Docket No.: CFPB-2012-0034] (RIN: 3170-AA14) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

503. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's "Major" final rule — Loan Originator Compensation Requirements Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2012-0037] (RIN: 3170-AA13) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

504. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's "Major" final rule—Guarantees for Bonds Issued for Community or Economic Development (RIN: 1559-AA01) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

505. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Alternative Fuel Vehicle program report for FY 2012; to the Committee on Energy and Commerce.

506. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Military Force Against Iraq Resolution of 1991 (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the October 23, 2012–December 21, 2012 reporting period including matters relating to post-liberation Iraq, pursuant to Public Law 107-243, section 4(a) (116 Stat. 1501); to the Committee on Foreign Affairs.

507. A communication from the President of the United States, transmitting notification that the national emergency with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, as amended and expanded on February 26, 2004, is to continue in effect beyond March 1, 2013, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 113-11); to the Committee on Foreign Affairs and ordered to be printed.

508. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting waiver of requirement to certify conditions under Section 203 of the Enhanced Partnership with Pakistan Act of 2009; to the Committee on Foreign Affairs.

509. A communication from the President of the United States, transmitting a notification that the last elements of a deployment of approximately 40 additional U.S. military personnel has entered Niger with the consent of the Government of Niger; (H. Doc. No. 113-12); to the Committee on Foreign Affairs and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. FOXX (for herself, Mr. KLINE, Mr. ROE of Tennessee, Mr. ROKITA, Mr. McKEON, Mr. MARCHANT, Mr. SALMON, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. BUCSHON, Mr. HECK of Nevada, Mrs. BROOKS of Indiana, Mr. MESSER, Mrs. ELLMERS, and Mr. STIVERS):

H.R. 803. A bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, Agriculture, Veterans' Affairs, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN:

H.R. 804. A bill to cancel the 251A sequester for the revised security category and to provide for a reduced spending plan with respect to the Department of Defense, and for other purposes; to the Committee on the Budget.

By Mr. PRICE of Georgia (for himself and Mr. KIND):

H.R. 805. A bill to repeal certain changes to contracts with Medicare Quality Improvement Organizations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWNLEY of California:

H.R. 806. A bill to amend title 38, United States Code, to make permanent the requirement for annual reports on Comptroller General reviews of the accuracy of Department of Veterans Affairs medical budget submissions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCLINTOCK (for himself, Mr. SCALISE, Mr. JORDAN, Mr. PRICE of Georgia, Mr. HENSARLING, Mr. GARRETT, Mr. COLE, Mr. YOUNG of Indiana, Mr. FRANKS of Arizona, Ms. FOXX, Mr. COLLINS of Georgia, Mr. MULVANEY, Mr. ROHRBACHER, Mr. LAMALFA, Mr. DUNCAN of South Carolina, Mr. BUCSHON, Mrs. BLACKBURN, Mr. CHAFFETZ, Mr. HUIZENGA of Michigan, Mr. LABRADOR, Mrs. LUMMIS, Mr. MILLER of Florida, Mr. BENTIVOLIO, and Mr. SCHWEIKERT):

H.R. 807. A bill to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mr. CONYERS, Ms. HAHN, Mr. POLIS, Ms. CLARKE, Ms. PINGREE of Maine, Mr. ANDREWS, Mr. MCGOVERN, and Ms. MOORE):

H.R. 808. A bill to establish a Department of Peacebuilding; to the Committee on Oversight and Government Reform.

By Mr. BUCSHON:

H.R. 809. A bill to provide for improvement of field emergency medical services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HANABUSA:

H.R. 810. A bill to grant the Secretary of Defense the authority to transfer funding under a continuing resolution, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mrs. CAROLYN B. MALONEY of New York, and Mr. NADLER):

H.R. 811. A bill to add the 9/11 Health and Compensation Programs to the list of exempt programs under PAYGO; to the Committee on the Budget.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. MOORE, Mr. MEEHAN, Mr. LARSEN of Washington, Ms. DELAULO, Ms. MCCOLLUM, Ms. HAHN, Mr. CONNOLLY, Mr. CLAY, Mr. HOLT, Mr. MORAN, Mr. GRIJALVA, Mr. CONYERS, Ms. BONAMICI, Ms. WASSERMAN SCHULTZ, Mr. LEVIN, Mr. LOEBACK, Mr. KEATING, Ms. SCHWARTZ, Mr. MICHAUD, Ms. SCHAKOWSKY, Ms. ESHOO, Mr. SHERMAN, Mr. VAN HOLLEN, Ms. NORTON, Mr.

CICILLINE, Mr. COOPER, Ms. TITUS, and Mr. MCGOVERN):

H.R. 812. A bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking; to the Committee on Education and the Workforce.

By Mr. MILLER of Florida (for himself and Mr. MICHAUD):

H.R. 813. A bill to amend title 38, United States Code, to provide for advance appropriations for certain discretionary accounts of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. MOORE (for herself, Ms. BROWN of Florida, Mr. CONYERS, Ms. DELAULO, Ms. NORTON, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, and Ms. SCHAKOWSKY):

H.R. 814. A bill to reauthorize and amend the program of block grants to States for temporary assistance for needy families and related programs; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS:

H.R. 815. A bill to amend the Internal Revenue Code of 1986 to make certain dividends and distributions paid to individuals from certain small businesses exempt from tax to the extent of the increased wages of the small business; to the Committee on Ways and Means.

By Mr. RIBBLE (for himself, Mr. MULVANEY, Mr. RICE of South Carolina, Mr. PETRI, and Mr. MCKINLEY):

H.R. 816. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to allow intraagency transfers of funds to provide more flexibility for the agency to comply with a presidential sequestration order for fiscal year 2013 or 2014; to the Committee on the Budget.

By Mr. SMITH of Washington (for himself and Mr. REICHERT):

H.R. 817. A bill to further the mission of the Global Justice Information Sharing Initiative Advisory Committee by continuing its development of policy recommendations and technical solutions on information sharing and interoperability, and enhancing its pursuit of benefits and cost savings for local, State, tribal, and Federal justice agencies; to the Committee on the Judiciary.

By Mr. TIPTON (for himself, Mr. BISHOP of Utah, Mr. GARDNER, Mr. LAMBORN, Mr. COFFMAN, Mr. MCCLINTOCK, Mr. GOSAR, Mr. AMODEI, Mr. YOUNG of Alaska, Mr. LABRADOR, Mrs. LUMMIS, Mr. PEARCE, and Mr. DAINES):

H.R. 818. A bill to address the bark beetle epidemic, drought, deteriorating forest health conditions, and high risk of wildfires on National Forest System land and land under the jurisdiction of the Bureau of Land Management in the United States by expanding authorities established in the Healthy Forest Restoration Act of 2003 to provide emergency measures for high-risk areas identified by such States, to make permanent Forest Service and Bureau of Land Management authority to conduct good-neighbor cooperation with States to reduce wildfire risks, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration

of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. BRADY of Pennsylvania, Ms. ESHOO, Mr. ROYCE, Mr. GOODLATTE, Ms. WILSON of Florida, Mr. ISSA, Ms. MATSUI, Mr. SCHOCK, Mr. CONYERS, Mr. NUGENT, Mr. HARPER, Ms. KUSTER, Mr. ROKITA, Mr. GINGREY of Georgia, Mr. RUSH, and Mr. DELANEY):

H. Res. 77. A resolution establishing an academic competition in the fields of science, technology, engineering, and mathematics among students in Congressional districts; to the Committee on House Administration.

By Ms. CASTOR of Florida:

H. Res. 78. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. FATTAH (for himself and Mr. COBLE):

H. Res. 79. A resolution supporting the goals and ideals of International Water Safety Day; to the Committee on Energy and Commerce.

By Mr. LIPINSKI (for himself, Mr. ROHRBACHER, Ms. BORDALLO, Mr. HONDA, Mr. TONKO, Ms. MCCOLLUM, Mrs. NEGRETE MCLEOD, Mr. BARTON, Mr. PETERS of California, Mr. MATHEWSON, Ms. EDWARDS, Mr. HOLT, and Mr. LEWIS):

H. Res. 80. A resolution supporting the goals and ideals of National Engineers Week; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. FOXF:

H.R. 803.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. COFFMAN:

H.R. 804.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress enumerated in Article I, section 8 of the United States Constitution "to provide for the common Defense", "to raise and support Armies", "to provide and maintain a Navy", "to make Rules for the Government and Regulation of the land and naval Forces", and "to provide for organizing, arming, and disciplining, the militia".

By Mr. PRICE of Georgia:

H.R. 805.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

Imposes Congressional accountability for the spending of the other branches of government. Congress has the duty to fund and provide oversight to the federal administrative

agencies, including the Department of Health and Human Services and direct the manner in which they expend taxpayer funds.

By Ms. BROWNLEY of California:

H.R. 806.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. MCCLINTOCK:

H.R. 807.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 2 of the United States Constitution, which confer on Congress the power to collect and manage revenue for the payment of debts owed by the United States and to borrow money on the credit of the United States.

Article 1, Section 8, Clauses 1 and 2 United States Constitution:

"The Congress shall have the power to lay and collect taxes, duties, imports and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imports and excises shall be uniform throughout the United States;

To borrow money on credit of the United States;"

By Ms. LEE of California:

H.R. 808.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BUCSHON:

H.R. 809.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Ms. HANABUSA:

H.R. 810.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. KING of New York:

H.R. 811.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 812.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, which reads: The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MILLER of Florida:

H.R. 813.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. MOORE:

H.R. 814.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. OWENS:

H.R. 815.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Sections 7 and 8, of the United States Constitution.

By Mr. RIBBLE:

H.R. 816.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section, 9, Clause 7.

By Mr. SMITH of Washington:

H.R. 817.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8. ". . . provide for the common Defence and general Welfare of the United States. . ."

By Mr. TIPTON:

H.R. 818.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3 clause 2 United States Constitution.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. MEEKS.

H.R. 32: Ms. BROWNLEY of California, Mr. BURGESS, Mr. TAKANO, Mr. VAN HOLLEN, Mr. RUSH, Mr. DEUTCH, Mr. AMODEI, Ms. ESHOO, Mr. YOHIO, Mr. GRAVES of Missouri, Mr. YARMUTH, Mr. ISRAEL, and Mr. LIPINSKI.

H.R. 35: Mr. PALAZZO.

H.R. 55: Mr. YOHIO and Mr. GRIFFIN of Arkansas.

H.R. 60: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 69: Mr. LOWENTHAL.

H.R. 104: Mr. DESANTIS.

H.R. 111: Mr. SMITH of Washington, Mrs. NAPOLITANO, and Mr. CONYERS.

H.R. 129: Mr. CUMMINGS, Ms. LORETTA SANCHEZ of California, Mr. DEFazio, Mr. McDERMOTT, Mr. TIERNEY, Mr. ALEXANDER, and Ms. PINGREE of Maine.

H.R. 130: Mr. JONES.

H.R. 131: Ms. PINGREE of Maine.

H.R. 137: Ms. FRANKEL of Florida, Mr. COHEN, Mr. DEUTCH, Mrs. CAPPS, Ms. BASS, Mrs. DAVIS of California, Mr. LARSEN of Washington, Mr. McDERMOTT, Mr. CARTWRIGHT, Mr. PALLONE, Mr. PASCRELL, Mr. WAXMAN, Mr. AL GREEN of Texas, and Mr. LOWENTHAL.

H.R. 138: Mr. COHEN, Mr. BRALEY of Iowa, Ms. BONAMICI, Ms. BASS, Mr. WAXMAN, Mr. TONKO, Mrs. CAPPS, and Mr. LARSEN of Washington.

H.R. 141: Mr. LYNCH, Mr. WAXMAN, and Ms. SCHAKOWSKY.

H.R. 142: Mr. LARSEN of Washington and Mr. WAXMAN.

H.R. 147: Mr. YOHIO and Mrs. HARTZLER.

H.R. 148: Mr. RUPPERSBERGER, Mr. LYNCH, Mr. GEORGE MILLER of California, and Mr. MARKEY.

- H.R. 149: Mr. YOHO and Mr. COTTON.
H.R. 164: Mr. JOHNSON of Ohio, Mr. DEUTCH, Mr. MICA, Mr. COTTON, Mr. SOUTHERLAND, Mrs. McMORRIS RODGERS, and Mr. GRIJALVA.
H.R. 176: Mr. WAHLBERG and Mr. YOHO.
H.R. 182: Mr. CAPUANO and Ms. BROWNLEY of California.
H.R. 183: Mr. CARSON of Indiana and Mr. WITTMAN.
H.R. 184: Mr. CARSON of Indiana and Mr. HANNA.
H.R. 194: Mr. PETERS of Michigan, Mr. DINGELL, and Mr. CONYERS.
H.R. 200: Mr. MCGOVERN, Mr. HUFFMAN, and Mr. COHEN.
H.R. 234: Mr. JONES.
H.R. 239: Mr. YOHO, Mr. MEADOWS, and Mr. BURGESS.
H.R. 282: Mr. MEADOWS and Mr. GOODLATTE.
H.R. 284: Mr. YOHO.
H.R. 292: Ms. LEE of California.
H.R. 309: Mr. WEBER of Texas, Mr. LONG, and Mr. MEADOWS.
H.R. 311: Mr. POMPEO.
H.R. 317: Mr. SOUTHERLAND.
H.R. 321: Mr. PRICE of North Carolina, Ms. TSONGAS, Mr. SCOTT of Virginia, Mr. VEASEY, and Mr. TONKO.
H.R. 322: Mr. GARDNER, Mr. SCALISE, and Mr. STOCKMAN.
H.R. 324: Mr. JOHNSON of Ohio.
H.R. 334: Mrs. WAGNER and Mr. MICA.
H.R. 335: Mr. JOHNSON of Ohio.
H.R. 347: Mr. SCHOCK, Mr. LANCE, and Mr. CARSON of Indiana.
H.R. 351: Mr. RENACCI, Mrs. MCCARTHY of New York, Mr. GARDNER, Mr. Holding, Mr. BARLETTA, Mrs. WAGNER, and Mr. MEADOWS.
H.R. 354: Mr. COSTA, Ms. MOORE, Mr. CONNOLLY, and Mr. FITZPATRICK.
H.R. 357: Mr. ROSS, Mr. HUNTER, Mrs. MCCARTHY of New York, and Mr. WILSON of South Carolina.
H.R. 358: Mr. KLINE, Mr. KIND, and Mr. JOYCE.
H.R. 360: Mr. PAYNE, Mr. RYAN of Ohio, Mr. WAXMAN, Ms. CHU, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. CICILLINE, Mr. GUTIERREZ, Mr. HIGGINS, Mr. WATT, and Mr. LOWENTHAL.
H.R. 367: Mr. PITTENGER and Mr. YOUNG of Florida.
H.R. 376: Ms. LOFGREN, Mr. LARSON of Connecticut, and Mr. LOEBSACK.
H.R. 377: Mr. PETERSON, Mr. CARNEY, Ms. KUSTER, Mr. JEFFRIES, Mr. BARBER, Mr. LOWENTHAL, and Mr. MURPHY of Florida.
H.R. 392: Mr. FARR and Mr. AL GREEN of Texas.
H.R. 398: Mr. MURPHY of Florida.
H.R. 399: Mr. TAKANO and Mr. HUFFMAN.
H.R. 410: Mr. LUCAS.
H.R. 416: Mr. FORBES, Mr. COLLINS of New York, Mr. PITTENGER, and Mr. MULVANEY.
H.R. 419: Mr. STOCKMAN and Mr. ANDREWS.
H.R. 427: Mr. TIERNEY, Ms. MOORE, and Mr. PRICE of North Carolina.
H.R. 435: Ms. ROS-LEHTINEN.
H.R. 436: Mr. PERRY, Mr. GOODLATTE, Mr. FORBES, Mr. Barr, Mr. GARDNER, Mr. MEADOWS, and Mr. PITTENGER.
H.R. 445: Mr. CARTWRIGHT, Mr. HANNA, Mr. LATHAM, Ms. SLAUGHTER, Mr. HIGGINS, Mr. DOYLE, Mr. GRIJALVA, Mrs. CHRISTENSEN, and Mr. MEEHAN.
H.R. 454: Mr. GERLACH.
H.R. 482: Mr. HIGGINS.
H.R. 485: Mr. ISRAEL, Mr. VEASEY, Mr. SMITH of Washington, Ms. SCHWARTZ, and Mr. LANGEVIN.
H.R. 495: Mr. LOEBSACK, Mr. SCHOCK, Mr. BOUSTANY, Mr. JONES, Mr. FARENTHOLD, Ms. ROS-LEHTINEN, Mr. HANNA, Mr. MORAN, Mr. RANGEL, Mr. CRENSHAW, Mr. GRIFFIN of Arkansas, Mr. WALBERG, Mr. PAULSEN, Mr. WALDEN, Mr. GERLACH, Ms. LINDA T. SANCHEZ of California, and Ms. SLAUGHTER.
H.R. 497: Mr. GRAVES of Missouri, Mr. WESTMORELAND, and Ms. DUCKWORTH.
H.R. 498: Mr. PEARCE, Ms. KAPTUR, Mrs. NAPOLITANO, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WATT, Mr. AL GREEN of Texas, Mr. CLYBURN, Mrs. NEGRETE MCLEOD, Ms. LEE of California, Mr. PRICE of North Carolina, Mrs. CAROLYN B. MALONEY of New York, Mr. SERRANO, Mr. HOYER, Ms. JACKSON LEE, Mr. VAN HOLLEN, Mr. GENE GREEN of Texas, Mr. CUELLAR, Ms. SHEA-PORTER, Mr. MORAN, Mrs. LOWEY, Mr. RAHALL, Ms. FUDGE, Mr. RICHMOND, Mrs. BEATTY, Ms. CLARKE, Ms. WASSERMAN SCHULTZ, Mr. RANGEL, and Mr. MCGOVERN.
H.R. 503: Mr. JOHNSON of Ohio.
H.R. 507: Ms. SINEMA.
H.R. 513: Ms. EDWARDS.
H.R. 515: Mr. ELLISON.
H.R. 519: Mr. McDERMOTT, Ms. MENG, Ms. MCCOLLUM, Mr. RUSH, Ms. BONAMICI, Mr. PRICE of North Carolina, and Mr. HINOJOSA.
H.R. 523: Mr. CALVERT, Mr. ELLISON, Mr. SALMON, Mr. BARBER, Mr. MULLIN, Mr. DUFFY, Mr. FORBES, Mr. STOCKMAN, Mr. MCHENRY, Mr. ROTHFUS, Mr. HUNTER, and Mr. LYNCH.
H.R. 530: Mr. BRALEY of Iowa and Ms. DUCKWORTH.
H.R. 539: Mr. RUSH and Ms. MATSUI.
H.R. 540: Ms. SCHAKOWSKY, Mr. CONYERS, Mr. POCAN, and Mr. DOYLE.
H.R. 541: Mr. DINGELL.
H.R. 543: Mr. MEEHAN, Ms. HAHN, Mr. AMODEI, Ms. DELAURIO, Mr. LOEBSACK, Mr. PALAZZO, and Ms. BROWNLEY of California.
H.R. 544: Mr. STIVERS.
H.R. 557: Mr. McCAUL, Mr. JOHNSON of Ohio, Mr. PALAZZO, and Mr. JOYCE.
H.R. 559: Mr. CARDENAS, Mr. MICHAUD, Mr. BENISHEK, and Ms. DUCKWORTH.
H.R. 563: Mr. LOEBSACK.
H.R. 564: Mr. CICILLINE.
H.R. 565: Mr. PERLMUTTER and Mr. MARKEY.
H.R. 567: Mr. JORDAN and Mr. MEADOWS.
H.R. 568: Mr. JORDAN.
H.R. 569: Mr. COURTNEY, Mr. RAHALL, Mr. JOHNSON of Ohio, and Mr. O'ROURKE.
H.R. 570: Mr. JOHNSON of Ohio and Mr. O'ROURKE.
H.R. 576: Mr. CARTER and Mr. SALMON.
H.R. 578: Mr. JOHNSON of Ohio, Mr. COTTON, and Mr. WESTMORELAND.
H.R. 580: Mr. SHUSTER and Mr. CHAFFETZ.
H.R. 582: Mr. STEWART, Mr. YOHO, Mr. FORBES, Mr. DUFFY, Mr. COTTON, Mr. ROE of Tennessee, Mr. FARENTHOLD, Mr. BONNER, Mr. AMODEI, Mrs. ELLMERS, Mr. PITTS, and Mr. MULVANEY.
H.R. 594: Ms. SCHWARTZ, Mr. HALL, Mr. PETERSON, Ms. MATSUI, Mrs. Carolyn B. Maloney of New York, Mr. BISHOP of Georgia, Mr. ANDREWS, Mr. RUSH, Mr. RUNYAN, Mr. GRAVES of Missouri, Mr. POE of Texas, Mr. SESSIONS, Mr. KING of New York, Ms. SHEA-PORTER, Mr. OWENS, Mr. WELCH, Mr. BACHUS, Mrs. LOWEY, Mr. MARKEY, Ms. SLAUGHTER, Ms. BROWNLEY of California, Mr. HOLT, Mr. ELLISON, Mr. KILMER, and Mr. GENE GREEN of Texas.
H.R. 595: Mr. HONDA and Mr. JOHNSON of Georgia.
H.R. 607: Mr. FORBES, Ms. GRANGER, Mr. CONAWAY, Mr. STIVERS, and Mr. FORTENBERRY.
H.R. 621: Mr. POSEY, Mr. DESANTIS, and Ms. GRANGER.
H.R. 627: Mr. MORAN, Ms. MOORE, Mr. GRIJALVA, Mr. SCOTT of Virginia, Mr. STIVERS, Mr. MCGOVERN, Mr. WALZ, Mr. QUIGLEY, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. MARKEY, and Mr. VARGAS.
H.R. 632: Mr. BUCSHON.
H.R. 635: Mr. GARDNER and Mr. STIVERS.
H.R. 637: Mr. GARRETT and Mr. DUNCAN of South Carolina.
H.R. 645: Ms. CHU, Mr. VEASEY, Mr. CARSON of Indiana, Mr. LOWENTHAL, and Mr. AL GREEN of Texas.
H.R. 650: Mrs. MCCARTHY of New York, Mr. ELLISON, Mr. MORAN, and Ms. NORTON.
H.R. 657: Mrs. LUMMIS, Mr. DAINES, and Mr. PEARCE.
H.R. 661: Mr. TONKO and Ms. SPEIER.
H.R. 662: Mrs. HARTZLER, Mr. BRADY of Texas, and Mrs. BLACKBURN.
H.R. 668: Mr. BILIRAKIS.
H.R. 669: Ms. SPEIER.
H.R. 671: Mr. POLIS and Mr. ELLISON.
H.R. 681: Mr. SCOTT of Virginia, Mr. CONYERS, and Mr. PITTS.
H.R. 683: Mr. KILMER, Ms. ESHOO, Ms. DELBENE, Mr. VEASEY, Mr. HIMES, and Mr. QUIGLEY.
H.R. 693: Mr. DOYLE, Mr. LOBIONDO, Mr. McCLINTOCK, and Mr. HECK of Nevada.
H.R. 699: Ms. TSONGAS, Mr. KEATING, Mr. TIERNEY, Ms. MOORE, Mr. CICILLINE, and Mr. SWALWELL of California.
H.R. 710: Mr. MCGOVERN and Mr. POCAN.
H.R. 718: Mr. SCALISE, Mr. DUNCAN of South Carolina, Mr. TIBERI, Mr. MULLIN, Mr. LONG, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. JOHNSON of Ohio, Mr. MARCHANT, Mr. STIVERS, Mr. FINCHER, and Mr. KING of Iowa.
H.R. 719: Mr. TONKO.
H.R. 720: Mr. VARGAS.
H.R. 721: Mr. BACHUS and Mr. GARAMENDI.
H.R. 726: Mr. GRIJALVA.
H.R. 729: Mr. BLUMENAUER and Ms. SCHAKOWSKY.
H.R. 730: Mr. COLLINS of New York.
H.R. 738: Mrs. HARTZLER and Mr. ENYART.
H.R. 751: Mr. POE of Texas, Mr. DUNCAN of South Carolina, Mr. YOHO, and Mrs. MILLER of Michigan.
H.R. 752: Ms. MOORE.
H.R. 755: Mr. REED, Mrs. NAPOLITANO, Mr. YOUNG of Florida, Mr. RUNYAN, Ms. BROWN of Florida, Mr. FITZPATRICK, Mrs. BLACKBURN, Mr. COFFMAN, Mr. HOLT, Mr. ROE of Tennessee, Ms. BONAMICI, Mr. HANNA, Mr. PEARCE, Mr. FARENTHOLD, Ms. MCCOLLUM, and Ms. SLAUGHTER.
H.R. 756: Mr. ROGERS of Michigan, Mrs. MILLER of Michigan, and Mr. GARRETT.
H.R. 763: Mr. MCINTYRE, Mr. BARR, Mr. MEEHAN, Mr. CASSIDY, Mr. BARLETTA, Mr. BARROW of Georgia, Mrs. BLACKBURN, Mr. GRAVES of Missouri, Mr. STOCKMAN, and Mr. SCHOCK.
H.R. 772: Mr. ENGEL.
H.R. 774: Mr. STIVERS.
H.R. 780: Mr. LAMALFA, Mr. JONES, Mr. GOSAR, Mr. BENISHEK, Mr. MULLIN, Mr. MEADOWS, and Mr. HUNTER.
H.R. 785: Ms. ESHOO.
H.R. 786: Mr. GRAYSON.
H.R. 791: Mr. McDERMOTT, Ms. SCHWARTZ, and Mr. GRIJALVA.
H.R. 792: Mr. HUNTER, Mr. STOCKMAN, Mr. BRALEY of Iowa, and Mr. GRAYSON.
H.R. 798: Mr. SABLAN, Ms. NORTON, Mr. HOLT, Mr. DANNY K. DAVIS of Illinois, Mr. KEATING, Mr. LYNCH, Mr. BISHOP of New York, Mr. DEFazio, Mr. BRADY of Pennsylvania, Mr. MARKEY, Mrs. NEGRETE MCLEOD, Ms. BASS, Mr. LANGEVIN, Mr. HONDA, Mr. GRIJALVA, Ms. LEE of California, Mr. MCGOVERN, Mr. LOEBSACK, Mrs. MCCARTHY of New York, and Mr. DINGELL.
H.J. Res. 1: Mr. BENISHEK, Mr. BUCSHON, Mr. CAMP, Mr. DESANTIS, Mr. FLORES, Mr. FORBES, Mr. GARDNER, Mr. GRAVES of Georgia, Mrs. HARTZLER, Mr. HENSARLING, Mr. ISSA, Mr. JORDAN, Mr. KLINE, Mr. LONG, Mr.

MCCAUL, Mr. MULLIN, Mr. RIBBLE, Mr. ROKITA, Mr. ROSS, Mr. ROYCE, Mr. SCALISE, and Mr. WEBER of Texas.

H.J. Res. 2: Mr. BENISHEK, Mr. BUCSHON, Mr. CAMP, Mr. COLE, Mr. RODNEY DAVIS of Illinois, Mr. DESANTIS, Mr. FLORES, Mr. FORBES, Mr. GARDNER, Mr. GRAVES of Georgia, Mrs. HARTZLER, Mr. HASTINGS of Washington, Mr. HECK of Nevada, Mr. HENSARLING, Mr. ISSA, Mr. JORDAN, Mr. JOYCE, Mr. KLINE, Mr. LONG, Mr. MCCAUL, Mr. MESSER, Mr. MULLIN, Mrs. NOEM, Mr. RIBBLE, Mr. RICE of South Carolina, Mrs. ROBY, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. ROSS, Mr. ROTHFUS, Mr. ROYCE, Mr. SALMON, Mr.

SCALISE, Mr. SMITH of Nebraska, Mr. TIBERI, Mrs. WAGNER, and Mr. WEBER of Texas.

H.J. Res. 21: Mr. LYNCH.

H.J. Res. 28: Mr. JONES and Mr. NUNNELEE.

H. Con. Res. 12: Ms. CHU and Mr. ELLISON.

H. Con. Res. 17: Ms. LEE of California, Mr. HINOJOSA, Ms. MOORE, Mr. RUSH, Mr. BUTTERFIELD, Mr. LEWIS, Ms. NORTON, Ms. WILSON of Florida, Mr. CUMMINGS, Mr. FATTAH, Mrs. BEATTY, Mr. WATT, Ms. SEWELL of Alabama, Mr. PAYNE, Mr. VEASEY, Mr. SCOTT of Virginia, Ms. BROWN of Florida, Mr. DANNY K. DAVIS of Illinois, Mr. HASTINGS of Florida, and Mr. MCGOVERN.

H. Res. 10: Mr. ENYART, Mr. LEWIS, and Mr. BUTTERFIELD.

H. Res. 24: Mr. JOHNSON of Georgia, Mr. LANGEVIN, Mr. PRICE of Georgia, Mr. CAPUANO, Mr. WOLF, Mr. MEADOWS, and Mrs. DAVIS of California.

H. Res. 30: Mr. LATHAM, Mr. MCNERNEY, Mr. CARSON of Indiana, Mr. DOGGETT, Mrs. MCCARTHY of New York, Mr. PETERS of California, Mr. GARCIA, Ms. LORETTA SANCHEZ of California, Mr. BISHOP of Georgia, Ms. FUDGE, Mr. ANDREWS, Mrs. NEGRETE MCLEOD, Mr. SCHNEIDER, Mr. BRADY of Pennsylvania, Mr. VARGAS, Mr. CUELLAR, Ms. ESHOO, Ms. SCHAKOWSKY, and Ms. CHU.

H. Res. 71: Mr. GARAMENDI, Ms. MCCOLLUM, Mr. PIERLUISI, Mr. DEFAZIO, Mr. SARBANES, and Mr. ROSS.

EXTENSIONS OF REMARKS

IN RECOGNITION OF COMMUNITY CHRISTIAN ACTION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. BURGESS. Mr. Speaker, I rise today to recognize 40 years of service by Community Christian Action (CCA) to North Texans in need. CCA was founded February 22, 1973 when seven members of the Bible study group at St. Philip's Catholic Church in Lewisville committed to spreading God's word by helping those less fortunate. This faith-based non-profit organization started learning about poverty and ways to improve peoples' lives through their local church congregations.

Over 35 years later, CCA has expanded their outreach of help with the support of volunteers, families, churches and local businesses to 42 communities throughout Collin, Dallas, Denton, Tarrant, and Wise counties. With 150 employees and more than 2,500 volunteers, the ministry strives to give families in crisis the education and training they need to become self-sufficient while offering a safe haven of food, shelter, medical care, and spiritual support.

In one year, CCA assists more than 12,000 individuals. They distribute more than \$1.4 million of food, provide more than 4,000 low-income patients health care in their center each year, and offer educational and vocational training programs that more than 1,660 people participate in annually. CCA ensures that more than 57,000 lunches are delivered to kids during the summer, and that 2,900 children get to experience each holiday season with Christmas toys.

It is my honor to recognize Community Christian Action and their efforts to help North Texans.

HONORING JUSTICE BERNETTE JOSHUA JOHNSON

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. RICHMOND. Mr. Speaker, I rise today to honor the continued achievements of Justice Bernette Joshua Johnson, a leader in the Louisiana community. I congratulate Justice Johnson on her pending investiture as Chief Justice of Louisiana's Supreme Court, on which she has served with distinction for nearly two decades. As the most-tenured member of Louisiana's highest court, Bernette Joshua Johnson will continue her legacy of excellence as the state's first African American Chief Justice. Her investiture is an important one for her career as a civil servant, for the state of Louisiana, and for the United States.

Before her service on Louisiana's Supreme Court, Justice Johnson began her career as the first woman to be elected to the Civil District Court of New Orleans and was elected Chief Judge soon after. A cornerstone of her career has always been advocacy for civil rights and social justice. During the Civil Rights Movement, she worked as a community organizer with the National Association for the Advancement of Colored People Legal Defense & Educational Fund. She also worked as a legal intern with the Civil Rights Division at the US Department of Justice, here in Washington, D.C. where she worked on cases filed by the Department to implement the 1964 Civil Rights Act.

Justice Bernette Joshua Johnson has received numerous honors and awards throughout her career, including the Louisiana Bar Foundation's 2009 Distinguished Jurist Award, the American Bar Association's Margaret Brent Women Lawyers of Achievement Award, and the 2000 Medal of Honor presented by the Mayor of the City of New Orleans. In addition, she has spoken at universities and government agencies all over Louisiana and throughout the south. Justice Johnson is a prolific writer having published editorials, essays, and legal opinions since the beginning of her legal career.

Justice Johnson is a community advocate, an active member of Zeta Phi Beta Sorority, Inc., and the proud mother of two. She received her Bachelor of Arts degree from Spelman College in Atlanta, Georgia, and in 2001 was honored with an Honorary Doctorate in Law from her alma mater. She was one of the first African American women to attend the Law School at Louisiana State University where she received her Juris Doctorate in 1969. She has since been inducted into the LSU Law School Hall of Fame. Justice Johnson's achievements are a testament to her commitment to public service. She is an excellent example of the value of hard work and perseverance in the face of adversity.

I wish to congratulate Chief Justice Bernette Joshua Johnson on her investiture as the Louisiana Supreme Court's first African American Chief Justice.

HONORING MS. DELEIGH DANIEL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable volunteer firefighter, Ms. Deleigh Daniel.

Ms. Daniel wanted to become a firefighter after hearing her ex-husband speak about his experiences and the importance of being able to save a life or someone's home. In 2007, she joined the Linn Steiner Roundaway Volun-

teer Fire Department where she is one of two female firefighters. In 2009, she joined the Indianola Volunteer Fire Department where she is the first female firefighter.

Ms. Daniel's greatest satisfaction as a volunteer firefighter is knowing the benefit of saving lives, businesses, personal property, and the educating others on fire prevention and safety techniques.

Her children, Claire and Clay are supportive of their mother being a firefighter and being able to fulfill her life's goal. Ms. Daniel lives her life by this motto, "I can accomplish anything I set my mind to".

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Deleigh Daniel for her dedication to serving her community and our great country.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. DeLAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 43 "Providing for the conditional adjournment of the House and Senate" (H. Con. Res. 15). Had I been present, I would have voted "no".

REMEMBERING AMBASSADOR MAX M. KAMPELMAN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. HOYER. Mr. Speaker, last month I lost a dear friend, and our nation lost a tireless public servant who spent his career keeping Americans—and, indeed, the world—safe from the threat of nuclear war.

Ambassador Max M. Kampelman never held elected office, and most Americans may not know of the impact he had on their security. But he played a crucial role in advising leaders from both parties during the Cold War and in helping to negotiate the first Strategic Arms Reduction Treaty in 1991. He died on January 25 at the age of ninety-two.

Born in 1920 in New York City, New York, Max was the son of Jewish immigrants who taught their son the importance of education and the value of hard work. After graduating from New York University in 1940, he attended night school there in pursuit of his law degree, which he earned in 1945.

During World War II, Max volunteered for an experimental study on the effects of recovering from starvation and malnutrition, the findings of which were later used to treat concentration camp survivors and former prisoners of war. Following the end of the war, he

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

obtained a master's degree and doctorate in political science from the University of Minnesota, and while there he began working as an aide to then-mayor of Minneapolis Hubert Humphrey.

When Humphrey was sworn in as a United States Senator in 1949, Max came with him to Washington as his legislative counsel. After six years with Senator Humphrey, Max went into private law practice and joined the Marine Corps Reserves. In 1968, he advised Vice President Humphrey's presidential campaign.

Growing alarmed by the Soviet Union's foreign policies and human rights violations in the early 1970s, Max became a proponent of a tougher Cold War stance. He was brought on to advise the Reagan Administration and led the negotiations for the Madrid Conference on Security and Cooperation in Europe that were the key forum in the early 1980s for raising human rights concerns in the Soviet bloc and that led to the release of some prisoners of conscience and refuseniks from the U.S.S.R.

At the Madrid conference and throughout the 1980s, Max Kampelman advocated a concept we now take for granted—the notion that human rights are an integral element of international security. As former Secretary of State Hillary Rodham Clinton noted, Max “advanced with unmatched eloquence and effectiveness the precept that respect for human rights within nations is essential to cooperation and peace among nations.”

Max was instrumental in the drafting of the first START treaty to limit nuclear arms stockpiles at the end of the Cold War, helping to ease tensions between the superpowers during the days of communism's collapse in the former Soviet Union.

Testifying to Max's beliefs in putting country before party, and indicative of the respect leaders on both sides of the aisle felt for him, in 1984 he served concurrently as a foreign policy advisor for Democratic presidential nominee Walter Mondale and as counsel to Edwin Meese III, one of President Reagan's closest aides.

Throughout his years in Washington, Max left his deep imprint on the city and its community. He was a founder of the DC National Bank, a chairman of WETA-TV, and founding president of Friends of the National Zoo. For many years, Max was an active supporter of Jewish community organizations, such as the Anti-Defamation League, the American Friends of Lubavitch, and others. In 1989, Max received the Presidential Citizens Medal from President Reagan, and, ten years later, President Clinton awarded Max the Presidential Medal of Freedom.

I came to know Max well when I served as Chairman of the Helsinki Commission in the 1980s, and we worked together on human rights and disarmament issues. In the process, we became great friends. Max led the U.S. Delegation to a Human Dimension meeting of the Helsinki process in Copenhagen in 1990, where, thanks in no small part to his able stewardship, breakthrough achievements were reached on democracy, the rule of law, and free and fair elections. A year later, he led a U.S. delegation to another Human Dimension meeting in Moscow—on the heels of the August 1991 Soviet coup attempt—and nego-

tiated an agreement explicitly recognizing that human rights are the direct and legitimate concern of all countries.

Max was a true believer in the power of diplomacy to shape a safer, freer, and more just world, and he will be missed terribly by all those in Washington and throughout the country who came to know him as I did—smart, thoughtful, and creative in the pursuit of a better life for all.

Marjorie, Max's wife of fifty-eight years, passed away in 2007, and they were preceded in death by two of their children, David and Anne. Max is survived by their three remaining children, Jeffrey, Julia, and Sarah, along with five grandchildren.

I join in saluting Ambassador Max Kampelman's life of service to our nation as a diplomat, as a Marine Reserve officer, as a philanthropist, and as a model citizen. The furtherance of peace in our world and freedom for millions who had suffered behind the Iron Curtain will be his lasting legacy.

IN HONOR OF BOY SCOUT TROOP 88

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. ANDREWS. Mr. Speaker, I rise today in recognition of Audubon's Boy Scout Troop 88. This troop was founded in 1965 by Eagle Scout Chairman Bob Beetle, along with Al Murray, Joe Kranz, Bill Holland, and Jack Rex. At last Thanksgiving's Audubon football game, the troop and the tireless work of the founder Bob Beetle, was honored as the Troop 88 banner was dedicated and raised at halftime. The true legacy of Mr. Beetle and this troop is the perpetuation of resourceful skills and the instillation of strong leadership values. The boy scouts are an outstanding opportunity for the young gentlemen of South Jersey to develop through service to their community. Troop 88 initiates many projects within the community including: Food Drives and help with the South Jersey Food bank, a 9/11 Ceremony at Mt. Ephraim, railroad clean-ups, the Mansion Ave. school map playground project, and Masons Wheel chair Push in Burlington. On behalf of town of Audubon, and the First District of New Jersey, I want to express my sincere appreciation and pride to have such a great organization operating in my district.

HONORING TOMMY TRAXLER, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable veteran, Tommy Traxler, Jr. Mr. Traxler has shown what can be done through hard work, setting goals, and aiming high.

Tommy Traxler, Jr., was born January 17, 1945 in Crystal Springs, Mississippi to the late

Charlean Traxler and Tommy Traxler, Sr. He was reared by his grandmother, the late Gussie Hudson.

He was a 1963 graduate of William H. Holtzclaw Memorial High School in Crystal Springs, Mississippi and 1965 graduate of Utica Junior College, Utica, Mississippi. On September 6, 1966, Tommy was killed in Vietnam.

Tommy had two siblings; one brother, Charles E. Pickett and one sister, Cynthia Traxler of Crystal Springs, Mississippi. His hobbies included football, basketball and drawing.

Mr. Speaker, I ask my colleagues to join me in recognizing Tommy Traxler, Jr. for his dedication to serving our great country and his community.

MADISON COUNTY CENTENNIAL CELEBRATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. SIMPSON. Mr. Speaker, it is my pleasure to congratulate Madison County on its 100th anniversary as an organized county in the great state of Idaho. Significant events over the past century have made for a colorful history, and this commemoration is a noteworthy event for both past and present residents of Madison County.

Madison County, located in Idaho's Upper Snake River Valley, was officially established February 18, 1913, by signature of Governor John Haines, with its county seat at Rexburg. The new county was named for President James Madison, fourth president of the United States. The region was first settled by members of the Church of Jesus Christ of Latter-day Saints, (Mormons) from nearby Utah. Early families were industrious farmers who built the first irrigation system in the state. Madison County is now the eighth largest potato growing county in the nation and also grows significant acres of grain.

Brigham Young University Idaho, formerly Ricks College, now the second largest university in Idaho, was named after one of the early settlers, Thomas E. Ricks. Madison County was declared a national disaster area after the ruinous Teton Dam flood of June 5, 1976.

Sugar City is another thriving city in Madison County, located only a few miles from the county seat. The four federally protected areas in the county are: Caribou Targhee National Forest, Cartier Slough and Deer Parks Wildlife Areas, and the volcanic Menan Twin Buttes.

Visitors to Madison County can tour two buildings listed on the National Historic Register: The Rexburg Tabernacle and the Madison County Courthouse. Other attractions include the Teton Dam Flood Museum, Yellowstone Bear World, Brigham Young University Idaho Campus, the Idaho Centennial Carousel, and the famous International Dance Festival.

The citizens of Madison County demonstrate unity and a sense of pride through their deeply sown roots. Family traditions, farms, entrepreneurship, and a willingness to

extend a helping hand to others appropriately characterize this community and its time-honored Idaho lifestyle.

It is a privilege to represent Madison County and the people who structure its prominence.

HONORING THE 30TH ANNIVERSARY OF PHEASANTS FOREVER

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. McCOLLUM. Mr. Speaker, today I rise to pay tribute to the founders, members and staff of Pheasants Forever on the occasion of the 30th anniversary of the organization.

The Minnesota roots of this organization go back to day one and its 500 original members in the early 1980s. Residents of Minnesota's Fourth Congressional District share great pride that for most of those years, the organization has worked to protect the habitat for this beautiful bird throughout North America from its home base in White Bear Lake. Today, Pheasants Forever boasts more than 125,000 members in more than 600 chapters in both the U.S. and Canada, from Pennsylvania to Washington and Minnesota to Texas.

Minnesota has a long and distinguished history of wildlife conservation, and is the birthplace of several organizations dedicated to protecting wildlife and other natural resources. Born out of a crisis when our state suffered a dramatic decline in pheasant numbers, Pheasants Forever is a vital part of this proud tradition. The organization first took flight when a group of conservation minded hunters rose to meet the challenge presented by Dennis Anderson, St. Paul Pioneer Press outdoor editor, as he wrote about the devastation of grassland habitat in Minnesota.

The grassroots origins of Pheasants Forever have remained critical to its success, and each chapter is empowered to determine how their funds are used. Members directly participate in the decisionmaking process and see firsthand the conservation impact of their contributions. Over the years, this strategy has produced real progress in protecting habitat.

In 1985, members of Pheasants Forever helped form the Conservation Reserve Program, CRP, as part of the Department of Agriculture. The CRP implemented a land set-aside program that paid landowners to keep their environmentally sensitive areas unused, creating more natural habitat for pheasants and other wildlife.

To this day, Pheasants Forever continues to work closely with the Department of Agriculture, partnering with USDA service centers and local landowners to create and improve vital habitat on private lands. More recently, Pheasants Forever launched the "Build a Wildlife" program to create public hunting grounds and outdoor recreation areas. In 2005, Quail Forever launched to focus on improving habitats for quail populations. To date, Pheasant Forever's various initiatives have protected and improved more than 8 million acres of wildlife habitat. These significant achievements have reversed the trend toward vanishing grasslands, and made Minnesota a

premier example of upland habitat conservation.

Mr. Speaker, I honor the 30th anniversary of Pheasants Forever and the hunters and outdoor enthusiasts who make this organization successful.

IN RECOGNITION OF SAVAS TSIVICOS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Savas Tsivicos as he is celebrated by AHEPA Chapter #287 with a Testimonial Dinner in his honor. As Past President of the Chapter and Past District Governor of AHEPA District 5, Savas is truly deserving of this recognition.

A native of Cyprus, Savas immigrated to the United States in 1982 to pursue educational and work opportunities. He earned a Bachelor's Degree and MBA in Management from Fairleigh Dickinson University and a Masters Certificate from George Washington University. In 1989, Savas founded Tsivicos Enterprises, Inc., a consulting and construction management company, and continues to serve as its President today.

Active in the Greek community, Savas has been a tireless advocate for the people of Cyprus. He co-founded the Panpaphian Association of America in 1987 and twice served as its President. He also served as Chairman of the American Hellenic Institute Public Affairs Committee for 3 years. In addition, Savas has been a member of countless other Greek organizations, often holding leadership positions, including the Cyprus Federation of America, which represents all Cypriot Americans. Likewise, Savas has served on the Board of Directors for the NJ Greek-American Chamber of Commerce and Cosmos FM, a Hellenic public radio station. Savas also serves on the Cyprus Children's Fund and is an active member of the St. George Greek Orthodox Church in Ocean, NJ.

Savas has received many awards for his tremendous work on behalf of the community. In 1988, the Government of Cyprus recognized his contributions with a Certificate of Recognition. He has also been honored with the Greek-American Chamber of Commerce of NJ Achievement Award, the NECO Ellis Island Medal of Honor Award, and the Evagoras Pallikarides Award of Merit. Savas has twice been recognized as Ahepan of the Year, first by the John G. Thevos Fifth District and most recently by Chapter #287.

Mr. Speaker, once again, please join me in congratulating Savas Tsivicos for his immeasurable contributions to the community and thanking AHEPA Chapter #287 for hosting the Testimonial Dinner in his honor.

REMARKS OF GOVERNOR DANIEL P. MALLOY AT THE INTERFAITH VIGIL FOR FAMILIES OF SANDY HOOK ELEMENTARY SCHOOL

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in memory of the lives lost at Sandy Hook Elementary School. I submit the remarks of Connecticut Governor Daniel P. Malloy, at the Interfaith Vigil for the families and community of Newtown, CT with the President of the United States.

Pat, thank you for all of the great work that you have done for this community in the last three days. To the police chief and to the superintendent of schools, thank you for your great service, as well. To all of the first responders, thank you.

When I came into the hall, one of the first songs to be played on the piano was "Amazing Grace," which is fitting for any number of reasons. Its become an anthem for first responders. It has great words. It also speaks of the power of faith.

"Amazing Grace" was written by a former sea captain engaged in the slave trade. And those profound words that "I once was lost and now am found" speak to us on a day like today when we are called upon—dare I say required to be invested in our faith.

A faith so evident in this room and in this community at this time. A faith that is, after all, at its very core a gift from God. A faith in which we find comfort and hope and compassion. A faith in which we are given the power to go on, to survive that which has befallen this community, these families, these spouses. That which has happened and is unimaginable and unthinkable and was never, we thought, intended to be upon us here in Connecticut, or in Newtown, or in Sandy Hook.

I choose to think about the fact that in the coming days we will officially enter winter. And that is always to be followed by the spring. Let me assure you that in winter, each time I see the beginning of a snowfall, I will be thinking of those 27 souls lost just a few days ago.

Each time the day gets a little longer, I will think and dream of the lives that might have been and the lives that were so full of grace. And when the flowers start to come out of the ground, and when they rise up, I will know that we are in touch with those that we have lost in the last few days.

We will go on, we will find strength. Faith is a gift, as is our ability to support one another in our greater community.

To all of you, I extend my most profound condolences on behalf of all of your fellow citizens for what you have seen, for what you have witnessed and for what have you personally experienced.

We will move on, we will never forget, we will in many ways be made stronger for what has transpired and we will get better.

We are blessed today to have with us the President of the United States, who upon meeting with Pat and me just a little while ago said that the most difficult day of his presidency was Friday, when he heard the news of that which had befallen this community. I assured him that Connecticut, Newtown and Sandy Hook are strong, and I welcomed him on your behalf to our community.

I now introduce the President of the United States.

RECOGNIZING THE KHOJALY MASSACRE

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. RYAN of Ohio. Mr. Speaker, I join my colleagues and people all over the world in recognizing the tragedy known as the Khojaly Massacre which occurred on February 26, 1992 in the small Azerbaijani town of Khojaly. The attack resulted in the massacre of 613 Azerbaijani civilians and is one of the most devastating acts of violence in the South Caucasus in recent history. According to some accounts, the fate of 150 Khojaly inhabitants is still unknown, even after twenty-one years.

The numerous casualties and acts of torture in the war between Armenia and Azerbaijan underscore the need for a political—rather than a military—solution to the Nagorno-Karabakh conflict. A fair and comprehensive settlement is the only effective tool to encourage stability, prosperity, and a lasting peace in the region. As co-chair of the Minsk Group, the United States remains committed to working with both sides to that end. With that goal in mind, we remember and mourn the 613 victims of Khojaly and work together to safeguard the human rights of all.

HONORING THE JACKSON, MISSISSIPPI FIRE DEPARTMENT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Jackson, Mississippi Fire Department. The Jackson Fire Department is the largest fire department in the State of Mississippi. The Jackson Fire Department currently consists of 7 divisions with 433 budgeted positions. The 7 divisions that make up the Jackson Fire Department are Administration and Finance; Arson and Internal Affairs; Community Relations and Fire Safety Education; Emergency Services; Training, Safety, Research and Development; Office of the Fire Marshal; and Fire Loss.

Emergency Services is the largest division which consists of 21 fire stations and 32 pieces of emergency equipment. In 2006, they upgraded all of their Self-Contained Breathing Apparatuses (SCBA) along with new ultralite facepieces. The Jackson Fire Department constantly strives for improvement and the highest level of firefighting by updating and purchasing the latest firefighting equipment and technology such as thermal cameras, chemical detectors, weather stations, portable radios, TSI Portacount Plus Respirator fit testers, Scott Eagle Imagers, video conference systems, Lifepak AEDs, and personal protective gear.

In April 2006, the Jackson Fire Department sponsored an Urban Search and Rescue

class, which enhances their ability to serve the City of Jackson and any other city in times of immediate need. In the summer of 2006, the Jackson Fire Department received 7 new fire trucks.

Mr. Speaker, I ask my colleagues to join me in recognizing the Jackson Fire Department for their dedication to serving the citizens of Jackson, Mississippi.

HONORING THE ACHIEVEMENTS OF FLOYD WEAVER

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. McNERNEY. Mr. Speaker, I ask my colleagues to join me in honoring the public service of Floyd Weaver.

Floyd Weaver's family first moved to Stockton, CA in 1938 from Phoenix, Arizona. After attending local schools in Stockton, he served in the U.S. Army during the Korean War. A proud veteran, he then dedicated his life to the social, educational, and economic advancement of community members in Northern California.

Mr. Weaver retired from the Stockton Unified School District after more than three decades of service as both a teacher and an administrator. Mr. Weaver was the first African American male principal in the Stockton Unified School District.

In addition, he served on the Stockton City Council and was also the first African American to be a two-term vice mayor for the city. In recognition of his hard work on the city council, local commissions, and his political activism, Mr. Weaver was honored with a lifetime achievement award by the Stockton Branch of the National Association for the Advancement of Colored People in 2006.

One of Mr. Weaver's proudest accomplishments was overseeing construction of the Martin Luther King Jr. plaza in downtown Stockton while he was vice mayor. He was also instrumental in changing the name of Charter Way in Stockton to Dr. Martin Luther King Jr. Blvd.

As our nation celebrates African American History Month, it is important that we recognize local heroes who helped shape our communities and states for the better. I ask my colleagues to join me in honoring the public service contributions of Floyd Weaver.

TRIBUTE TO WILLIAM D. LAUNDRY

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. OWENS. Mr. Speaker, I rise today to honor the 43-year career and service of a constituent and my friend, William D. Laundry of the State University of New York in Plattsburgh, New York, and to congratulate him on his retirement. Mr. Laundry has served countless numbers of New York's college students

in a variety of different roles at SUNY Plattsburgh, ultimately retiring as the Vice President for Student Affairs and Enrollment Management.

For more than four decades, Mr. Laundry has devoted his life to ensuring students at SUNY Plattsburgh gain an education that prepares them to lead our society. As Director of Residence Life, Director of Campus Life, Dean of Students, Associate Vice President for Student Affairs and Vice President for Student Affairs and Enrollment Management, Mr. Laundry has served as a valuable counselor and confidant to his students, guiding them through the most formative parts of college and helping them understand the lessons life teaches outside the classroom.

Mr. Laundry's influence in the Plattsburgh community spills beyond the border of the SUNY Plattsburgh campus. Whether he was officiating an alumni couple's wedding, helping a recent graduate land her dream job, or connecting an eager student to a new perspective in his service-learning experience, William Laundry has helped make our community a more vibrant and better place.

I have known Mr. Laundry personally for more than 20 years. He deserves recognition for his outstanding character and warm sense of humor, and most of all for his consistent dedication to the students, alumni, and the university, the spirit of which is etched deeply in his soul.

I wish Mr. Laundry well in what I am sure will be an active retirement. I ask that my colleagues join me in congratulating him and wishing him success in his next endeavors.

IN TRIBUTE TO LINDA LEVINE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise today to recognize my constituent, Linda Levine, on her more than 30 years of outstanding service to our nation. Ms. Levine, who is retiring on February 28, 2013, has served as a Specialist in Labor Economics for the Congressional Research Service (CRS). She is the model of a dedicated public servant.

Linda received a Bachelor's of Science degree in Industrial and Labor Relations from Cornell University and a Master's degree in Labor and Industrial Relations from Michigan State University.

Linda began her career in federal service in 1976 as a labor economist at the Bureau of Labor Statistics, followed by her service as a research economist at the Communications Workers of America. Linda joined the Congressional Research Service in 1982, where she has worked for more than 30 years. During that time, Linda assisted Congress with dozens of reports, countless memoranda, and numerous consultations with Congressional staff and Members of Congress. Linda also served as Section Head of the Labor and Industries Section at CRS.

Linda's first report at CRS, entitled "The Impact of Defense Spending on Employment," was as relevant then as it is today. Her last

report traces changes in the real value of the minimum wage. In between, Linda drafted analyses on older workers, younger workers, women in the labor force, pay equity, unemployment, job growth, and inequality. She also wrote reports on leave benefits, worker safety, green jobs, offshoring, the chained CPI, immigration policy, and many other subjects.

Mr. Speaker, I urge my colleagues to join me in congratulating Linda Levine and in extending our nation's gratitude to her for her honorable and productive service. I know that we will all miss her significant contributions to the important labor economic issues of our country and wish her well in the years to come.

SCHOOL SAFETY

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. GRIMM. Mr. Speaker, I rise today to discuss the important issue of school safety. The tragedy in Newtown, Connecticut shocked and saddened us all. We must learn from this deplorable incident so our children and educators know their school is the one place they should feel the safest.

As we grapple with Newtown and other school tragedies, we have to discuss how these incidents could have been prevented and what steps should be taken to prevent something like Sandy Hook from happening again. As a former federal law enforcement agent, I recognize that our schools must be safe and secure, and I welcome this important discussion. I strongly believe that we must examine ways we can protect our schools through responsible security protocols, barriers, and training.

However, I must share my objection to the idea of allowing educators to carry weapons in schools. As a supporter of the Second Amendment, my objection has nothing to do with gun rights. I object to this proposal because our schools are—and must remain—a safe haven for teaching and learning. School administrators, teachers, counselors, nurses and the many other support professionals all have unique roles and responsibilities for ensuring a productive learning environment for children in their schools. We should not diminish the importance of allowing teachers to teach, principals to lead, and counselors and nurses to care by also asking that they serve as armed security.

HONORING ANNIE LARRY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous woman of the community, Mrs. Annie Larry.

Annie Larry, a lifelong resident of Rolling Fork, MS was born August 4, 1962. She is the sixth of ten children born to the late Mariah

and Herman Larry. Annie has been married to Nathaniel Pinkins for twenty-six years, and they have four children.

Mrs. Larry graduated from Rolling Fork High School in 1981. She went on to receive an Associate Degree in 1983 from Mississippi Delta Community College. In 2009 Annie became the first female volunteer firewoman in Rolling Fork, MS.

Annie is the Founder and President of the gospel group, Southern Truth, of which she started 17 years ago. She is a member of House of Peace, under the leadership of Apostle Linda Sweezer.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Annie Larry for her dedication to serving others and giving back to the community she grew up in.

IN HONOR OF THE PATRIOT CLUB OF CHERRY HILL HIGH SCHOOL WEST

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor the Patriot Club of Cherry Hill High School West. The Patriot Club focuses on bringing together students and members of the local community to honor current and former servicemembers through their Veteran's Day and Donations for Soldiers programs.

The Veteran's Day program gives veterans the ability to share their service experiences at schools throughout Cherry Hill. Each November, members of the Patriot Club recruit veterans to take part in the program that gives students the opportunity to gain a better understanding and appreciation for the sacrifices made by military personnel.

The two-month-long Donations for Soldiers program gathers monetary and supply donations from students, parents, teachers, administrators and local businesses of Cherry Hill to create care packages that are distributed to soldiers currently serving in Afghanistan and other parts of the world.

In 2012, the Patriot Club recruited five schools to participate in the program, raising more than \$4,000 and enough supplies to send 90 care packages overseas. This year, the club will be expanding the program to include all 18 schools in the Cherry Hill district. The goal is to raise \$10,000 and to send 200 care packages to soldiers abroad.

For the past two years, Ray Horner has served as President of the Patriot Club. Senior Sean Bivins and Junior President-Elect Eytan Gittler have served as Co-Vice Presidents. Officers include Seniors Chris Blandy, Kevin Mullarkey, Sean Mullarkey and Conor McFadden. Freshman Rebecca Horner also volunteers with the club.

NATIONAL INVASIVE SPECIES AWARENESS WEEK 2013

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. HOYER. Mr. Speaker, I rise in recognition of National Invasive Species Awareness Week, which will be observed this year from March 3 through March 8.

Invasive plant and animal species are dangerous to regional ecosystems and carry with them serious negative effects on our economy. Already, they are a threat to 50% of federally endangered or threatened native species. From reduced crop yields to declines in fish populations, the consequences of invasive species are significant. In the agriculture sector alone, they have led to an annual loss in productivity worth \$7.4 billion. Researchers estimate that invasive species cost the United States more than \$130 billion in damages every year.

National Invasive Species Awareness Week, which is sponsored by the Weed Sciences Society of America, Dow AgroSciences, the National Network of Invasive Plant Centers, the Entomological Society of America, APS, and the Wildlife Habitat Council, helps raise public consciousness about this important issue. It features workshops and panel discussions at the Capitol and around Washington with experts in invasive species containment and prevention methods—as well as educational programs for students and families.

National Invasive Species Awareness Week also highlights the work of local, state, federal, and tribal agencies as well as efforts by private organizations and individuals to combat invasive species and preserve local and regional ecosystems.

In the State of Maryland, we have forged strong partnerships to try to address the problems posed by invasive species in our state. The Maryland Invasive Species Council is comprised of concerned scientists, land managers, business people and citizens. It works closely with our state agencies and the United States Department of Agriculture, particularly the Beltsville Agricultural Research Center, the United States Department of the Interior, and the University of Maryland. Committed partnerships such as these are an important part of focusing attention and sharing limited resources in an effort to reduce the spread of invasive plants, animals, and diseases.

I am proud to support the goals of National Invasive Species Awareness Week, and I join with many of my colleagues in Congress in wishing its sponsors and participants a successful program.

RECOGNIZING THE SHEETZ FAMILY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. SHUSTER. Mr. Speaker, I rise today to recognize the Sheetz Family which owns a

convenience store chain, based in Altoona, Pennsylvania. For more than 60 years, the Sheetz name has represented entrepreneurship, vision and innovation. And while consumer needs and lifestyles have changed over the years, one thing that has remained constant is the Sheetz Family's commitment to its customers, employees and the communities in which they operate.

Sheetz, Inc. was founded by Bob Sheetz in 1952 when he purchased one of his father's five dairy stores in Altoona. In 1961, Bob hired his brother Steve to work part-time at the store. It was not until 1963 that the second store was opened under the name "Sheetz Kwik Shopper." In 1972, the brothers literally doubled the size of the company, expanding from seven to fourteen stores. One year later, Sheetz added gasoline pumps and introduced self-serve gasoline to Central Pennsylvania.

By 1983, Bob and Steve had opened 100 stores. The following year, Bob retired and handed over the leadership of the company to his trusted business partner and brother Steve. In 1995, Stan Sheetz, Bob's son, became president and Steve assumed the position of Chairman of the Board. To this day, Sheetz maintains a unique and successful family business with five family members serving on the Executive Committee.

Since 1952, Sheetz has grown from a small dairy/deli in Altoona, PA, to one of the fastest growing family-owned convenience stores in the world, with more than 437 locations across six states—Pennsylvania, Maryland, Virginia, West Virginia, Ohio and North Carolina—and more than 14,500 employees. The company manufactures its own unique Sheetz brand food products; it consistently is listed as one of the "Best Places to Work" in state surveys; and it donates hundreds of thousands of dollars each year to programs like the Special Olympics and Make-A-Wish Foundation through its corporate Sheetz Family Charities organization.

The Sheetz Family will be honored February 23, 2013 with the Respected Citizen Award by the Central Blair Recreation Commission and the Booker T. Washington Revitalization Committee in Altoona. I congratulate the family on this recognition, applaud them for their extraordinary contributions to the community and thank them for the positive impact their company has on the economy.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF FOUNDING OF THE MONSIGNOR FARRELL DIVISION #2 CHAPTER OF THE ANCIENT ORDER OF HIBERNIANS

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. CARTWRIGHT. Mr. Speaker, Saturday, February 23, marks the 40th anniversary of the founding of the Monsignor Farrell Division #2 Chapter of the Ancient Order of Hibernians, located in Carbondale, PA. I rise to congratulate this important Chapter of the Order on this high accomplishment. I also congratulate four founding members of the organization for their

foresight in the formation of this Chapter and for their continued support of the work of the Ancient Order of Hibernians. In 1973, Mr. Jerome Brennan, the Honorable James Munley, Attorney Robert Munley and William Pryle founded this Chapter and dedicated it to charitable works, the preservation of Irish culture in America, and the education of the next generation of students about the contributions of Irish immigrants throughout our nation's history.

The Ancient Order of Hibernians is America's oldest Irish Catholic Fraternal Organization; it was founded concurrently in the coal-mining regions of Pennsylvania and in New York City in May 1836. The organization provided invaluable support to the vast influx of Irish immigrants fleeing the Great Hunger in the late 1840s, offering both economic aid as well as an introduction to a new culture of opportunity in America. The members of the Order were among the first to welcome new immigrants to their communities, preserving many of the old traditions of a far-away homeland while simultaneously introducing new traditions that were part of a uniquely American experience.

The Monsignor Farrell Division #2 Chapter of the Ancient Order of Hibernians and its founders exemplify the core principles of charity, concern for our fellow man, and commitment to educating students about the sacrifices and accomplishments of prior generations. On this momentous occasion, please accept my congratulations and my gratitude for your continuing service to our community.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 44 "To eliminate the 2013 statutory pay adjustment for Federal employees" (H.R. 273). Had I been present, I would have voted "No."

HONORING JIM MATTHEWS, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable veteran, John Matthews, Jr. He is a lifelong resident of the Mississippi Delta.

Mr. Matthews was drafted to serve in the United States Army after graduating from Alcorn State University and becoming a licensed educator.

Mr. Matthews served during the time of the Vietnam Conflict and was a member of the 258th Personnel Service Company and the 30th Air Defense Artillery Brigade. He earned the rank of Sergeant Major and after serving our country for 30 years he retired with an Honorable Discharge. Upon completion of his tour of duty, Mr. Matthews returned to the Mis-

issippi Delta and was a business manager, educator and cancer research assistant.

Mr. Matthews has stated that his service to America taught him discipline and leadership skills, and gave him the opportunity to travel and interact with various ethnic groups around the world.

Mr. Matthews wanted to continue his contact with fellow veterans so he became a member of the American Legion Post 206 in Indianola, Mississippi. In 2010 he was elected to serve as Vice Commander of VFW Post 206. He serves in other leadership roles as Chairman of the Sunflower Humphreys Counties Progress, Inc.; Head Start Policy Council; Chairman of the Sunflower County Democratic Executive Committee; Community representative of the Sunflower County Crime Stoppers Program and Deacon at Bell Grove Missionary Baptist Church.

Mr. Matthews is married to Ms. Gwendolyn Goines-Matthews. His life motto is from Robert E. Lee: "First be sure you're right, and then proceed".

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. John Matthews for his dedication to serving our great country.

INTRODUCTION OF THE CAMPUS SEXUAL VIOLENCE ELIMINATION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I am proud to introduce the Campus Sexual Violence Elimination (SaVE) Act. This bill will close a gap in current law by requiring universities and colleges to spell out their policies on sexual assault, stalking, dating violence, and domestic violence generally. By requiring transparency out of these institutions, this bill will increase awareness for the victimization students face every day on our college campuses.

Sexual and dating violence is a serious problem on our college campuses. Over 13 percent of female undergrads have reported being stalked while at school and one out of every five women in college have reported being sexually assaulted. While these statistics are shocking, what's even more shocking is that only a fraction of these incidents are reported. When these instances of abuse go unreported, our nation's female undergraduate victims never get the support they need.

The Campus SaVE Act would close the gap in current law by requiring institutions of higher education to clearly explain their policies on dating violence, sexual assault, stalking, and domestic violence. Institutions will be required to include in their annual security reports statistics on domestic violence, dating violence, and stalking that were reported to campus police or local police agencies. It will also promote prevention and bystander responsibility by requiring these institutions to develop clear statements of policy regarding domestic violence, dating violence, sexual assault, and stalking prevention programs. Campus SaVE ensures that victims get the help they need by

requiring schools to provide clear statements regarding their procedures followed when a case of domestic violence, dating violence, sexual assault, or stalking is reported and provide victims an explanation of their rights in writing.

Young people should be able to focus on finding their intellectual passion during these years, not dealing with the mental and physical exhaustion of abuse. The Campus Sexual Violence Elimination Act will help ensure our college campuses and universities are safer and I urge my colleagues to support it.

IN REMEMBRANCE OF THE
KHOJALY MASSACRE

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, as the United States and Azerbaijan continue to develop closer relations—relations which have proven immensely valuable to both nations—it is important to take the time to remember the Khojaly Massacre which took place in Azerbaijan 21 years ago, on February 25–26, 1992.

In a period of less than 12 hours, 1,275 Azerbaijanis were tortured and 613 were murdered, including 106 women and 63 children, in the town of Khojaly.

Newsweek described the victims of Khojaly as “ordinary Azerbaijani men, women, and children,” separate from the on-going military conflict between Azerbaijan and Armenia.

Despite the shocking nature of these events, remembrance of the Khojaly Massacre has become nearly forgotten outside Azerbaijan's borders. This is unconscionable for our country, which has always fought to safeguard the human rights of all people.

In the wake of the terrorist attacks of September 11, 2001, Azerbaijan shared in our grief and pledged to stand by the United States as we brought the perpetrators to justice.

True to their word, Azerbaijan has supported allied efforts against international terrorism by allowing unrestricted access to their territory for aircraft, troops, and supplies, as well as committing their own troops to fight alongside our own.

Just as Azerbaijan has supported our nation in its time of need, so too must we not let the massacre of the 613 Azerbaijani men, women, and children drift into the dim memory of history.

I urge my colleagues to commemorate this terrible tragedy and continue our nation's support for the people of Azerbaijan, our partners in peace and prosperity for the Caspian Region.

HONORING NANCY DAVENPORT-ENNIS ON HER RETIREMENT FROM THE PATIENT ADVOCATE FOUNDATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. WITTMAN. Mr. Speaker, I rise today with my distinguished colleagues from Virginia Representative RIGELL and Representative SCOTT to recognize Nancy Davenport-Ennis, of Yorktown, Virginia, on her retirement 17 years after founding the Patient Advocate Foundation and the National Patient Advocate Foundation. Nancy Davenport-Ennis founded the Patient Advocate Foundation and the National Patient Advocate Foundation in 1996 in honor and memory of her friend, Cheryl Grimm, a breast-cancer patient who was denied coverage for her treatment. Through Nancy Davenport-Ennis' determined leadership the Patient Advocate Foundation and the National Patient Advocate Foundation have provided direct patient assistance to over 965,000 patients with chronic, debilitating and life-threatening conditions who needed help navigating the health care system or finding affordable health care. Additionally, millions of other patients were assisted through web-based informational services.

Nancy Davenport-Ennis knows first-hand of the personal battle of cancer as a two-time breast cancer survivor. She has eloquently and openly discussed how this experience aided her in establishing a body of work that will continue to help millions of patients long past her retirement. Throughout her exemplary career as a leader in health care policy she has embodied the dignity and integrity of a true patient advocate. I join with my distinguished colleagues in expressing our utmost respect and admiration for her service to Virginians and all Americans.

RECOGNIZING OLIVER EVANS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize a remarkable young man, Oliver Evans. He is the younger of two children born to Oliver and Pearl Evans. Oliver is a graduate of Clarksdale High School, Coahoma Community College and Mississippi Valley State University.

Oliver has been a fireman for four years with the Clarksdale Fire Department. He is certified by the Mississippi State Fire Academy. Saving lives is an emotional, physically fit, and demanding job. Firefighters must always be conscious of their physical ability and responsibility. Oliver received the “Most Physically Fit Award” from the Mississippi State Fire Academy. As a fireman, routine activities and exercises are what help him improve upon his ability to save lives such as checking fire hydrants, appliances, fire equipment, visiting local schools, building inspections and

skill enhancement training. The extra training can be challenging and there are always new technologies that you must master. Again, the job is both physically and mentally demanding. You never know what to expect, the normal instinct is to run from danger; a firefighter runs into danger. Oliver said, “I considered myself truly blessed to have the opportunity to affect the lives of others in the way that this job has provided.”

Mr. Speaker, I ask my colleagues to join me in recognizing Oliver Evans, a committed firefighter and public servant.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. DeLAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 45, “Condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device” (H. Res. 65). Had I been present, I would have voted “yes.”

COMMEMORATING THE KHOJALY TRAGEDY

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. FOXX. Mr. Speaker, since declaring its independence from the Soviet Union, Azerbaijan has been a reliable friend and valuable ally of the United States in a turbulent region. In this true spirit of friendship, it seems appropriate for Congress to commemorate the victims of the Khojaly tragedy as Azerbaijani people mark the 21st anniversary of this event.

The town of Khojaly is located in the Nagorno-Karabakh region of Azerbaijan and was home to some 7,000 Azerbaijani citizens during the Armenian-Azerbaijani war. On February 25 and 26 of 1992, in a period of less than 12 hours, 613 citizens, including women and children, died at the hands of Armenian forces and Russian military troops.

Human rights organizations described the advancing forces as having committed unconscionable acts of violence against civilians as they fled. The bodies of fallen men, women and children were observed by foreign journalists who visited the region in the wake of the tragedy. Given our deepening ties with Azerbaijan, it is important for American citizens to remember this event.

Twenty-one years later, the Armenian-Azerbaijani conflict has not yet been fully resolved. The anniversary of this horrible tragedy is an appropriate time to honor the victims of these atrocities and reflect on the need for all parties to work together to bring a swift end to this conflict. I urge my colleagues to join me in standing with Azerbaijanis as they commemorate this tragedy.

CELEBRATING BLACK HISTORY
MONTH AND DR. YVONNE
SCRUGGS-LEFTWICH

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to celebrate Black History Month and to honor and highlight the distinguished career of Dr. Yvonne Scruggs-Leftwich. Dr. Scruggs-Leftwich's contributions to civil rights, education, and public service have left an indelible mark on our country.

Dr. Scruggs-Leftwich has dedicated the majority of her life to public service. Born in Niagara Falls, New York, she completed her elementary and high school education in Buffalo, New York. After high school, she earned her Bachelor's Degree, with honored distinction, in Political Science from North Carolina Central University. She went on to earn a master's degree in Public Administration from the Hubert H. Humphrey School of Public Affairs at the University of Minnesota. Finally, Dr. Scruggs-Leftwich earned her Ph.D. in City and Regional Planning from the University of Pennsylvania. She was also the first African-American to be awarded a prestigious Fulbright Fellowship, which she used to study political science at both the Free University in Berlin, Germany, and the Deutsche Hochschule für Politik. Her impressive educational background has earned her teaching positions at some of the country's most revered universities, including Howard University, the University of Pennsylvania, and the George Washington University.

Her commitment to public service has been evident as well. Dr. Scruggs-Leftwich has served as Deputy Mayor of Philadelphia, Pennsylvania. She was also New York State Housing Commissioner under Governor Mario Cuomo and has served as the Executive Director of President Carter's Urban and Regional Policy Group. Here, she worked to issue America's first formal National Urban Policy, a significant accomplishment. Additionally, as the Executive Director and Chief Operating Officer of the Black Leadership Forum, Inc., Dr. Scruggs-Leftwich worked tirelessly to facilitate dialogue between the leaders of the African-American community while also working to design opportunities for collaboration across racial lines.

As residents of St. Petersburg, Florida, Dr. Scruggs-Leftwich and her husband, Reverend Edward Leftwich, have launched the Quantum Opportunities after-school program through the Center for Community and Economic Justice. This program works to help at-risk teens become community leaders through tutoring, internship opportunities and training in civic leadership skills. Her unwavering dedication to encouraging a commitment to education and community service with at-risk teens has contributed in countless ways to the Tampa Bay area.

Her impressive volunteer endeavors continue to make Dr. Scruggs-Leftwich's dedication to community service clear. She currently serves as Vice Chair of the Milton S. Eisenhower Foundation's Board of Trustees, Execu-

tive Director of the Center for Community and Economic Justice, and is Member at Large of the Black Leadership Forum.

The Tampa Bay Community is proud to recognize Dr. Yvonne Scruggs-Leftwich for her outstanding career and significant contributions to the fields of education, public policy, and civil and community activism. Her dedication to advancing the rights of others through both public and community service makes her an inspirational leader. I ask that you and all Americans recognize such a remarkable citizen for her dedication to our community and our nation.

TRIBUTE TO AMERICAN CANCER
FUND FOR CHILDREN AND KIDS
CANCER CONNECTION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. WAXMAN. Mr. Speaker, I rise once again today to recognize and congratulate the American Cancer Fund for Children and Kids Cancer Connection.

The City of Beverly Hills proclaimed the week of November 18, 2012 "Childhood Cancer Awareness Week." I am pleased to join the City of Beverly Hills in thanking Steven Firestein, the founder of the American Cancer Fund for Children and its sister organization, Kids Cancer Connection for his wonderful work in assisting children affected by cancer.

More than eighteen years ago, Steven began the American Cancer Fund for Children to provide vital patient psychosocial services to children undergoing cancer treatment at the Skull Base Institute at the Cedars-Sinai Medical Office Towers in Los Angeles, Mattel Children's Hospital at UCLA Medical Center in Los Angeles as well as participating hospitals throughout the country.

One of the wonderful services provided through the American Cancer Fund for Children is the Magical Caps for Kids program. Hand-made caps and decorated baseball caps are given to children who want to protect their heads following the trauma of chemotherapy, surgery and/or radiation. The American Cancer Fund for Children also sponsors the Courageous Kid award ceremonies and hospital celebrations in recognition of a child's bravery and determination to fight the battle against childhood cancer.

As we know, cancer is the leading cause of death by disease among children in the United States. This tragic disease is detected in nearly 15,000 of our nation's children each year. Steven Firestein and the American Cancer Fund for Children and Kids Cancer Connection are providing critical services and comfort to young patients battling cancer and their families. I ask my colleagues to join me in thanking and recognizing Steven Firestein for his tremendous efforts.

HONORING ROBERT SEATON, SR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a selfless man of the community, Mr. Robert Seaton, Sr.

Robert Seaton is a resident of Sharkey County, Mississippi. He was born December 2, 1944 in Blanton, Mississippi to the late Leola and Oscar Seaton. Mr. Seaton was raised by his grandparents, Ester and Joseph Kelly until 1954, the death of his grandmother.

Mr. Seaton graduated from Rolling Fork School. After graduation he moved to Los Angeles, California where he worked in a bakery downtown. In 1972, he returned to Mississippi. Since his return Robert worked for an auto mechanics shop, served 14 years as a volunteer Firefighter in Cary, Mississippi, and served two terms as Alderman in the Town of Cary until he became the Mayor of Cary.

Robert is a member of New Hope M. B. Church in Blanton, Mississippi. He also is a member of the Deer Creek Watershed Executive Board. Mr. Seaton hosts Fire Prevention Week each year for the children of the community.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Robert Seaton, Sr. for his dedication to serving others and giving back to the community he grew up in.

McILHENNY COMPANY CEO PAUL
McILHENNY PASSES AWAY AT 68

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. BOUSTANY. Mr. Speaker, I rise today with a heavy heart to commemorate the passing of a great leader in the South Louisiana community who built his family business into a national brand and was known as "The Scion of Spice."

Paul McIlhenny, CEO of the McIlhenny Company and owner of the Tabasco sauce brand, was a true friend and advocate for the state of Louisiana, promoting tourism and Cajun culture abroad while fighting coastal erosion at home. He was passionate about food, an avid hunter, a generous philanthropist and always quick with a joke. He will be dearly missed by the entire community in South Louisiana and remembered as a steadfast advocate for our state. To commemorate Mr. McIlhenny's passing, I request to include an article from the New Orleans Times-Picayune, written by John Pope, in its entirety into the CONGRESSIONAL RECORD:

Paul McIlhenny, an ebullient executive who for 14 years led the family-owned company that makes Tabasco sauce and who reigned as Rex in 2006, died Saturday at his New Orleans home, apparently of a heart attack. He was 68.

Mr. McIlhenny, whom The New York Times once called "The Scion of Spice," became the company's president in 1998—the sixth family member to hold that title—and

chief executive officer two years later. At his death, he still held the latter position and also was chairman of the board of directors, but a cousin, Anthony "Tony" Simmons, was named president last year.

The company, which was founded by Edmund McIlhenny in 1868 on Avery Island, near New Iberia, sells Tabasco sauce in about 165 countries and has 11 websites outside the United States, in North and South America and Europe.

During Mr. McIlhenny's years at the helm of the McIlhenny Co., he worked aggressively to expand the number of items to which the familiar Tabasco logo could be affixed. They include T-shirts, aprons, neckties, teddy bears and computer screensavers, as well as seven varieties of hot sauce.

In 2009, Queen Elizabeth II granted the company a royal warrant, which entitles it to advertise that it supplies the pepper sauce to the British royal family. In honor of the queen's Diamond Jubilee last year, the company turned out a Tabasco-sauce box for its British market emblazoned with drawings of dozens of diamonds.

In the United States, the company provides hot sauce for Air Force One.

Mr. McIlhenny entered the family business in 1967, shortly after earning a degree in political science at the University of the South in Tennessee.

Despite his passion for all things Louisiana, Mr. McIlhenny was born in Houston in 1944, along with a twin sister, Sara, because their mother was staying there with her mother while the children's father was in the military during World War II, said his daughter Barbara McIlhenny Fitz-Hugh.

Mr. McIlhenny grew up in New Orleans and spent much of his childhood shuttling between New Orleans and the family's compound on Avery Island.

Because of his interest in the wetlands around Avery Island, his passion for hunting and his mother's membership on a committee concerned with coastal-zone management, Mr. McIlhenny became aware years ago of Louisiana's increasingly fragile coastline. Gov. Mike Foster appointed him to the Governor's Advisory Commission on Coastal Restoration, Protection and Conservation, and he was a vice chairman and board member of the America's Wetland Foundation, whose logo appears on every box of Tabasco sauce sold in the United States.

Although Mr. McIlhenny was serious about coastal restoration and the preservation of Louisiana's wetlands, he generally was a merry man—one friend described him as "Falstaffian"—who strove to inject humor wherever possible.

A few days before he reigned as Rex in 2006, Mr. McIlhenny quipped that if, during the ceremonial toast to the mayor at Gallier Hall, the subject of hot sauce came up, "I'll say that's one form of global warming I'm totally in favor of. We're defending the world against bland food."

He took the throne six months after Hurricane Katrina roared ashore, the city's levees failed and 80 percent of New Orleans was flooded. The Rex den took on about 5 feet of water; watermarks were clearly visible on its floors when the parade rolled.

Because of the storm's impact, some people, including Carnival insiders, had questioned the wisdom of having parades in 2006. Mr. McIlhenny said in a pre-parade interview that the thought never crossed his mind. "If there was any time when we needed distraction, digression, diversion from the grind, it's Mardi Gras," he said, "and if there was any time we ever needed it, it's here. We

need to let it all hang out and, in the sense of pre-Lenten revelry, make sure we relax and recreate."

Mr. McIlhenny was president of Bayou Corp., his hunting club in Vermilion Parish; a former president of the New Iberia Rotary Club; a founder and board member of Fuelman/Fleetman Cos. Inc.; a director of the Friends of the National Arboretum; a member of the Marine Military Academy board; and a lifetime sponsor of Ducks Unlimited. He also was a member of the Bohemian Grove, the Avoca Duck Club, the Boston Club, the Louisiana Club, the Recess Club and the Chattanooga Club.

In 2010, Mr. McIlhenny was inducted into the James Beard Foundation's Who's Who of Food and Beverage in America. He was an author of a cookbook compiled to mark the McIlhenny Co.'s 125th anniversary.

Survivors include his wife, Judith Goodwin McIlhenny; two daughters, Barbara McIlhenny Fitz-Hugh of New Orleans and Rosemary McIlhenny Dinkins of Nashville, Tenn.; a brother, Gustaf McIlhenny of Maine; a sister, Sara McIlhenny Ringle of Covington; and four grandchildren.

CONGRATULATING UNIVERSITY OF NORTHERN IOWA PRESIDENT BEN ALLEN

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate my friend Ben Allen on his retirement as the President of the University of Northern Iowa. On May 31st, President Allen will be retiring after six and a half years of service to the University of Northern Iowa (UNI).

Ben Allen was named the ninth President of UNI on April 28, 2006. Prior to serving at UNI, President Allen served as Vice President for Academic Affairs and Provost at Iowa State University. President Allen has been a hard-working leader for UNI and the Cedar Valley community. Under President Allen's leadership, UNI has established priorities for increasing student achievement in undergraduate performance, and providing statewide leadership in Pre-K through 12 education.

Ben Allen led UNI through exciting and challenging times. I have always respected Ben's love for the University and his contributions to higher education at both UNI and Iowa State. I'm proud to call Ben my friend and I wish Ben and his wife Pat all the best in their future plans and endeavors.

HONORING MR. MICHAEL HIGGINS ON HIS RETIREMENT FROM CON- GRESS

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. McKEON. Mr. Speaker, it is with great pride and some sadness that I rise to honor Mr. Michael R. Higgins, a Professional Staff Member of the Armed Services Committee, on the eve of his retirement.

For over forty years, Mike has dedicated himself to his country and the Armed Forces. He served in the United States Air Force for twenty years and retired as Lieutenant Colonel. For the next 23 years, it was our great fortune that he chose the Armed Services Committee as the home for his incredible talents.

Mike served 7 HASC chairmen and 8 subcommittee chairmen, helping to steer our committee through war and peace. His sage advice guided members out of the Cold War and through the sporadic conflicts of the 1990s, social changes both large and small, and a tough 11 years of war. For any analyst looking to answer the question, "How did the all-volunteer military survive those war years?" I would urge them to examine the contributions of Mike Higgins.

When the Pentagon struggled to attract quality recruits, Mike helped improve military recruiting and retention programs. When issues arose with outdated military pay and retirement policies, Mike modernized those systems. When the strains of combat brought in Wounded Warriors to rehabilitate, Mike helped guarantee attention to their needs.

Mike encountered an historic array of challenges to the Armed Forces. Some were structural, some were strategic, and some were social. But Mike's consummate professionalism, commitment to the military people that he loved, and perseverance in the face of the toughest political and policy debates helped us meet each issue with wisdom and experience. For that, I am grateful and in his debt.

His legacy is unmistakable. Whenever the military and Congress found themselves at odds, whenever there was a shared obstacle to overcome, and whenever a member of our committee—Republican or Democrat—needed advice or counsel, Mike was there.

Mike Higgins is a giant. He shaped the service of every man and woman of the Armed Forces over the last two decades. Every military retiree, their survivors, and each military family benefited from Mike's commitment to them. Mike will cast a long shadow far beyond his retirement.

His humility is matched only by his intellect, his ability to listen and a fearsome ability to see to the heart of an issue. When oversight is your business, sharp eyes are your sword. And no sword was sharper than that of this modest, unassuming Airman, who served his country with the tenacity of a lion, yet would today be surprised that so much is being made of all that he accomplished. Thank you, Mike.

TRIBUTE TO THE SHAW VOLUN- TEER FIRE COMPANY NUMBER ONE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable volunteer fire department in the Mississippi Delta.

The Shaw Volunteer Fire Company Number One was established on November 15, 1921

with Chas F. Hill as Fire Chief, R.V. Farmer as Assistant Chief, and N.L. Chapman as Captain and twenty firemen. Recently, the Shaw Volunteer Fire Department became a part of the Bolivar County Fire Department and is known as District 5. This has increased their service area to surrounding communities and they currently serve 4,000 residents.

Since its establishment, the Shaw Volunteer Fire Department has been a great benefit to the citizens of Shaw by saving many lives, businesses, and personal property. The fire department has been the first responders and rescuers at numerous incidents like automobile, school bus, and natural disasters.

The Shaw Volunteer Fire Department was one of the first departments to have female firefighters. Under the direction of its current Fire Chief, Timothy Caninco and Captain Bernice Boone and 12 firefighters, they have established the Shaw Fire Academy to educate and train youths and adults on fire safety. The fire department has received numerous outstanding performance certifications and awards.

Mr. Speaker, I ask my colleagues to join me in recognizing the City of Shaw Volunteer Fire Department for its dedication to serving the citizens of Shaw and responding to call for help within the surrounding area.

PERSONAL EXPLANATION

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Ms. GABBARD. Mr. Speaker, on February 4, 2013, through February 6, 2013 I was unable to record my votes for rollcall No. 31–No. 38. Had I been present I would have voted:

Rollcall No. 31: Yes—On Motion to Suspend the Rules and Pass H.R. 225.

Rollcall No. 32: Yes—On Motion to Suspend the Rules and Pass H.R. 297.

Rollcall No. 33: No—Ordering the Previous Question.

Rollcall No. 34: No—On Agreeing to the Resolution.

Rollcall No. 35: Yes—On Agreeing to the Takano Amendment.

Rollcall No. 36: Yes—On Agreeing to the Schrader Amendment.

Rollcall No. 37: Yes—On Motion to Recommit with Instructions.

Rollcall No. 38: Yes—On Passage.

HONORING THE HONOREES OF THE OXFORD HILLS CHAMBER OF COMMERCE AWARDS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor the recipients of the 2013 Annual Oxford Hills Chamber of Commerce Awards. Representing over 400 area businesses and organizations, the Oxford Hills Chamber has been instrumental in advocating for economic

growth throughout the greater Oxford County region.

Each year, the Oxford Hills Chamber of Commerce honors local businesses, business leaders, and individuals who promote and advance a vital and healthy economic environment. These honorees embody the kind of entrepreneurship and resourcefulness which has helped the state to weather one of the harshest economic climates in American history.

This year's award recipients include Business of the Year, Oxford Casino; Employee of the Year, Steve Holbrook, teacher at Oxford Hills Christian Academy; Rising Star of the Year, ServiceMaster Fire and Water Restoration of Oxford. Additionally, the staff at Responsible Pet Care will receive the Community Service Award.

These recipients are among the best that Maine has to offer. Through their leadership and incredible commitment to their communities and to the region, Maine is a better place to live and to do business.

Mr. Speaker, please join me again in congratulating the Oxford Hills Region Chamber of Commerce and these individuals on their outstanding service and achievement.

WASHINGTON FIRE COMPANY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor the Washington Fire Company No. 1, which will celebrate 155 years of service to the Borough of Mechanicsburg, Pennsylvania and the surrounding counties.

The Washington Fire Company is one of the oldest operations of its kind still servicing Cumberland County. Named after our country's first president, the company was formally constituted on February 22nd, 1858. The town hall was used to house equipment and hold meetings until 1860, when a firehouse was built on East Main Street, a facility the Washington Fire Company still uses to this day.

The Washington Fire Company has been an important force against many historic fires in the region. Members of their workforce were present at the Thomas Printing fire in 1903, the Grantham Aircraft Engine Works and the Updegraff's Bowling Alley fires in 1956, the Brandtsville Train Wreck in 1963, the Arch Street School fire in 1972, and the fire at Rakestraw's Ice Cream in 1991. They continue to put their lives on the line to protect the people of Cumberland County.

Mr. Speaker, for the last 155 years, the Washington Fire Company has acted as an important asset to the citizens of Mechanicsburg and the surrounding counties. Therefore, I commend the personnel who have faithfully worked to protect our community at this fire house.

HONORING THE TUTWILER VOLUNTEER FIRE DEPARTMENT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Tutwiler Volunteer Fire Department (Tutwiler VFD) located in Tutwiler, Mississippi. The department serves a population of 3,550 citizens.

The Tutwiler VFD is staffed by twelve volunteers tasked with the responsibility of saving lives and responding to emergencies. The staff consists of both full and part time volunteers. Some of the volunteers have been certified by the National Fire Protection Association and/or the State of Mississippi as a highly trained and qualified firefighter and first responder. Volunteer fire departments with trained firefighters are an invaluable asset to rural areas like Tutwiler.

The job of saving lives requires skill, a passion for life, and good equipment. Some of the volunteers work for more than one volunteer fire department because many communities are small and spread apart.

The Tutwiler VFD has a lot of territory to cover. They respond to calls from the Tallahatchie County Correctional Facility, the Tallahatchie County School District, and neighboring communities. The correctional facility is a 2,800 bed facility, and the school district has a student body of over 800 students. When the Tutwiler VFD staff is not responding to calls, they engage in ongoing community outreach to educate citizens on fire safety measures and techniques.

Mr. Speaker, I ask my colleagues to join me in recognizing the Tutwiler Volunteer Fire Department for the work they are doing to save lives in the Mississippi Delta.

TRIBUTE TO DR. WILLIAM P. DIGGS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a remarkable theologian and dedicated community servant. Dr. William P. Diggs has retired after 50 years of leading Trinity Baptist Church in Florence, South Carolina. He has set a tremendous example of stewardship and service for future generations to follow.

Dr. Diggs was born in Columbia, South Carolina, but grew up in Rock Hill. Always a dedicated student, he graduated from Morehouse College, earned a Master of Arts in Sociology from Atlanta University, a Master of Divinity from Colgate-Rochester Divinity School in Rochester, New York, and a Doctor of Ministry from McCormick Theological Seminary in Chicago.

Educational opportunities took him around the country, but Dr. Diggs longed to return home to South Carolina. Upon his return, he served as Pastor at Flat Rock Baptist Church

in Clover, South Carolina, and Galilee Baptist Church in nearby York. In 1962, he truly found a home when he took the position as Pastor of Trinity Baptist Church where he remained until his retirement in December 2012.

During his half-century at Trinity, the church itself grew in size and influence. The improvements to the physical structure included a church manse, a complete renovation of the edifice, and the construction of a new education building. The church also purchased two buildings—Trinity Annex and the Old Seaboard Depot—and secured land for a new parking lot. A new addition which houses a pre-school; additional Sunday school classrooms; meeting rooms; and a fully-equipped kitchen was also built. And in 2010, the church purchased commercial property on North Dargan Street that includes barber shops, beauty salons and a restaurant.

The church's community influence also grew with its size. Dr. Diggs made education a priority and led Trinity Baptist Church to contribute nearly \$35,000 annually to higher education facilities. He also instituted a pre-school which is licensed by the State of South Carolina and has been recognized for its excellence. The church also organized a federally operated credit union, which has assets of almost three million dollars.

Dr. Diggs accomplished quite a lot at Trinity Baptist Church, but his contributions did not stop at the church's door. He served as an Assistant Professor of Sociology at Friendship, Benedict and Morris Colleges for a total of 24 years, and is a former Adjunct Professor at Francis Marion University. He is a sought after speaker having addressed students at Morehouse College, Morehouse School of Religion, Interdenominational Theological Center, Bishop College, the University of South Carolina, Winthrop University and Coker College, and many sermons at churches throughout the country.

He has also contributed his time and talents to other faith-based organizations; serving as Past President and Past Dean of the Congress of Christian Education, Progressive National Baptist Convention, Inc., and Past Dean of the South Region. He is also a Past Moderator of the Pee Dee Baptist Association, and the Past Dean of the Pee Dee Baptist Workshop.

He has served as a member of the Boards of Trustees at Friendship College, Benedict College, and Morris Colleges, a member of the Boards of Directors at Morehouse School of Religion, the Interdenominational Theological Center, and as a board member of Nannie Helen Burroughs School, the Greater Florence Habitat for Humanity, and the Mayor's Human Relations Committee.

Dr. Diggs is a Life Member of the NAACP, and Past President of the Florence Branch. He helped to organize the first "sit-in" demonstrations in South Carolina, which occurred on February 12, 1960 in Rock Hill.

Dr. Diggs is the recipient of numerous awards including the Order of the Palmetto in 1996, the highest civilian award given by the Governor of South Carolina. He was inducted into the South Carolina Black Hall of Fame in 1998 by 100 Black Men of South Carolina, Inc. and the United Black Fund. The Greater Florence Chamber of Commerce awarded him

the Building Bridges Humanitarian Award in 2000. He is also the recipient of the Pee Dee Area Council Boy Scouts of America Whitney Young Award and the AARP Andrus Award for Community Service for the State of South Carolina among many other honors.

Dr. Diggs is married to the former Clotilda Daniels, and the couple has two children—Mary Lynne and William, Jr. (Lennette). They have one grandson, William IV.

Mr. Speaker, I ask you and my colleagues to join me in commending Dr. William P. Diggs for his more than 50 years of service in the ministry. His ministry is a living example of Peter's admonition, "As each one has received a special gift, employs it in serving one another, as good stewards of the manifold grace of God." I am proud to call Dr. Diggs a dear friend, and I wish him well in retirement.

HONORING SERGEANT FIRST
CLASS LLOYD CLAUDE "L.C." RICE

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. MULVANEY. Mr. Speaker, I rise today to honor the life and mark the passing of Sergeant First Class L.C. Rice, one of my constituents, a highly decorated veteran, and a true servant of our nation.

SFC Rice was born in Greer, SC, in 1923, the son of the late Bunyon Clinton Rice and the late Tenie Jane Beaver Rice. L.C. Rice grew up during the Depression, so after completing the lower grades, he went to work. In January 1941, SFC Rice joined the Navy at the age of 17.

He was a machinist mate stationed on the USS *Pennsylvania* at Pearl Harbor, Hawaii, on the morning of December 7, 1941. His ship was in dry dock when it was attacked, and all weapons and ammunition had been removed. SFC Rice spent that day "which shall live in infamy" rescuing the wounded and collecting the dead.

Next, SFC Rice was sent on a secret mission to deliver the cruiser USS *Milwaukee* to the Russians. His family could not be told where he was, and he was gone for so long they believed him missing in action. Later, he was stationed on a ship off the coast of Normandy, which was torpedoed and sank beneath him. Although he was hit by shrapnel, he swam through the debris and made it to shore, rescuing others along the way. Once on land, L.C. was given a rifle and helped fight against the Nazis. During World War II, he served both in naval and ground combat in both the Pacific and the European theatres. SFC Rice also participated in the Pacific Island campaigns and was part of the atomic bomb tests at the Bikini Atoll in 1946. For his service to our nation, SFC Rice was awarded the Purple Heart.

After his service in the Navy, SFC Rice joined the Army's 82nd Airborne and became a master parachutist, drill sergeant and jumpmaster, completing more than 1,500 jumps. He served two combat tours in Korea and won a bronze star for bravery. SFC Rice was instrumental in forming the Army's "Gold-

en Knights" official parachute team, and was one of the first military advisors sent to South Vietnam during the Vietnam War to train their soldiers. SFC Rice also trained soldiers at Fort Jackson and Fort Bragg.

SFC Rice retired from active duty in 1963 and from reserve duty in 1973, after 32 years of military service during three separate wars. SFC Rice is York County's most decorated soldier. After retirement, L.C. devoted nearly all his time to the Rock Hill VFW, the American Legion, the Honor Guard, and to veterans in general.

SFC Rice was interred with full military honors on February 15, 2013, in Rock Hill, SC. L.C. Rice was the widower of Jeanie Rice and Edna "Jan" Biles Rice. He was the last survivor of 11 children, six sisters and four brothers. He is survived by 11 nieces, 10 nephews, and many loyal friends and devoted caregivers.

L.C. Rice was an American Hero. He was truly on the front lines of the generation that saved America and the World. We will remember L.C. not only for his bravery and service to our country, but more importantly, as a dear friend. My thoughts and prayers are with L.C.'s family and for all those who knew him and share in the pain of his loss.

HONORING JERRY BARBER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous volunteer firefighter, Mr. Jerry Barber.

Aside from being a volunteer firefighter, Mr. Barber is a member of the Leland High School Class of 1978, the cook for the Leland High School Booster Club, and also a carpenter.

Mr. Barber got his inspiration to be a volunteer firefighter from former Chief James Hasting of Leland, Mississippi. Mr. Barber thought he was brave and wanted to be like him. So, he started asking Chief Hasting about being a firefighter. Chief Hasting told him, "it's not about the money, it's about the life and property you save for others".

In 2006, Chief Michael Johnson of the Leland Fire Department hired Mr. Barber as a volunteer firefighter, where he is still employed. Since then he has taken great pride in being a fireman through training and certification. He is certified in Cardiopulmonary resuscitation (CPR). He is also trained and licensed to drive fire trucks along with mechanical knowledge and equipment maintenance of the truck. In addition to that, Mr. Barber has undergone training in other fire equipment operation and safety. Mr. Barber has climbed the ranks since 2006 to become the Assistant Chief of the Leland Fire Department.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Jerry Barber for his dedication and passion to serving the city of Leland, Mississippi.

CONGRATULATING INAUGURATION
OF MADAM PRESIDENT PARK
GEUN-HYE, SOUTH KOREA'S
FIRST FEMALE PRESIDENT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. RANGEL. Mr. Speaker, I am proud to join millions of people across the world in congratulating Madam President Park Geun-hye as she ascends to the Presidency. This historic occasion of swearing in a female to the head of government reflects the tremendous leaps that The Republic of Korea has made to become a shining example of one of the most successful democracies in the world. South Korea has emerged from the ashes of war into a giant in Asia and throughout the international community.

As we commemorate the 60th anniversary of the Armistice and the mutual military treaty, I am pleased to reaffirm my commitment to strengthening the bloodshed U.S.-Korea alliance in my capacity as a Member of the U.S. Congress. South Korea is among the closest allies of the United States, having contributed troops in support of United States operations during the Vietnam war, Gulf war, and operations in Iraq and Afghanistan, while also supporting numerous United Nations peace-keeping missions throughout the world.

In addition to being a major military ally to the United States, South Korea is our nation's seventh-largest trading partner. As the Ranking Member of House Ways and Means Subcommittee on Trade, I look forward to working with President Park's Administration to implement the U.S.-Korea Free Trade Agreement.

As a Korean War Veteran, I could not be more proud to witness today's Dynamic Korea. Seoul's skyscrapers, booming businesses and rising apartment buildings are a testament to the resiliency and determination of the Korean people. I send my best wishes to President Park and applaud the people and country that will always hold a special place in my heart.

TRIBUTE TO LLOYD ANDRE
ROLLINS

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. STIVERS. Mr. Speaker, I rise today to celebrate the life of Lloyd Andre Rollins of Columbus, Ohio. A true American hero, Mr. Rollins' service here on earth came to a close on January 30, 2013. An Ohioan and veteran of the United States Air Force, he is among the countless number of fearless warriors and veterans who have devoted their lives to serving our great nation.

In 1957, Mr. Rollins began his service in the United States Air Force. He was later transferred to the Department of State and sworn into the U.S. Foreign Service, where he served for 27 years. Mr. Rollins was awarded a Medal of Valor after he was taken hostage during the 1979 siege of the United States Embassy in Tehran, Iran.

Mr. Rollins is survived by his wife, Judy, and his two daughters, Patricia and Terri. As I pray for the family and friends of Mr. Rollins, I ask that all Members of Congress join me in offering our deepest appreciation and gratitude for his life and service to this country.

TRIBUTE TO DEAN DANIEL JOHN
MEADOR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to a distinguished Alabamian who made many valuable contributions to the study of law both in his home State and in the state of Virginia. Daniel John Meador, a retired University of Virginia law professor and former dean of the University of Alabama Law School, recently passed away at the age of 86.

Professor Meador was born in Selma, Alabama in 1926. He attended The Citadel and later graduated from Auburn University and the University of Alabama Law School. He pursued graduate study at the Harvard Law School where he received the degree of Master of Laws in 1954.

During the Korean War, he served in the U.S. Army, first in the artillery and then in the Judge Advocate General's Corps in Korea. From 1954 to 1955, he was law clerk to Justice Hugo L. Black of the U.S. Supreme Court. He then entered law practice in Birmingham with the firm of Lange, Simpson, Robinson, and Somerville. In 1957 he joined the law faculty at the University of Virginia. From 1965 to 1966, he was a Fulbright Lecturer in England.

His deanship at the University of Alabama Law School from 1966 to 1970 came at a time of transition in the School's development. With the backing of the University president, Dr. Frank Rose, he was successful in greatly increasing financial support for the school from its alumni and others. Under his leadership the law library collection was doubled, the curriculum expanded, new faculty recruited, and a program of visiting professors and lecturers inaugurated. He was instrumental in obtaining for the school a chapter of Order of the Coif, the national legal honor society. He initiated plans for a new law school building, completed a decade later.

In 1970, he rejoined the University of Virginia law faculty as James Monroe Professor of Law, a position he held until his retirement in 1994. At the University of Virginia he received the Raven Award, Alumni Association Distinguished Professor Award, and the Thomas Jefferson Award, the University's highest honor.

From 1977 to 1979, he was an Assistant Attorney General in the U.S. Department of Justice, heading a new office entitled the Office for Improvements in the Administration of Justice. One of his most significant accomplishments there was the development of the bill that Congress enacted to create the U.S. Court of Appeals for the Federal Circuit and the Court of Federal Claims.

Dean Meador was the founding president of the Cahaba Foundation, a non-profit corpora-

tion dedicated to securing private financial support for the state historical park at Cahaba, Alabama's first State capital. He took a deep personal interest in Cahaba because his mother's family lived and conducted extensive farming operations there for three generations, and he spent much time there in his childhood. He recounted all of this in a memoir, *At Cahaba—From Civil War to Great Depression*. For his preservation efforts in Cahaba he received the distinguished service award from the Alabama Historical Commission.

On behalf of the people of Alabama, I wish to offer condolences to his wife, Alice, and their three children—Barrie Meador Boyd; Anna Meador Palms; Daniel J. Meador Jr., seven grandchildren, and a brother, Dr. Clifton K. Meador, former dean of the University of Alabama Medical School.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 26, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

FEBRUARY 27

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine animal drug user fee agreements, focusing on advancing animal health for the public health.

SD-430

Committee on the Judiciary

To hold hearings to examine the assault weapons ban of 2013.

SH-216

Committee on Rules and Administration

Business meeting to markup the Omnibus Budget for Senate committees.

SR-301

2 p.m.

Committee on the Judiciary

To hold hearings to examine the nomination of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit.

SD-226

2:30 p.m.

Committee on Agriculture, Nutrition, and Forestry

To hold an oversight hearing to examine the Commodity Futures Trading Commission.

SR-328A

Committee on Commerce, Science, and Transportation

To hold hearings to examine the power of transparency, focusing on giving consumers the information they need to make smart choices in the health insurance market.

SR-253

3 p.m.

Special Committee on Aging

To hold hearings to examine strengthening Medicare for today and the future.

SD-106

FEBRUARY 28

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nominations of Alan F. Estevez, of the District of Columbia, to be Principal Deputy Under Secretary for Acquisition, Technology, and Logistics, Frederick Vollrath, of Virginia, to be Assistant Secretary for Readiness and Force Management, and Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force, all of the Department of Defense.

SD-106

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine addressing the Federal Housing Administration's (FHA), financial condition and program challenges, part II.

SD-538

Committee on the Judiciary

Business meeting to consider S. 150, to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, S. 54, to increase public safety by punishing and deterring firearms trafficking, S. 374, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, S. 146, to enhance the safety of America's schools, and the nominations of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California, Nelson Stephen Roman, to be United States District Judge for the Southern District of New York, Sheri Polster Chappell, to be United States District Judge for the Middle District of Florida, Kenneth John Gonzales, to be United States District Judge for the District of New Mexico, Michael J. McShane, to be United States District Judge for the District of Oregon, and Nitza I. Quinones Alejandro, Luis Felipe Restrepo, and Jeffrey L. Schmehl, all to be a United States District Judge for the Eastern District of Pennsylvania.

SD-216

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of Military Officer Association of America, Retired Enlisted Association, Non Commissioned Officers Association,

Blinded Veterans Association, Military Order of the Purple Heart, Wounded Warrior Project, Iraq and Afghanistan Veterans of America, and American Ex-Prisoners of War.

SD-G50

Joint Economic Committee

To hold hearings to examine the state of the United States economy, focusing on economic growth and job creation, and what Congress can do to boost them.

SH-216

10:30 a.m.

Committee on Finance

To hold hearings to examine delivery system reform, focusing on a progress report from the Centers for Medicare and Medicaid Services (CMS).

SD-215

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 7

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior.

SD-366

POSTPONEMENTS

FEBRUARY 28

10:30 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the future of passenger rail, focusing on what's next for the Northeast Corridor.

SR-253

HOUSE OF REPRESENTATIVES—Tuesday, February 26, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. YODER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 26, 2013.

I hereby appoint the Honorable KEVIN YODER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title without amendments in which the concurrence of the House is requested:

S. 298. An act to prevent nuclear proliferation in North Korea, and for other purposes.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CITIZENS UNITED DECISION DEEPLY FLAWED

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Late last year, the Supreme Court overturned a century-old Montana law that prohibited corporate spending in that State's elections. In the Montana case, the Supreme Court had the chance to revisit its deeply flawed 2010 decision in *Citizens United*. But despite the urgings of members of the Court itself and a public shell-shocked by the recent torrent of unregulated corporate expenditures, the Court chose instead to double down and reaffirm the conclusion of *Citizens United* that corporations are people—at least as far as the First Amendment is concerned.

As a legal decision, the *Citizens United* opinion was remarkable in many ways: in its willingness to overturn a century of jurisprudence, in its choice to issue as broad a ruling as possible rather than as narrow as the case and the Constitution required, and in its reliance on minority or concurring views in prior decisions rather than the prevailing opinions in those same cases. As Justice Stevens pointed out in a striking dissent, nothing had really changed since prior controlling case law except the composition of the Court itself. So much for *stare decisis*.

But what stood out most about *Citizens United* was not the Court's legal reasoning, but its staggering naivete, as the Court confidently declared:

We now conclude that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption.

Unfortunately, the five Justices who joined this opinion must be the last five Americans to feel that way. Certainly none of the evidence before the Court in *Citizens United* or the Montana case compelled a conclusion so at odds with reality.

To be fair to the present Court, they did not invent the distinction between direct contributions, which can be regulated, and independent expenditures, which may not. That flawed distinction goes back more than 35 years to *Buckley v. Valeo*, where the Court attempted to place limits on both forms of campaign spending. In *Buckley*, the Court felt that there was a compelling State interest in regulating contributions to candidates but that there was not yet sufficient evidence of a similarly compelling need to regulate independent expenditures, but the Court acknowledged the need to revisit that conclusion in the future if events should prove otherwise.

Events have most certainly proved otherwise following *Citizens United*. Since that decision, corporate expenditures have reached in the billions of dollars, and the "independence" of those expenditures—their theoretical separation from the officeholders they are intended to influence—is a fiction no one buys anymore. The proliferation of super PACs and their outsized influence on House, Senate, and Presidential politics is beyond dispute by all except those five Americans who happen to sit on the Court.

But if the Montana case makes anything clear, it is that the Court has dug in. No amount of unrestrained spending, no appearance of impropriety or

actual corruption of our system is likely to dislodge this newly entrenched precedent from the threat it poses to our democracy. Regrettably, a constitutional amendment is required for that.

Fortunately, one of the Nation's pre-eminent constitutional scholars, Harvard law professor Lawrence Tribe, has drafted one, which I have introduced as H. Res. 31. It provides simply:

Nothing in this Constitution shall be construed to forbid the Congress or the States from imposing content-neutral limitations on private campaign contributions or independent election expenditures.

The amendment also allows, but does not require, public financing of campaigns when States choose to enact such laws, providing:

Nor shall this Constitution prevent Congress or the States from enacting systems of public campaign financing, including those designed to restrict the influence of private wealth by offsetting campaign spending or independent expenditures with increased public funding.

The tidal wave of independent expenditures creates an unmistakable appearance of impropriety, and over time it cannot help but corrupt. The Court having failed to bear witness to these debilitating changes since *Buckley*, the people have the power to act. Independent expenditures, like direct contributions, should be subject to reasonable limits and should be transparent. And corporations are not people; for if they were, as Justice Stevens points out, how could we deprive them of the right to vote?

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, thank you very much.

Like most of my colleagues last week when we were home, I took as many opportunities as possible to speak at civic clubs, meet with groups of people, and talk about a range of issues. But I also always brought up the fact that we continue to fund a failed policy in Afghanistan. I was pleased and also humbled by the response from these groups as they agreed with me totally; and many of these groups, Mr. Speaker, were actually veterans. I represent the Third Congressional District of North Carolina, the home of Camp Lejeune, Cherry Point Marine Air Station, and we have over 60,000 retired military.

Those who were in the military who are now retired said, You're absolutely

right; why doesn't Congress wake up? There's nothing we're going to change in Afghanistan. Stop wasting lives and spending money.

Mr. Speaker, that brings me to this. On Monday, an AP article:

Afghan President Hamid Karzai on Sunday ordered all U.S. special forces to leave Wardak within 2 weeks and requested that their operations there cease immediately. The restive province, which neighbors Kabul province and is viewed as a gateway to the capital, has been the focus of counterinsurgency efforts in recent years.

Why do we fund a man that doesn't even like us? I don't understand that at all. How in the world can the Congress in its wisdom not speak out and say, Listen, you're talking about a 10-year agreement after 2014? How can a country that's financially broke commit to 10 more years after 2014? I do not understand that.

In fact, I have introduced, with ROSA DELAURO, H.R. 125, the Congressional Oversight of Afghanistan Agreement Act of 2013, which is a bipartisan bill introduced by us, and we are reaching out to our other colleagues to say, Congress, let's get on the floor. Let's debate whether we should stay there 10 years after 2014 or not.

Mr. Speaker, I sincerely believe that the American people would back this legislation because the American people have seen the total chaos right here this week, last week, and the next couple weeks to come talking about sequestration. But I don't think the leader of Afghanistan is worried about sequestration because we're going to send him all of the money he wants while we tell the American people, We're going to cut your jobs; we're going to cut your programs. That, to me, is absolutely ridiculous and unacceptable.

□ 1010

Mr. Speaker, it is time for the American people to say to Congress, let's start rebuilding America and stop rebuilding the rest of the world.

Mr. Speaker, beside me is a poster of a young Army officer who lost both legs and an arm. We fail to realize here in Congress, maybe not all of us, but some of us, that we're still at war. Young men and women are still getting their legs blown off, they're losing their lives many times—not as often as in the past. But let's wake up, Congress. Let's start debating what we're going to do to rebuild our country and stop trying to rebuild the rest of the world.

In closing, Mr. Speaker, I will ask God to please not let the American people and not let Congress forget that we have young men and women in Afghanistan. And I will close by asking God to please bless the United States of America and let us never, never forget the sacrifice of war.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Thank you very much, Mr. Speaker.

Today, Mr. Speaker, we continue an unfortunate and unnecessary countdown to the irrational and reckless automatic cuts the Republican policies will impose. The countdown stands at three days. Unless Congress acts by Friday, the cuts will take effect, with dangerous results across the country and in the Fifth District of Maryland, my district.

Approximately, 46,000 civilian defense personnel will be at risk of being furloughed at installations in Maryland, including Pax River, Webster Field, Indian Head, and Joint Base Andrews. This will undermine their ability to serve our Nation and keep America safe.

Federal defense contracts could be canceled or reduced, which will translate into lost jobs—an economic hurt for the communities they affect.

There will be cuts to the FDA, which, as I said, are in Maryland's Fifth District. National FDA cuts could result in fewer food safety inspectors for consumers.

And children will be kicked out of Head Start. There will be longer wait times for those seeking to access job-training and placement services. Our first responders will lose much-needed personnel.

This year alone in Maryland, the sequester could mean up to 500 fewer victims of domestic violence receiving critical services. And around 2,050 children unable to receive vaccines for communicable diseases like measles, mumps, whooping cough and the flu. This is not a rational way forward.

Law enforcement could lose about \$317,000 in my own State for this year in grants that support crime prevention and drug treatment and enforcement.

Mr. Speaker, the people of my district are hardworking folks who just want the chance to pursue the American Dream. Many of them are Federal employees who have already been forced to cut back as a result of some of the actions that we've taken. Others are defense contractors who support our men and women in uniform who are at the point of the spear and rely on these defense contractors to keep them well-equipped and well-trained. They cannot afford the arbitrary, irrational cuts that are set to take effect in just 4 days.

Even if some here believe Congress does not have a responsibility to create opportunities, at least I think we can agree that Congress has a responsibility not to prevent them. I believe Congress has an important role to play in making sure our businesses can compete, our communities can thrive, and our people can make it in America.

That's what is at stake in the policies that we are confronting today. They remain extremely disappointed that some in this Chamber are actively supporting the sequester's painful and indiscriminate cuts as a viable path forward. As a matter of fact, many Members on the Republican side have said "bring it on, this is what we want to do." To do so, in my opinion, is gravely irresponsible.

Marylanders, and all Americans, deserve a Congress that takes our challenges seriously. None of our challenges are more serious or more immediate this week than the dangers of allowing the cuts to take effect.

That's why I have cosponsored a bill with Mr. VAN HOLLEN and many others on the Democratic side of the aisle to replace the cuts for the remainder of the year with a balanced approach to reduction, a balanced approach which will bring down our deficit, bring down our debt, but will do so in a responsible way.

Mr. Speaker and Mr. Majority Leader, you have the power to bring that bill to the floor today. And if you don't agree with it, don't vote for it. But allow the American people to see their representatives have the opportunity to vote for a rational policy so that we do not pursue an irrational policy that will undermine jobs in America and the growth of our economy.

Only a balanced solution can achieve the savings we need and still afford our investments in attracting middle class jobs.

As we count down to Friday, what are we doing on this House floor? Well, yesterday we did a suspension bill. Today we will do a suspension bill. I dare say, Mr. Speaker, nobody, outside of the particular interest groups will know what those suspension bills are.

And then we will consider a bill on Wednesday and Thursday, an important bill. We should have passed it in the last Congress. But we ought to be dealing with these cuts that are confronting our country starting on Friday and Saturday.

As we count down to Friday, I will continue to work towards an agreement that will avert these arbitrary, hurtful cuts and protect Maryland families and businesses from congressional partisanship gone awry.

And I am encouraging those who live in my district, and anyone else, to visit my page on Facebook and share how the proposed cuts will impact you, your loved ones, and your community.

For the sake of our families, Mr. Speaker, our small businesses, our children, our teachers, our defense contractors, our public servants, our first responders, and others, I urge my Republican colleagues to embrace the spirit of compromise that has been so absent of late in this Chamber. I call on them to work with Democrats to find a balanced, sensible, smart, rational, and responsible solution to our deficits.

Mr. Speaker, we have 3 days left to go. Let's bring something to the floor that's a solution. Let's do it now.

RECOGNITION OF WAYNE ALDERSON

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Today, we honor the memory of Private First Class Wayne Alderson of Canonsburg, Pennsylvania, a World War II hero awarded the Combat Infantry Badge, Silver Star, Bronze Star, and Purple Heart for his courageous actions during the Rhineland Campaign of 1945. PFC Alderson died on February 22, 2013.

At 86, Wayne was a member of our Greatest Generation and a great American. This son of southwestern Pennsylvania lived a life of purpose and sacrifice, and remains an inspiration to those who knew him.

Born on June 7, 1926, Wayne Alderson entered the United States Army as an 18-year-old on August 31, 1944. His service would help bring Nazism to its knees, and PFC Alderson would become the first American soldier to advance into Germany across the forbidding, tank-protected Siegfried line on March 15, 1945.

In the course of this assault, PFC Alderson, serving as a scout for B Company, 7th Infantry Regiment, 3rd Infantry Division, would single-handedly destroy two machine gun emplacements, attack pockets of German snipers, and fight house-to-house at night before capturing and taking three German prisoners. At considerable personal risk, he led the prisoners back to headquarters, where vital information was obtained by the Allies about the Siegfried line defenses.

Then, on March 18, in Rieschweiler, Germany, the 18-year-old private would lead a new assault against enemy forces. His company pierced the German line but was cut off by enemy soldiers. Fearing the Germans were about to launch a counterattack that would wipe out his men, PFC Alderson and two other soldiers volunteered to lead a surprise assault and disappeared down a long zigzag spider trench behind a dense warren of fortifications.

□ 1020

The assault would ultimately help melt German defenses along the Siegfried line and leave PFC Alderson's face permanently scarred, carrying the shrapnel of a bitter, closed-quarters firefight. The small and vulnerable patrol engaged the larger German force in combat at point-blank range. PFC Alderson, fully exposed and vastly outnumbered, charged with his men, inflicting 12 casualties on the advancing enemy.

With the Germans now in retreat, Wayne was seriously injured when a grenade exploded at his feet, blasting shrapnel and debris into his face. Wayne crashed face first into the mud from the blow. One of his fellow soldiers attempted to flip him over to prevent him from suffocating to death. A sniper took that soldier's life.

The shooting over, PFC Alderson, suffering from a head wound, crawled back through the trenches to brief his company commander on the events that had just transpired. The company commander later surveyed the battle scene and determined the three men had killed at least 35 German soldiers.

Wayne was discharged from service on October 6, 1945, with the rank of private first class.

Wayne's leadership continued after the war. He helped resolve a conflict between labor and management at Pittron Steel, retold in the book "Stronger than Steel," a dispute that threatened to shutter the company but instead saved jobs and changed Pittron's corporate culture.

Fittingly, after this episode, Wayne went on to found a consulting firm called Value of the Person, which he ran for the last 40 years. Value of the Person grew out of Wayne Alderson's unique theory of management, stressing the importance of respect and responsibility between management and its workers—commonsense ideas that too often can become lost in the hum of modern life. These ideas became the basis of a book co-written with his daughter, "Theory R Management," in 1994.

On May 20, 2007, I had the privilege of presenting Wayne Alderson, the hero of the Rhineland campaign, with the Silver Star when he was inducted into the veterans memorial Hall of Valor.

PFC Alderson is survived by his wife, Nancy, of 60 years; sisters, Lillie Shannon and Jeanne Alderson of Canonsburg; daughter, Nancy McDonnell; and a grandson, Patrick Wayne McDonnell.

Wayne Alderson always put his country first. Now it is time for PFC Alderson's country to recognize his bravery and place him among the first rank of those Americans who helped liberate Europe and beat back the twin scourges of fascism and Nazism. It is in this spirit that we recognize Wayne Alderson today.

The way Wayne lived his life with continued selfless courage and determination gave Americans a true hero to mentor the next generation. Indeed, Wayne Alderson's influence will have a lasting impact on that next generation. And through that, he lives on.

On behalf of a grateful Nation, we thank Wayne Alderson for his service and his life for his country.

SEQUESTRATION EFFECTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from

Illinois (Ms. SCHAKOWSKY) for 5 minutes.

Ms. SCHAKOWSKY. We know from polling that most Americans have no idea what "sequester" means at all. In fact, one of our colleagues said that she was talking to a constituent who said, Yes, I am all for sequester. Let's sequester all the Members of Congress in a room and make sure that they come up with a plan.

That's not exactly the idea. "Sequester," which most Americans don't know the definition of, actually means that for domestic discretionary spending—the things that help ordinary people and communities and law enforcement—there will be about a 9 percent across-the-board cut; just a meat-ax approach. You can't even decide between cutting conferences or leave in the research into cancer at the National Institutes of Health. No, everything is going to be across the board, a real meat-ax approach. There will also be about a 13 percent across-the-board cut in military spending. That's what we're talking about. And if people aren't following exactly what the definition is, they're going to soon find out what it means in their ordinary life.

In education, we're going to see cuts that are going to require the firing of teachers. About 70,000 little children are not going to be able to have their Head Start programs. Small businesses are going to find that almost \$900 million will be unavailable to them in loans for their small businesses. We're going to lose about 2,100 food safety inspectors. How will it feel if we don't know for sure if we're going to have safe food available? And we've all been talking about the need for more mental health services around this whole issue of gun violence, yet it's predicted that about 373,000 adults and children who need mental health services won't find them available.

Military readiness will be affected. We got some data on every State. In my State of Illinois, approximately 14,000 civil Department of Defense employees are going to be furloughed under the sequester; and that means reducing the gross pay that comes to them, citizens of Illinois, by \$83.5 million. That's money that they won't be able to spend in our economy. Base operation funding for Army bases will be cut about \$19 million in Illinois, and funding for Air Force operations will be cut by about \$7 million. These are real cuts in military readiness.

Vaccines for children. Does anybody really think that the way to save on our budget is to cut the availability of vaccines for little children? And does anybody really think that the burden of cutting the deficit should be on the backs of senior citizens? The median income for people over 65 years old is \$22,000 a year. The average Social Security benefit is \$15,000 a year and provides most of the income for most of the seniors in this country.

Does anybody think there isn't one tax loophole that can be closed, not one more penny that can come from huge and profitable corporations that often pay no taxes? We have some of those huge corporations paying no taxes, outsourcing jobs, setting up their corporate headquarters in post office boxes in the Cayman Islands. Some of them are getting, actually, tax breaks, refunds from the government.

Multimillionaires and billionaires can't pay a penny more, but we can cut the National Institutes of Health and research for finding cancer cures; that new drug approvals ought to be cut; that we ought to cut veterans services; that people ought to just wait longer at airports. We should even shut down some airports because we're going to have to furlough the air traffic controllers; that we should cut Meals on Wheels for senior citizens, that that's really the preferable way to go.

I have to tell you this is just a crazy way to do business in the United States Congress, particularly since we have sensible alternatives. We have not seen one bill from the Republican side of the aisle that says, Here's our idea instead of these meat-ax cuts that are going to hurt people, and the Democrats have several bills we should be hearing on this floor.

SEQUESTER CUTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, before I speak about the sequester, I want to salute my colleague, the gentleman from North Carolina (Mr. JONES) for his earlier remarks about Afghanistan. I agree with him that we need to stop trying to rebuild the world and start putting our own country and our own people first once again. We have spent several trillion dollars over the past decade on very unnecessary wars in Iraq and Afghanistan, and we should have brought our troops home many years ago.

Mr. Speaker, I would like to speak about the sequester. WMAL radio reported this morning that the administration had put out in a list of cuts which the sequestration would require that the National Drug Intelligence Center in Pennsylvania would be cut by \$2 million. The only problem is that this center no longer even exists. It was closed in June of last year.

The scare tactics about the sequester seem to grow more ridiculous, more exaggerated every day. The Washington Examiner wrote, in its lead editorial yesterday, that:

It is known as the Washington Monument Strategy. Turf-protecting government executives and bureaucrats go out of their way to make spending cuts as painful as possible for as many people as possible. By applying any cuts to the very things the public benefits

from most, bureaucratic infighters believe they can convince the public that every penny that goes into government is necessary.

In other words, the administration has apparently told all the Departments and Agencies to say that their most popular programs will be drastically cut, instead of reducing spending on their least popular, least necessary, most wasteful programs.

□ 1030

The sequester has already been reduced from \$109 billion to \$85 billion. This sequester is a cut of slightly over 2 percent from our almost \$4 trillion budget. Many people seem to have already forgotten that the fiscal cliff deal raised taxes by \$620 billion over the next 10 years on upper-income people. Then there is also the \$93 billion in higher payroll taxes on all workers this year. That hike is already in effect. Then there are the taxes already coming in to pay for ObamaCare.

Columnist Mark Tapscott wrote yesterday:

The sequestration scares are the ultimate example of Washington wink-wink. Politicos from both parties warn of imminent disaster if the Federal budget is "cut," even though they know government spending will be higher in 2013 even if the sequestration "cuts" are implemented. Put another way, the sequestration scares are lies, pure and simple. Not just bunk, not just distortions or misstatements, but lies. And every professional politician in town—Democrat, Republican, Libertarian, Socialist, Independent—knows it.

Our national debt is now at a mind-boggling \$16.5 trillion. It will go to over \$25 trillion in the next 10 years under optimistic scenarios. The Congressional Budget Office a few days ago put out a report that said the interest on our national debt—just the interest—was going to go from \$224 billion this fiscal year to an astounding \$857 billion in 10 years. If we allow that to happen, Mr. Speaker, we will then not be able to pay for anything other than Social Security, Medicare, Medicaid, and interest on the debt.

The sequester we are talking about now is minuscule when compared to our present debt and our future pension liabilities. Our choice is simple: we can cut now or crash in the very near future.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. The gentleman from Tennessee who just spoke said that sequestration is a game of scare tactics. Apparently, he hasn't looked at the statistics from his district in Tennessee. Let me tell you, sequestration is not only going to affect the people of my district, but it's going to af-

fect the people of his district and his State as well.

Sequestration is very troubling, Mr. Speaker. Sensible people all across America are beginning to see the impact that sequestration will have on their families. We are hearing from Governors every day, both Democrat and Republican. We cannot wait any longer. We have delayed this for far too long. The consequences of an unbalanced budget are very, very clear.

My home State of North Carolina already has one of the highest rates of unemployment at 9 percent; and these cuts, Mr. Speaker, to education, health care, low-income families, and military readiness around my State and country will be disastrous to so many.

Our children are our most valuable asset, and ensuring they earn a quality education is the best investment we can make in our future. Unfortunately, the sequester threatens many children's chances at obtaining a quality education.

The impacts of sequester in my State of North Carolina are huge. Teachers and schools in North Carolina will lose more than \$25 million in funding for primary and secondary education, putting 350 teachers and teacher aide jobs at risk, resulting in 40,000 fewer students receiving services they need to help them do well in school. Programs like Head Start and Early Head Start—services that residents in my district so desperately need—will be eliminated for 1,500 children, reducing access to critical early education programs that teach the skills necessary to enter kindergarten on an equal footing.

If America, Mr. Speaker, is to continue to be a global leader, we must out-compete other nations in the classroom by improving the caliber of teachers, promoting school grants, increasing education standards, and utilizing up-to-date technology to prepare students for the higher education and jobs of the future. However, educational advances will only result if our schools are properly funded. Don't cut education.

The American people must know that the sequester's reach stretches to health care research and innovation. Hospitals around the country and those in my district, like Duke University Medical Center, serve an invaluable role in the community to not only care for those who are sick, but to research and find cures for critical diseases such as cancer, diabetes, and heart disease—curable diseases that kill people every day. Don't let this happen.

The across-the-board cuts would sever funding for research from organizations like the National Institutes of Health. Scientists at universities across my district, like at Duke University and East Carolina University, would not have the chance to discover groundbreaking medical advancements

such as the one that earned Duke University's Dr. Robert Leftkowitz the 2012 Nobel Prize in chemistry.

Many citizens in my district are low-income families who are currently surviving with assistance from critical antipoverty programs like unemployment benefits, SNAP, and WIC. Low- and middle-income families will bear the brunt of the pain from this sequester. These people deserve programs that provide relief from financial hardships. However, if Congress does not work together to prevent sequestration this week, these programs will lose very significant portions of their budgets.

North Carolina has an enormous military presence; the sequester will be felt especially hard by our men and women in uniform and the civilians that support military operations. Seymour Johnson Air Force Base, Marine Corps Air Station Cherry Point, and U.S. Coast Guard Air Station Elizabeth City, among others, will not be ready to defend and serve our country at a moment's notice if we allow this to happen.

In my State alone, cuts to the Department of Defense budget will result in 22,000 civilian DOD staff being furloughed, reducing the gross pay by \$117 million. Base operation funding would be cut by \$136 million, severely reducing military readiness, putting our country at peril.

In closing, Mr. Speaker, I implore my colleagues to work together to prevent the impending sequestration so that we may prevent devastating cuts to our vital infrastructure. We are slowly but surely building on economic recovery, and our Nation can literally not afford to be knocked down again by an inability to compromise. Please, let's get it done.

RECOGNITION OF ANTHONY TIMBERLANDS AND ARKANSAS FORESTRY PRODUCERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. COTTON) for 5 minutes.

Mr. COTTON. Mr. Speaker, I rise today with good news from south Arkansas.

According to recent news reports, Anthony Timberlands, a cornerstone of the Arkansas timber and forestry products industry, is currently in the process of adding a second shift to its sawmill in Bearden, Arkansas. This second shift will result in the hiring of 65 new employees in addition to creating numerous other support positions within the company and in the surrounding area of south Arkansas.

I want to recognize Anthony Timberlands for this exciting announcement and their longstanding commitment to the people and the economy of south Arkansas. But as I reflect on Anthony Timberlands' an-

nouncement, I can't help but think of how many more jobs could have been added throughout Arkansas and the United States if it weren't for the excessive regulation of the Obama administration.

For example, States have worked in conjunction with the Federal Government for 40 years to manage forest roads and prevent pollution with State-managed best practices. This partnership has proven effective and provided regulatory certainty for many decades. Unfortunately, President Obama's EPA wants to impose a nationwide standard, giving them the complete regulatory authority over an industry that supports nearly 3 million workers and contributes \$115 billion to our economy each year.

Under this standard, the EPA will be able to shut down businesses that don't comply with their arbitrary and misguided rules. States have a 40-year track record of effectively regulating these roads, and we should let them continue for at least another 40.

To take another example, the EPA's new boiler rule demonstrates this administration's preference for ideology over sound economics and business sense. With compliance costs in excess of \$3 billion and 105,000 jobs threatened, this rule inflicts unnecessary costs on our economy at a time when we can least afford it.

In addition, our timber producers have no guarantee that EPA won't move the goalpost once again and reopen the regulations as they have in the past. What timber and forestry product companies want—what all businesses want, for that matter—is certainty, not more regulation. They need to know that investment in a new factory or new equipment today means they can keep using it once it's built instead of living in fear of the government closing their doors tomorrow.

□ 1040

These companies aren't asking for special preferences or another \$800 billion in failed stimulus funds; they're simply asking for predictable and fair rule of law, not arbitrary regulation.

Mr. Speaker, companies like Anthony Timberlands provide quality jobs and lasting economic growth for places like south Arkansas and the rest of America, despite the obstacles the Obama administration has put in their place. I look forward to working with my colleagues to eliminate burdensome regulations and red tape that slow growth, hurt communities and diminish opportunity. We should celebrate companies that empower hard-working Americans to do what they do best: create high quality products that lead the world.

THE GARDEN CLUB OF AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, as we lurch into another series of artificial crises surrounding budget sequestration, there is a bright spot this week. We will witness an amazing series of visits on Capitol Hill by members of the Garden Club of America. Celebrating their 100th year as a national organization established in 1913, there is no more awesome group of citizen lobbyists than these women from all across America.

I first encountered the women's garden club in the person of the late Nancy Russell, who was a member of the Portland Garden Club and a ferocious, tenacious advocate for the protection of the national treasure that is the Columbia River Gorge. Nancy's personal commitment, insight, drive and passion made it possible for politicians in both parties to enact historic unique legislation protecting the magnificent Columbia River Gorge and establishing a framework of protection for generations to come.

Nancy would marshal her argument with facts, was an expert at generating positive publicity, could turn on the charm, and if that didn't work, she could play hardball politics with the best of them. Imagine my surprise and delight in coming to Congress when I found that there were other advocates—although there will never be another Nancy Russell—there are other women from across America who had their own commitment, passion, zeal, focus and follow-through who were enriching their communities while they helped the national conservation discussion.

The Garden Club has a broad and ambitious agenda seeking to promote our open spaces, and zealous in their support for our threatened National Park System. They're strong advocates and protectors of the Land and Water Conservation Act and the LWCF funds that have so rarely been fully budgeted in the program's 50 years.

Now, global warming inspires heated rhetoric here on Capitol Hill. And while garden club members are deeply concerned about weather instability caused by climate change, they do so with a calm, clear, dispassionate view of the facts in a way that should inspire and encourage everybody here in Congress.

For years, they have advocated for a farm bill that was stronger in the areas of nutrition, conservation, and environmental protection while saving money. They advocate harnessing the power of that farm bill to protect sustainable agriculture and the production of specialty crops—which most of America calls "food".

In the midst of some of the most bizarre accusations one will ever hear, theirs is a clarion call of rationality and wisdom for the ratification of the

Treaty of the Sea that is languishing. Despite the support of the Bush, Clinton, and Obama administrations and an unprecedented coalition of business, industry, and educational leaders, the United States continues to be an outlier, to the detriment of our defense and commercial interests.

These are just a few of the areas that they concentrate on during their Washington visit. Most important, they connect what is happening at the local level with people who care about clean air, the beauty of the landscape and the treasures that enrich our souls, as well as the things that protect the environment for future generations. I strongly urge my colleagues to find time to visit with the Garden Club representatives from their State not just here in Washington, D.C., this week, but reach out to them at home and hear what they have to say. There will be no more productive meeting you will have with the inspiration that comes from listening to clear-headed, clear-eyed voices of wisdom and restraint. These meetings will stand out as an oasis in the war of words over our next round of manufactured crises.

VIOLENT MEDIA AND GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Mr. Speaker, I am concerned about the failure to discuss mental health issues and the impact of the violent media in the whole debate following the tragic shooting in Newtown, Connecticut. There needs to be a three-legged approach to this problem. It is disappointing that the President only addressed the issue of guns in the State of the Union speech.

In a number of these tragic shootings, there has been a pattern of the shooters' playing violent video games. Do you remember Columbine? And do you remember the movie theater shooting in Aurora, Colorado? Now comes a report from the Hartford Courant. I quote from the Hartford Courant:

During a search of the Lanza home after the deadly school shootings, police found thousands of dollars worth of graphically violent video games. And detectives working the scene of the massacre are exploring whether Adam Lanza might have been emulating the shooting range or a violent video game scenario as he moved from room to room at Sandy Hook spewing bullets, law enforcement sources have told the Courant.

Before he killed his mother and set off for Sandy Hook Elementary, Adam Lanza destroyed the hard drive on his computer, which probably kept some of the records of the games he played and whom he played with. He also may have destroyed any chance to see if he had a manifesto or had written down anything indicating that he planned the shootings, or why he chose the elementary school.

Soon after the Newtown shooting, I asked the National Science Founda-

tion, which is funded as a result of the subcommittee which I chair, to pull together experts, some of the best experts—and the National Science Foundation picked them—from across the country to look at the impact of all three contributors to mass violence. Earlier this month, the National Science Foundation released its report.

This is the report, "Youth Violence: What We Need to Know," which supports my belief that rampage shootings are a result of multiple factors, including access to firearms, mental health issues, and exposure to violent media, including violent video games. This report can be found on my Web site. I would urge anyone who really wants to see what we need to do to go look at the National Science Foundation report. It is guns, it is mental health issues, and it is violent video games.

It is easy for the President of the United States to take on the NRA. Why hasn't he asked the entertainment industry to play a greater role in this debate? Common sense tells us that the level of violence on TV, in the movies and in many video games is a problem. One only has to read the piece from the Hartford Courant to understand that this is a very serious problem.

You have to look at guns, you have to look at their mental health—and, quite frankly, the administration has not looked at mental health, and this Congress is not looking at mental health—and you have to look at violent video games and media. The administration is not looking at that, and, quite frankly, this Congress is not looking at it.

MEDIA VIOLENCE AND YOUTH VIOLENCE

Brad J. Bushman, Ph.D., Professor of Communication and Psychology, Margaret Hall and Robert Randal Rinehart Chair of Mass Communication, The Ohio State University & Professor of Communication Science, VU University, Amsterdam, the Netherlands

When violent shooting spree occurs, people want to identify "the" cause. Violent behavior is very complex and is caused by multiple risk factors, often acting together. One possible risk factor is exposure to violent media (e.g., TV programs, films, video games). Of course, it is impossible to know whether exposure to violent media causes shooting spree because researchers can't use guns in their laboratory experiments! However, in one experimental study, we measured what could be considered assaultive behavior. Dutch boys ($M_{age}=14$) played a violent or non-violent video game for 20 minutes, and rated how much they identified with the game character (e.g., "I wish I were a character such as the one in the game"). Afterwards, they competed on a task with another "boy" where the winner could blast the loser with loud noise through headphones. They were told that the highest noise levels (i.e., 8, 9, or 10) could cause "permanent hearing damage." Boys who played a violent game, and identified with the violent character in that game, did in fact administer potentially damaging noise blasts. During the debriefing, one boy said, "I blasted him with level 10 noise because he deserved it. I know he

can get hearing damage, but I don't care!" Another boy said he liked the violent game "because in this game you can kill people and shoot people, and I want to do that too." A third boy said, "I like Grand Theft Auto a lot because you can shoot at people and drive fast in cars. When I am older I can do such things too. I would love to do all these things right now!"

A comprehensive meta-analysis of violent video game effects, which included 381 effects from studies involving 130,295 participants from all over the world, found that violent video games increased aggressive thoughts, angry feelings, physiological arousal, and aggressive behavior. Violent games also decreased prosocial behavior (e.g., helping, cooperation) and feelings of empathy for others. The effects occurred for males and females of all ages, regardless of the country they live in. Similar effects have been found for all types of violent media (e.g., TV, film, music and music videos, comic books). A meta-analysis of 26 studies involving 13,661 participants found that violent media exposure is also significantly linked to violent behavior (e.g. punching, beating, choking others), although the effects are smaller than for aggressive behavior. This makes sense because violent criminal behavior is rarer and more difficult to predict than less severe aggressive behavior. As one example, a recent CDC-funded, cross-sectional study involving incarcerated delinquents (and a comparison group of high-school students), parents/guardians, and teachers/staff, found that consumption of violent media was related to serious violent behavior such as using a weapon against another child.

It is well known that people who consume a lot of violent media come to view the world as a hostile place. People who consume a lot of violent media also think violence is "normal" behavior, because media characters often use violence to solve their problems.

It is useful to consider a child's life as filled with a succession of social problems that must be solved. The child uses a set of programs (called scripts) for solving social problems. In theater, scripts tell actors what to do and say. In memory, scripts define situations and guide behavior: The person first selects a script for the situation, assumes a role in the script, and behaves according to the script. In many shooting spree, the perpetrator puts on a uniform (e.g., hockey mask, trench coat, movie costume, military uniform), as if following a script. This allows the perpetrator to identify more closely with other killers. The perpetrator then gathers up a bunch of guns and ammunition, goes to a place where there are a lot of people gathered, kills as many people as possible, and then often kills himself. For most people, carrying out such a script would be impossible. But it can occur for some people who don't experience negative emotions or who see such acts as normative, or for whom performing such an act might be perceived as achieving a sense of accomplishment and "leaving their mark on the world." Consider, for example, statements made by the two killers at Columbine High School. Dylan Klebold said, "Directors will be fighting over this story." Eric Harris added, "Tarentino, Spielberg."

There is also a downward spiral between aggression, rejection, and consumption of violent media. Aggressive youth tend to be rejected by their peers, and therefore spend their time consuming media (often violent media) and associating with other aggressive youth (who have also been rejected by others), which, in turn makes them even more aggressive.

Aggressive youth often consume violent media because it allows them to justify their own behavior as being normal. A child's own aggressive behavior normally should elicit guilt, but this guilt is relieved if the child who has behaved aggressively consumes violent media. The reduction in guilt that consuming violence provides makes continued aggressive and violent behavior by that child even more likely.

Violent media often contain guns, and research has shown that the mere presence of guns, even at a subliminal level, can increase aggression. In summary, violent behavior is very complex and is caused by multiple risk factors, often acting together. One possible risk factor is exposure to violent media (e.g., TV programs, films, video games). Although it is not the only risk factor, or the most important risk factor, it is one of the easiest risk factors to change. Other risk factors (e.g., being male, social rejection) are difficult or impossible to change. Parents can, however, restrict the amount of violent media their children consume.

Parents are the key, but producers of violent media can help parents out. For example, there could be a universal rating system on all media (TV, films, video games), with universal symbols that are easy for parents to understand. The PEGI (Pan European Game Information) system, for example, has five age-based ratings (3+, 7+, 12+, 16+, 18+) and six well-recognized symbols for potentially objectionable material (violence, sex, drugs, discrimination, fear, gambling). The current rating system is like alphabet soup and is confusing to parents (e.g., R for movies; TV-MA for TV, FV for fantasy violence in video games). Another possible idea is to put warning labels on violent video games. In 1964, the U.S. surgeon general issued a warning on tobacco, and that warning appears on all tobacco products. In 1972, the U.S. surgeon general issued a warning for violent TV programs: "It is clear to me that the causal relationship between televised violence and antisocial behavior is sufficient to warrant appropriate and immediate remedial action . . . There comes a time when the data are sufficient to justify action. That time has come." Warning labels are like a double-edged sword. On the one hand, parents find warning labels informative. On the other hand, they are like magnets to children.

Educating parents about the research on violent video games is also important. This is an uphill battle, however, because the source of news and information for parents is the mass media, and the mass media are reluctant to report that violent media are harmful.

Almost all of the research on violent video games has been conducted using single-player video games. But players often play with others. In a pair of studies conducted in our lab, participants were tested in pairs with an ostensible partner of the same sex (actually a confederate). Participants in the cooperative condition were instructed to work together with their partner to get as many points as possible by killing enemies and staying alive. Participants in the competitive condition were instructed to try and kill their partner more times than their partner killed them. Participants in the control condition played the game in the single player mode. After gameplay, participants competed with their ostensible partner on a task in which the winner could blast the loser with loud, unpleasant noise through headphones. In both studies, participants in the cooperative condition were less aggressive

than participants in the other conditions. More research on multi-player games is clearly needed.

More research is also needed on what types of individuals are most strongly affected by violent video games. Many of the spree shooters have been described as "social outcasts." Are such individuals more likely to behave aggressively after playing a violent game? Are such individuals more likely to play violent games alone?

Research should test whether aggression is enhanced by playing in a first-person compared with third-person mode, and by whether the enemies are realistic humans versus aliens. Some research has shown that the gorier the video game, the larger the effects, but more is needed.

A PLACE AT THE TABLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, once again, I rise to talk about the issue of hunger in America. There are over 50 million Americans who go hungry each year. That is about one in every six Americans who don't know where their next meal is coming from on any given day. Mr. Speaker, in the richest, most prosperous country in the world, that is unconscionable. Unfortunately, too many people simply don't know that there's a hunger problem in the United States. But that is going to change with a new documentary called "A Place at the Table."

□ 1050

Mr. Speaker, this powerful film shows how hunger actually affects everyday Americans. Specifically, "A Place at the Table," documents people from all walks of life—from inner-city Philadelphia to rural Colorado—and it shows how they struggle not just to put healthy food on their kitchen tables, but in some cases to put any food on their tables at all.

The film doesn't just show how people struggle with food. It shows how the lack of food impacts the health of children and the capacity for kids to pay attention and learn in class.

In all candor, Mr. Speaker, I play a small part in this film, and I'm pleased the filmmakers allowed me to give my thoughts on the problem of hunger in America in ways that we can address it. But this film is not about my opinions; it's about the challenge facing the people in this movie. It's about how our country got to the place where over 50 million people—or one in six Americans—are food insecure or hungry. It's about how our legislative policies are not meeting the needs of the hungry, especially as low- and middle-income families continue to struggle during this economic recovery. It's about how parents and grandparents are trying to take care of their families, but are falling short of doing it on their own. It's about how private orga-

nizations like churches and synagogues and food banks are trying to fill the gaps, but are struggling to do so because the need is so great. Ultimately, it's about how we as a Nation have the chance to rise up and end hunger now. It's about how we can and must develop a plan to end hunger now.

Mr. Speaker, we have the means to end hunger now. We have the food to end hunger now. We have the knowledge to end hunger now. We just haven't mustered the political will to end hunger now, and we—Members of Congress—should all be ashamed that one person, let alone over 50 million, goes hungry in America.

In 1968, CBS News broadcast an hour-long program called "Hunger in America." It reshaped the view of hunger in this country. The day after that show aired, then-Senator George McGovern formed the Senate Select Committee on Nutrition and worked with Senator Bob Dole and President Richard Nixon to reduce hunger in America. They almost eradicated it completely, but we've clearly regressed in the decades since.

I hope "A Place at the Table," this critically important film, is the catalyst that jump-starts a new effort to end hunger now. I believe we need White House leadership on this issue, and I urge President Obama to watch this film and to follow up with a White House conference on food and nutrition in order to tackle all of the issues associated with hunger and nutrition and specifically to come up with a coordinated, unified plan to end hunger now. President Obama's leadership is critical if we're going to end hunger now.

Directors Kristi Jacobson and Lori Silverbush, along with executive producer Tom Colicchio, have made a film that tells a powerful story. It's a story of a struggle in America, but a struggle that we can overcome. It's a struggle to address a problem that we have the answer to. It's my hope that this film will spark a new movement to address both hunger and obesity and nutritional issues so that we no longer see people struggling to put food on their table.

"A Place at the Table" is hard to watch because we all share the blame for the struggles faced by those in the film. I challenge anyone who watches it to walk away feeling unaffected. I've seen it many times already. I've been inspired by the individuals who are featured in the movie, people who struggle in poverty with great difficulty and who struggle with great dignity.

I'm also frustrated and angered by this film. It shows our failures—our moral failures—to end the scourge of hunger. The title of the film is appropriate. We all have our place at the table, and we need to take that place in order to end hunger now.

AVERT THE SEQUESTER AND ACT NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, there are just 3 days before \$85 billion in harmful across-the-board spending cuts take effect. And here we are again, with an all-too-familiar manufactured crisis poised to strike our economy with another self-inflicted wound. Month to month, crisis to crisis, this is no way to run the world's largest economy.

Letting sequestration happen is not responsible government. The sequester was designed last year to scare Congress into responsibly reducing the deficit. It created a doomsday scenario: draconian damaging cuts—disliked by both parties—intended to force Democrats and Republicans to come up with a balanced alternative to reduce our deficit.

Sequestration cuts are not targeted to eliminate waste or unnecessary programs. Rather, they slash programs across the board, regardless of their effectiveness. This threatens our economic progress, jeopardizes our military readiness, and reduces funding for national priorities like education and medical research.

Mr. Speaker, sequestration would be devastating for Michigan and our Nation's economy. The sequester eliminates jobs at a time when Congress should be working to create them. Our country has been moving in the right direction: 35 straight months of private sector job growth; 6.1 million private sector jobs created. There's no doubt we can do more to grow our economy and the middle class, and letting sequestration happen is a giant step backward for our economy.

Economists across the political spectrum agree that letting sequestration happen will slow our economy. The nonpartisan Congressional Budget Office estimates that sequester would reduce our economic growth by a third this year alone.

Sequestration cuts affect the most vulnerable people: middle class families, seniors, students, people with disabilities, the unemployed, and those who may become unemployed if these cuts go into place. We can't pretend that these cuts are just numbers in a budget.

If sequester is allowed to happen, Michigan alone stands to lose 31,000 jobs in just 6 months. There will be 750,000 jobs lost nationally by October. Michigan schools would lose \$22 million in funding, eliminating 300 teachers and aides in the classroom. An additional \$20 million would be cut for educational support for children with disabilities. Head Start would be eliminated for 2,300 Michigan children. Almost 2,500 low-income students in my State would no longer receive aid to help them pay for college.

These cuts are real, Mr. Speaker. Just last week I cosponsored legislation with my Democratic colleagues to avoid the sequester, but Republicans won't even bring the bill to the floor for a vote.

The Democrats plan to avoid sequester through responsible spending cuts, increased revenues, and promoting economic growth. Our plan eliminates taxpayer-funded subsidies for big oil companies. In a time of record oil profits and \$4-a-gallon gasoline, it baffles me that our country continues to subsidize companies like ExxonMobil and BP; yet Republicans are willing to pink-slip 750,000 American workers just to protect billions of dollars in handouts for these five big oil companies. It's time to end these subsidies.

There's no question that we need to cut the deficit, but we need to do it in a balanced way that protects the middle class. The Budget Control Act passed before I came to Congress reduced the deficit by more than \$2.5 trillion, mainly through spending cuts. There are certainly other areas that should be cut, but we should be strategic in cutting spending to reduce our deficit. Sequestration takes the exact opposite approach. It irrationally cuts programs that have proven to be effective and are worthwhile investments.

Congress needs to act immediately in order to avert the sequester. Republican inaction threatens to leave these indiscriminate cuts in place, killing jobs, undermining public safety and first responders, and injecting more uncertainty into our markets, harming our economy.

Our Nation cannot afford any more uncertainty, obstruction, and delay. Democrats are interested in real solutions, not sequesters.

Mr. Speaker, now is the time to act.

□ 1100

SEQUESTERATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. ESTY) for 5 minutes.

Ms. ESTY. Last week, I organized leaders from across Connecticut in small business, labor, government, health care, and social services to hear from them about the impact of sequestration. My constituents were pleased to also brief our House Democratic whip, STENY HOYER, at a roundtable in Farmington. The consequences of across-the-board cuts are frightening to say the least. People are scared, and people are extremely frustrated with Congress—and justifiably so.

In central and northwest Connecticut—and I know the same holds true across the country—manufacturers, small businesses, and working- and middle class families are doing things right. Having struggled through a tough economy, manufacturers like

Ward Leonard in Thomaston and Marion Manufacturing in my hometown of Cheshire have been innovating and making strides.

Mr. Speaker, people are hopeful that we are finally on the verge of better days, but somehow Congress has missed every opportunity to avoid this very avoidable sequester, which would not only squander opportunities but would outright devastate our economy and hurt small businesses and families across the country.

At our roundtable, JoAnn Ryan, president of northwest Connecticut's Chamber of Commerce, said that local small business owners see "pockets of opportunity," but they have "no confidence whatsoever because of the inability of government to cooperate." My friend John Harrity, president of the Connecticut State Council of Machinists, put it perfectly when he said that, after all the progress our manufacturers have made, "to lose all that momentum just defies common sense."

That's not to mention what I heard from folks across the district about the devastating and reckless impact sequestration would have on social services, our seniors, and our children's education at every level. Let's not forget that folks in Connecticut and across the Northeast are still recovering from Hurricane Sandy and recent winter storms. Our constituents have had to wait far too long for emergency recovery funds, and they're still recovering and are trying to rebuild their lives, to rebuild their homes and their businesses.

Mr. Speaker, according to George Mason University Center for Regional Analysis, sequestration will directly and indirectly cost Connecticut almost 42,000 jobs. We need to remember that this isn't just a number. It's people's livelihoods, and it's their lives.

Letting the sequester happen will hurt Head Start students and their teachers in Danbury and New Britain, seniors in Meriden who rely on Meals on Wheels for their daily nutrition, manufacturers like Ansonia Copper & Brass in Waterbury, and small businesses throughout Torrington and the northwest corner, and employees and owners who are working hard to achieve the American Dream for themselves and to bring back the American economy.

What's maybe most troubling is that there is no reason businesses and families in Connecticut, or in any State, should be facing this catastrophe. It is entirely self-inflicted and avoidable if our colleagues would let us vote on an alternative. It's the result of a reckless game of chicken. Avoiding it is actually very simple, and the lack of urgency the House GOP leadership has shown in addressing this impending deadline is astounding.

Mr. Speaker, we can and should vote to remove this self-inflicted threat. We

can and should remove the sequester. We already have a balanced replacement. Representative VAN HOLLEN's Stop the Sequester Job Loss Now Act would replace the sequester with commonsense, cost-cutting policies—repealing subsidies for Big Oil and Big Gas, refocusing subsidies for Big Agriculture and enacting a Buffett rule so that the wealthiest are paying their fair share. We should be allowed to vote on this bill.

Folks in Connecticut and across the country can't afford this gamesmanship. They need us to act. They need us to do our jobs so that they can keep doing theirs.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, sequestration is a self-inflicted wound that really does not have to happen.

I hate to make my Tea Party friends uncomfortable by using a dirty word, but with a little compromise we can get this thing passed. If Tea Party Republicans choose not to compromise, sequestration will arbitrarily take \$85 billion out of our economy, lowering our GDP and harming our economic recovery.

We shouldn't sacrifice our economic well-being because Republicans are unwilling to vote for one penny in new contributions from their billionaire friends. Republicans continue to stand up for the billionaires. They continue to stand up for the oil companies and all of the other powerful interests out there that are making money hand over foot while middle class Americans are asked to shoulder the burden of the Tea Party obsession of cutting government.

Now, there is a big difference, ladies and gentlemen, between cutting government and cutting services that people need and depend on. There is a big difference between having a less costly government versus not having a government to do the things that people need to be done. Let's take, for instance, the Defense budget. Last week, at a constituents' meeting, Senator JOHN MCCAIN said that these sequester cuts could significantly undermine military programs.

"We are facing a situation where our national security is at risk," Senator MCCAIN said, adding that furloughs could affect as many as 49,000 military and defense jobs in Arizona.

I'll tell you, in Georgia, what's going to happen is that 37,000 civilian Department of Defense employees will be furloughed, reducing gross pay by \$190 million. Army base funding would be cut by \$233 million, and funding for Air Force operations would be cut by \$5 million. This is in the State of Georgia.

This is for this current fiscal year. Can you imagine that much money coming out of the economy and its not having an impact on the overall economy? It certainly will.

Let's take all of those who travel. You go to the airport. You rely on the air traffic controllers to make sure that the planes are situated and are flying safely so that nobody is going to bump into each other up there in the sky. You're dependent on your TSA personnel to check and make sure that nobody is armed when one gets on the plane. All of those services that you take for granted will be cut if we continue to embark upon this self-inflicted wound of sequestration.

A balanced approach to deficit reduction will help support the American people through job creation, economic growth, and a strong middle class while responsibly reducing our Nation's debt. House Democrats have proposed balanced solutions that reflect what the American people voted for in November. Instead of considering these or any other proposals, the Tea Party Republicans continue their strategy to obstruct the President so that they can blame him and the Democrats when the economy goes bad. They continue to play politics with this Nation's economy so that they can be well positioned in the upcoming midterm elections in 2014. This is very reckless behavior.

We have 3 more days before sequestration takes effect. Instead of dealing with the sequestration, instead of dealing with gun control, instead of dealing with immigration, instead of dealing with a budget resolution for next year, today, this House of Representatives is dealing with a resolution. So this do-nothing Congress continues, and the American people will suffer.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 9 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, thank You for giving us another day.

Be with each of us that we might be our very best and prove ourselves worthy of Your love and Your grace. Be with the Members of this people's

House in their work and deliberations this day, that they might merit the trust of the American people and manifest the strength of our democracy to the nations of the world.

Without You, O Lord, we can do nothing. With You and in You, we can establish a world of peace, goodness, and justice now and into the future.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. ROGERS of Alabama. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SEQUESTRATION

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, we have just 3 days until the sequestration cuts take effect. Instead of being here in Washington working to reach an agreement, the President is off again on the campaign trail. Giving speeches in front of adoring crowds is not going to solve this problem.

In divided government, we don't reach compromise by talking past each other. We come to solutions when we sit down and talk to one another. Obviously, we can't do that when the President isn't even here.

We can find more sensible ways to save billions of dollars. In fact, tomorrow I'm chairing an Energy and Commerce Health Subcommittee hearing looking at innovative solutions to combat waste and fraud in Medicare and Medicaid. GAO tells us these programs make \$65 billion in improper payments. Outside groups tell us it can be a nearly \$1 billion-a-year problem. We can also eliminate wasteful programs like the HHS Secretary's duplicative slush fund.

We must get our spending problem under control, but we'll never get a better plan than sequestration if we can't sit down and talk and work together.

SEQUESTRATION

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, there's no doubt that we need to reduce the size of our deficit, but we have to do it in a responsible way and a way that protects American families. We need to do it in a balanced, forward-thinking way that protects our fragile recovery, continues growing jobs for middle class families, and invests in our long-term economic future.

Sequestration isn't a solution. It's a penalty that will put our recovery in jeopardy and hurt working men and women in my home State of Rhode Island and all across this country.

In the last few weeks, we've seen Members of this Chamber wringing their hands and pointing fingers in order to avoid blame for sequestration. It's time to focus on solutions.

Our colleague, Mr. VAN HOLLEN, has offered a proposal that will replace the meat-ax of sequestration with precise, carefully considered changes by enacting responsible cuts in spending, repealing subsidies to big oil companies, implementing the Buffett rule so middle class families don't pay a higher tax rate than millionaires and billionaires, and preserving the Medicare guarantee for our seniors.

After so much conflict and division, let's work together to find an alternative that works for middle class families.

SEQUESTRATION

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Mr. Speaker, the Anniston Army Depot is in my hometown and my district. It serves as a critical installation for our brave warfighters and our Nation.

Now with President Obama's sequester just days away, the depot, along with other vital military installations across our country, faces devastating

cuts, possibly resulting in furloughs for already hurting families.

I agree we need to cut spending, and we need to reduce the size of our Federal Government; but I also believe, for our national security and for our warfighters' readiness, we must cut spending in a smarter way.

Friday will mark the beginning of the \$85 billion in Federal cuts across the board this year. I stand here today to urge President Obama to do the right thing: support what the House has done twice and replace these sequester cuts with smarter, more responsible reforms. And let's do it without trying to raise taxes again on the American people in just two months' time.

THE LEGACY OF CARDISS COLLINS, PAST CBC CHAIR

(Ms. LEE of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE of California. Mr. Speaker, earlier this month we lost a true champion for women, for communities of color, for the entire country.

Elected in 1973, Congresswoman Cardiss Collins soon became a forceful political voice in the House, rising quickly to become chair of the Congressional Black Caucus in 1979. I came to know and to love Cardiss Collins while working as a staffer to Congressman Ron Dellums.

She opened so many doors for African American women elected to Congress now, serving for a time as one of the only African American women. From 1985 to 1991, she was the only Black woman here in the House of Representatives. She broke so many glass ceilings, oftentimes fighting many, many lonely battles with grace and distinction, knowing her power and her strength.

She was a leader in the fight for low-income women's access to reproductive health services. And she fought tirelessly to ensure that women and minorities were treated equally to their counterparts, especially in college athletics, in the insurance industry, government hiring, and at the Smithsonian.

On behalf of Ron Dellums and his staff, we send our condolences and our prayers.

SEQUESTER

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, President Obama needs to be truthful with the American people about his sequester. First and foremost, President Obama proposed the sequester.

There's no denying that President Obama's sequester will have dev-

astating effects on Ohio, America's military, and our national security. That's why House Republicans acted twice in 2012 to avoid this situation. But, unfortunately, President Obama chose politics over results. He chose to make campaign speeches rather than work with the Republican-controlled House and Democrat-controlled Senate to find commonsense solutions that would end Washington's spending addiction and bring America's debt under control. This is yet another prime example of President Obama's failure to lead, and it needs to change.

Right now, President Obama's sequester is less than 60 hours away, and he's looking to blame somebody else to distract from his failure to lead. House Republicans stand ready to work with the President on commonsense solutions that work for the American people. President Obama simply needs to come to the table.

□ 1210

JOBS, JOBS, JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's been 786 days since I arrived in Congress, and the Republican leadership in the House of Representatives has not allowed a single vote on serious legislation to address our unemployment crisis. Congress has instead been consumed by a single-minded focus on the Federal budget deficit. Well, I have news for my colleagues: our real deficit is unemployment.

Unemployment is not only the moral crisis of our time—leaving families homeless and dreams destroyed—but also an underlying cause of our Federal Government's increased levels of borrowing. Massive job losses following the 2008 financial crisis left us with fewer tax receipts and more people requiring benefits. There's ultimately only one responsible way to reduce the Federal deficit: get everyone trained, get everyone retrained, get everyone working, and get everyone contributing to the tax base. Jobs, jobs, jobs should be our mantra.

SEQUESTATION

(Mr. GUTHRIE asked and was given permission to address the House for 1 minute.)

Mr. GUTHRIE. Mr. Speaker, I'm pleased to see that President Obama now recognizes his proposed sequester is a meat-ax approach to cutting defense. Just a few months ago, in the third Presidential debate, he told the American people that these cuts were a well-thought-out plan to modernize the military. He said these cuts were nothing more than the equivalent of no longer spending money on horses and bayonets. He was wrong.

He was correct in the State of the Union in saying some in Congress, meaning House Republicans, want to replace these cuts to our defense, but he wants to replace other spending, as well. My colleagues in the House have offered two replacement bills which the Senate has yet to act on.

Let's not use our brave men and women in uniform and civilian workers who serve them as leverage for other spending. The Constitution states that Congress is to provide for our national defense and the President is Commander in Chief.

I ask the Senate and President Obama to join the House in doing its constitutional duty and replace these devastating defense cuts now.

SEQUESTRATION

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, sequestration will have serious consequences for the Niagara Falls Air Reserve Station, which is tremendously important to the economy of western New York.

If Congress does not repeal the sequester, the Air Force will have to delay construction of a \$6.1 million flight simulator at the base, a project that is critical to securing the base's continued operation. There would also be an impact on jobs: 2,300 Air Force civilians in New York will be furloughed, causing \$17.7 million in lost wages across the State.

Mr. Speaker, sequestration was the ransom the Tea Party demanded when it held the American economy hostage over the debt limit. But with 750,000 American jobs at stake, this process will inflict real and permanent damage on the American economy.

Congress created the sequester. Congress can and should repeal it. For the Niagara Falls Air Reserve Base and for our economy, I urge the House to do just that.

TAX INCREASES ARE A LOUSY DEFICIT REDUCTION STRATEGY

(Mr. BARR asked and was given permission to address the House for 1 minute.)

Mr. BARR. Mr. Speaker, I'd like to put this week's debate about scheduled budget cuts into some much-needed context. The Federal Government spent \$3.5 trillion last year. And yet, even with the \$85 billion in cuts scheduled to occur over the next 7 months, the CBO still projects that Federal spending will be \$15 billion higher this year than last year.

Only in Washington can billions in cuts be made, total spending still increase, and some claim that the problem is that taxes still aren't high enough. The President got his tax increase 7 weeks ago. But the govern-

ment spent every dime of this year's revenue from that tax increase in just 7 days.

Mr. Speaker, raising taxes is a lousy deficit reduction strategy because in Washington, tax revenue is never dedicated to deficit reduction. Instead, new taxes are always used to finance more government and more spending.

Rather than demand more tax increases as the solution, I encourage everyone to work together to replace the indiscriminate spending cuts with a smarter plan that sets priorities—but which still enacts an equal amount of much-needed spending restraint.

SEQUESTRATION

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to bring to your attention the devastating impacts that the sequester will have on my community, El Paso, Texas. The numbers speak for themselves. Two weeks of furloughs for Customs and Border Patrol officers—that's the equivalent of losing 5,000 border patrol agents and almost 3,000 CBP officers at our ports of entry. Mind you, more than \$450 billion in trade passes through our ports of entry every year. More than 100,000 jobs in my home community depend on the free, secure flow of goods, trade, and people through our ports of entry, and jobs are at stake.

In addition, 11,000 civilian employees at Fort Bliss in El Paso will be furloughed for 22 days. These are the middle class Americans who care for our wounded warriors when they return from war and make our military base run efficiently. These individuals will be facing a 20 percent cut because Congress cannot muster the courage to come up with a responsible solution.

In addition to these job losses, El Paso children will bear a large burden through the elimination of teachers and classroom aides and Head Start slots.

PAYING TRIBUTE TO CARDISS COLLINS, FORMER MEMBER OF CONGRESS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, Cardiss Collins, who died earlier this month, was not the first African American woman elected to the House, but when I was elected in 1990, along with three other Black women, the small number had dwindled to one. Cardiss was alone. Today there are 15, one-third of the Congressional Black Caucus. But Cardiss Collins was more than able to hold the fort by herself.

Although she got the seat when her husband died in a tragic plane crash,

Cardiss managed to transform herself from a grieving widow to a highly effective Illinois Congresswoman, chair of the Congressional Black Caucus, Democratic whip, and champion of women and minorities.

Cardiss retired in 1997 as the longest-serving Black female in Congress, having gotten 79 percent of the vote in her last election. Cardiss Collins left Congress at the top of her game with a record that will long survive her.

SEQUESTRATION

(Mr. CUMMINGS asked and was given permission to address the House for 1 minute.)

Mr. CUMMINGS. Mr. Speaker, I rise today in opposition to the harmful spending cuts that will threaten our economy and a range of vital services for children, seniors, small businesses, and our men and women in uniform. I've just come from a hearing in the Coast Guard Subcommittee, where we learned that in fiscal year 2011, our already underfunded Coast Guard failed to meet one-fourth of its non-homeland security mission targets and more than half of its homeland security mission targets.

The Coast Guard's ability to protect our homeland and ensure the safety of life at sea will not improve when millions of dollars are cut from the budget. Sequestration will also reduce our mobility in the skies. If we do not act by Friday, the vast majority of the FAA's 47,000 employees will face extensive furloughs. This will result in longer delays and disruptions at airports, canceled flights, and impeded commerce.

With only 3 days left, our House Republicans must act now to allow a vote on the Democrats' balanced proposal to avert these damaging and indiscriminate spending cuts. We cannot afford to wait a moment longer.

SEQUESTRATION

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Here we are just days away from the catastrophe that we've known about for months, just days away from a self-inflicted wound to our economy, our credibility, and the American people.

The sequester, these automatic budget cuts, will literally take food out of the mouths of hungry mothers and children—600,000 of them. Air traffic controllers will take a huge hit, increasing wait times by 50 percent. Security lines at LAX could take 4 hours during peak traffic times, as if waits aren't already bad enough. It will eliminate more than 2,000 food inspector jobs. I don't know about you, but I like knowing that I won't get salmonella when I open a can of tuna.

The American people will suffer. And for what? It's not like we couldn't see this coming from a mile away. We did see this coming from a mile away. Enough is enough. It's time for Republicans to join Democrats in a solution, a balanced approach that can avert this freight train.

SEQUESTRATION

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, I hear my colleagues on the other side of the aisle complaining about the President's sequester. It is the President that insisted that this sequester be part of the Budget Control Act a year and a half ago. It is the President who has known for 16 months that the sequester was going to happen.

This is why the House acted twice—twice—over the last 300 days to replace the sequester. There are better and smarter ways to cut spending. But the President is out doing his campaign event nonstop when he could be sitting down with Senate leaders to actually act.

The House has acted twice. It's time for the President to put his plan on the table, and it's time for Senate Democrats to put their plan on the table to avert the sequester that's due to go into effect on Friday.

□ 1220

ROSA PARKS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, 58 years ago a woman named Rosa Parks took a seat on a bus in Montgomery and refused to give it up.

Tomorrow Rosa Parks will take her place in the Halls of the United States Capitol when her statue joins other great American women like Helen Keller and Sojourner Truth, who stand sentinel over average citizens and Members of Congress alike in this hallowed place, reminding us of the quality of courage and the humble face of justice.

I'm proud to welcome fellow San Pedran Eugene Daub, the talented artist and sculptor who created this magnificent statue, to the Nation's Capitol. San Pedro is a community for artists in Los Angeles.

It means a lot to San Pedro that a member of our own community was chosen to commemorate the woman whose quiet dignity and defiance inspired a nation to stand up against the daily injustice of Jim Crow. What an honor for Mr. Daub and the entire San Pedro artist community.

Rosa Parks would have been 100 years old this year, but I know that

this is only the first century that we will be inspired by her example and this statue.

ACADEMIC COMPETITION RESOLUTION OF 2013

(Mr. ISSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISSA. Mr. Speaker, today I rise in support of the Academic Competition Resolution of 2013. The resolution, which will establish a yearly academic competition in the fields of science, technology, engineering, and mathematics each year in each congressional district, will be much like the long-standing art competition, one in which individuals in the STEM areas—science, mathematics, and engineering—will compete for their best accomplishments.

Art is important; English is important. But today, our greatest shortfalls are in the areas in which these young men and women need to go, need to be interested. Nothing will more promote STEM degrees, the type we need for sciences, for our accomplishments in Silicon Valley and throughout America, than saying it's important enough by an annual competition.

STOP THE SEQUESTER

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, the American public is tired of the blame game. They want to see real solutions. Irresponsible, across-the-board spending cuts are not a real solution. If we don't act to avoid these spending cuts, we threaten the very safety of our community and our country.

There will be \$50 million cut from firefighting funding. In my own district, that's \$1.5 million in SAFER grants. Let me translate that. My fire chief, Kurt Henke, says that's the equivalent of one engine company and slower response times. People are going to be unsafe, homes are going to burn. We have to act.

Mr. Speaker, I urge you to lock us in a room and cut a deal. Let's figure out how to avoid sequestration. This is devastating to our economy and our country.

OUR BEST DAYS ARE STILL AHEAD

(Mr. TAKANO asked and was given permission to address the House for 1 minute.)

Mr. TAKANO. Mr. Speaker, I rise today to introduce myself to my new colleagues, some of whom I've not had the chance to meet since joining this distinguished body.

I've served as a high school teacher for 23 years, and I believe the diverse community of the 41st District sent me here because they believe fervently that education is the key to achieving the American Dream. They see a teacher as an emblem of hope.

As a community college trustee for 22 years, I've gained an understanding of the critical role our Nation's community colleges play in workforce training and providing a pathway toward college degrees for middle class families. We must prepare our young people to be the innovators, scientists, and engineers that will keep our economic future strong and secure.

And I'm proud that the people of my district chose to press boldly into the future and make me the first openly gay person of color to serve in the House. As the grandson of an Issei gardener and an Issei small farmer, I stand in the well of this House as the expression of three generations of striving and as a testament to the endurance of the American Dream.

Our Nation's best days are still ahead, and there are many more dreams to be made.

CARDISS COLLINS

(Mr. DANNY K. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to my predecessor, who came to the House basically as an auditor, an accountant, not one who was greatly involved in public activity but quickly learned the ways of the House, became chairman of the Congressional Black Caucus, chairman of the Congressional Black Caucus Foundation, and a leading voice in equity for women in sports.

I lived in the same community that she and her husband lived in, and our community is especially proud of the accomplishments of the honorable Cardiss Collins.

CLIMATE CHANGE

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, the effects of the sequester are broad and far reaching.

Up to 2,600 NOAA employees expect to be furloughed and 2,700 positions not filled, which will affect managing our natural resources and our ability to address climate change.

Climate change is real. According to the Pacific Islands Regional Climate Assessment, across the Pacific Islands region, the frequency and intensity of climate extremes are changing.

Hawaii is usually thought of as a lush, green paradise, but droughts have been more frequent and prolonged. For

example, earlier this month the Big Island of Hawaii was declared a natural disaster due to ongoing extreme drought conditions going back to July of 2008. This is causing havoc for our farmers and ranchers. Waikiki, a highly visited and well-known treasure around the world, would be wetlands with beaches gone by the end of the century.

We must take action. We cannot afford to ignore this problem that is currently and will continue to wreak havoc across the globe for generations.

STOP THE SEQUESTER

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SHEA-PORTER. America is facing some very serious problems, and they're looking to Congress for a solution.

What have we done this week since the sequester is coming on Friday? We had one vote yesterday, and that was to rename a flight center, and we have one vote today. And these are good votes, but just two votes. Friday is looming, and America wants us to answer the sequester.

We heard the Speaker say that they have put two bills before the floor, but they have not been acceptable. We need to compromise.

We also heard the Speaker say recently to the Senate to get going and get moving, and I would suggest that the House should do the same thing. We need to reach out and compromise, find the solution that can pass this House, pass the Senate, and become law.

STOP THE SEQUESTER

(Mr. CASTRO of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASTRO of Texas. Mr. Speaker, today I rise to speak in opposition to the inaction on the sequester.

These across-the-board budget cuts are the direct result of hostage politics, another self-inflicted wound that sabotages our efforts to build out the infrastructure of opportunity in America for so many hardworking and humble people. Inaction should not be an option.

In Texas, this body's inaction will be felt almost immediately. Nearly 100,000 Texans could lose their jobs. Texas schools stand to lose almost \$70 million, putting nearly 1,000 educators out of work and countless children at risk of a disrupted education. More than 50,000 of the folks supporting our military, many of them veterans themselves, could lose 20 percent of their pay in the next year.

The President and Democrats have offered a balanced solution to stop the

sequester and reduce our deficit below the historic average. Mr. Speaker, I urge you to allow these proposals to come before the full House. Our communities deserve good-faith action from Congress.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

ACADEMIC COMPETITION RESOLUTION OF 2013

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 77) establishing an academic competition in the fields of science, technology, engineering, and mathematics among students in Congressional districts.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 77

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Academic Competition Resolution of 2013".

SEC. 2. FINDINGS.

The House of Representatives finds as follows:

(1) STEM (Science, Technology, Engineering, and Mathematics) fields and knowledge have been integral to the development of civilization over the centuries.

(2) STEM fields have been, and continue to be, vital to a healthy and thriving United States.

(3) STEM fields are even more important in a world and nation of continuous and rapid technological advancements and needs.

(4) STEM fields are necessary to ensure a qualified national workforce and growing American economy, and a recent study predicted that one-half of all STEM jobs in 2020 will be related to the field of computer science.

(5) A recent study found that less than one-third of eighth graders in the United States showed proficiency in mathematics and science.

(6) A recent study found that only 9 States allowed computer science courses to count toward high school students' core graduation requirements.

(7) A recent study found that only one-third of the bachelor's degrees earned in the United States are in a STEM field.

(8) A recent study found that more than one-half of the science and engineering graduate students in institutions of higher education in the United States are from outside the United States.

(9) Efforts to encourage students to work in STEM fields will enhance collaborative ef-

forts between our secondary education systems and STEM-related fields and industries.

(10) The global economy demands that the United States continue to lead the world in innovation, creativity, and STEM-related research.

(11) Bringing together Members of Congress and their younger constituents to participate in activities that will result in a deeper appreciation for STEM fields will foster enthusiasm for education in the sciences.

(12) The support which students will gain through Congressional recognition of their work on STEM-related projects will encourage them to pursue career paths in STEM studies and research.

(13) It is appropriate for the House of Representatives to institute a new and worthwhile competition to encourage students to participate in STEM studies and research.

(14) Rapid technological change means the competition will evolve over time and will challenge students in specialized areas of science, technology, engineering and math to ensure maximum participation. Because of the importance of computer science it would be appropriate to initially challenge students to develop so-called "apps" for mobile, tablet, and computer platforms.

SEC. 3. CONGRESSIONAL COMPETITION IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(a) ESTABLISHMENT OF COMPETITION.—There is hereby established an academic competition in the fields of science, technology, engineering, and mathematics which shall be held each year among students in each Congressional district.

(b) REGULATIONS.—The competition under this resolution shall be carried out in accordance with such regulations as may be prescribed by the Committee on House Administration, except that the regulations shall permit the office of a Member to seek guidance from outside experts in the fields of science, technology, engineering, and mathematics for the purposes of establishing criteria for the selection of competition judges and for the judgment of competition submissions.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the House resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I rise today in very strong support of House Resolution 77 to establish an academic competition that promotes innovation among students from across the country in the science, technology, engineering, and math—or the "STEM" fields, as they are called.

This program will be modeled after the Congressional Art Competition. This Congressional Academic Competition will be a nationwide STEM innovation competition for participating

students in every congressional district. Each year, students will submit STEM projects or programs to their Representatives for consideration. Representatives, Members of Congress, will then select the winning submissions that will be recognized in Washington, D.C., each year. The initial focus of this competition will be software applications. Submissions will likely include smart phone apps, management software programs, and social media technologies.

STEM positions are among the fastest growing occupations. Unfortunately, organizations are having a difficult time filling these positions with qualified and diverse candidates. At least half the growth in the U.S. gross domestic product over the last 50 years has been due to science and engineering. Yet the United States, unfortunately, is losing its competitive edge in those fields. According to a 2010 National Academies report, the United States ranked 27th among developed countries in the proportion of college students earning bachelor's degrees in science or engineering.

As I mentioned, it is our intent to model this program after the Artistic Discovery Competition. I would say, Mr. Speaker, since my arrival here in Congress, I've just marveled at the incredible abilities, the talents, the creativity of young artists from my district, and I have certainly been honored to display the winning submission here in the Capitol building.

I truly believe that the Artistic Discovery has worked to inspire those artists to hone their skills and advance their creativity. This STEM competition, this program that we are talking about today, could do so much more of the same and perhaps help us discover the next Steve Jobs or Bill Gates. This would not only help our young people to thrive, but it would also advance our entire economy.

A study by the President's Council of Advisors on Science and Technology found that, over the next decade, "economic forecasts point to a need for producing approximately 1 million more college graduates in STEM fields than expected."

We are nowhere near meeting that goal, and this competition would be a no-cost way to further interest in the field. Additionally, fewer than one-third of the eighth graders in the United States show proficiency in science and mathematics. Actually, only nine States allow computer science courses to count toward high school graduation requirements. I know we can do better than that.

We can help America's schools to do more to prepare our children in the STEM fields. We can help to stimulate the workforce by helping America's young people to not only be prepared but to ably fill the STEM jobs in our economy as they are created. It is vital

to our economy and to our future that America remain competitive in this growing field. We can encourage and embrace STEM innovation through this bipartisan academic competition.

In an ever-competitive global economy, I know that America's young people can be the world's greatest source of innovation and creativity. We can improve our Nation's economy and help provide countless of our children great opportunities in the future by encouraging their imaginations and by honoring their hard work. If there are STEM jobs available, we must make every effort to ensure that American young people fill these positions.

This competition will help students see the value of STEM fields and engage them with the topics throughout their lives. We also need to help students who are interested in science and engineering maintain that interest so that they can become scientists and engineers. Encouraging greater innovation and participation in STEM fields will help our students and, again, help our Nation to succeed in the future. We know all too well how difficult our economy has been in recent years, but even in this tough economy a lot of these tech industries have flourished. It's important to empower our young people with the necessary tools to succeed when it comes time for them to enter the labor force.

The action that we take today could help empower the next generation because this competition will offer the opportunity for students to expand their horizons and to potentially find interest or maintain their interest in one of our economy's fastest growing occupations. We can improve our students' academic achievements in education in hopes of preparing them for these opportunities in their futures.

As former U.S. Secretary of Education Bill Bennett has said:

As a Nation, we simply must get this message to schools, businesses, corporations, State departments of education, Governors, and beyond. STEM education is an urgent need for our Nation. We cannot continue to graduate students ill-prepared for our Nation's economic necessities—or their own.

Mr. Speaker, we believe that this proposed academic competition will inspire and encourage young innovators and better equip our youth to compete in today's global economy.

Far too often, I would note, this House seems to be unable to come to agreement on ways to solve America's challenges, and I know on this issue we all agree. It's a bipartisan effort. We all love our children. We all want them to succeed. We want them to reach their full potential, and we certainly want to honor their hard work as they reach toward a brighter future. So I would urge all of my colleagues, Mr. Speaker, to join me in supporting this small step toward that brighter future.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank Chairman MILLER and her staff for working in a bipartisan fashion on this legislation.

As the chairman mentioned, we created this competition so Members can help promote STEM education in a way that has a direct impact on their constituents. It is this very type of learning that will be essential to continue revitalizing our Nation's economy. The time and energy we invest now in advancing STEM education will only strengthen our Nation's economic posture in the future. This competition is one small way to do that.

I look forward to continuing to work with the chairman as we develop regulations for this program and implement this competition.

With that, I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I am proud to yield 1 minute to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR), who has been a principal force and advocate for this particular piece of legislation in the STEM.

Mr. CANTOR. I thank the gentlelady from Michigan.

Mr. Speaker, I rise today in support of the House's efforts to promote entrepreneurship and innovation through a new nationwide Congressional Academic Competition focused on science, technology, engineering, and math. From Robert Noyce to Sergey Brin, America has long been at the forefront of the digital revolution. Yet the United States faces an increasing challenge in terms of competitiveness and the opportunities available to future generations.

This competition will provide a unique opportunity for America's high school and college students in each congressional district to showcase their capabilities and creativity and build a framework for American success. Each year, this competition will bring communities together with their Members of Congress to recognize the importance of innovation and motivate students to pursue their ideas, take risks and put forward innovative solutions.

By challenging students to explore the importance of computer science in their everyday lives, we hope that this competition will help empower them to use their creativity to code for a more prosperous and innovative community. This competition will initially focus on developing applications for mobile, tablet, and computer platforms, reviewed by community leaders and entrepreneurs in these fields. However, given that technology rapidly changes over time, the competition has been designed with the ability to evolve for the future.

Mr. Speaker, I want to thank Chairman MILLER, Ranking Member BRADY,

and their staffs for their hard work in making this program possible. It will be exciting to see the kinds of advancements and breakthroughs students will come up with across the country.

I look forward to the success of the Congressional Academic Competition for years to come, and I encourage my colleagues to support this effort to inspire the next generation of American innovators.

Mr. BRADY of Pennsylvania. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlelady from California, ANNA ESHOO.

Ms. ESHOO. I thank the ranking member for recognizing me.

Mr. Speaker, I rise today in support of the Academic Competition Resolution of 2013, which is really the first step toward establishing a mobile apps contest for students across America, which I find very, very exciting.

□ 1240

Building on the success of the Congressional Arts Competition, which for more than 30 years has recognized and encouraged artistic talent among our Nation's youth, an apps competition will foster interest in STEM education—science, technology, engineering, and math—which is just what our country needs to prepare for our future.

According to the President's Council of Advisors on Science and Technology, in the next decade there will be approximately 8.5 million STEM job opportunities; but during the same time, it is projected we'll face a shortage of 1 million STEM graduates. We need to address this mismatch by encouraging our children's innate curiosity and creativity. And what better way to do so than through a mobile apps competition? From mobile medical apps that can revolutionize the way we seek and receive health care to apps that enable video conferencing and the streaming of online video, our lives have been changed forever by the mobility and the economic impact that these apps have provided.

Studies show the app economy has already created approximately 150,000 jobs in my State of California alone, and over half a million jobs nationwide, so there is a huge economic benefit already, but we need to leverage this.

So I thank Chairwoman MILLER; I thank the ranking member of the committee, and I want to acknowledge my wonderful colleague, Chairman GOODLATTE, who heads up the House Congressional Internet Caucus, and I'm proud to be a cochair with him. We look forward to working with the committee to ensure that the success of this competition and the continued growth of the app marketplace takes place.

Mrs. MILLER of Michigan. Mr. Speaker, I yield 2 minutes to the gen-

tleman from New York (Mr. HANNA), who is also the distinguished cochair of the STEM Education Caucus.

Mr. HANNA. Mr. Speaker, I rise today in support of this resolution and commend Chairwoman MILLER and Ranking Member BRADY for offering this thoughtful legislation.

As cochair of the STEM Education Caucus, I'm grateful the House has brought forth this issue which is critical to American economic competitiveness. In order to rebuild our middle class, increase our standard of living, and ensure that the 21st century is another prosperous American century, one of the most important things that Congress can do is prioritize science, technology, engineering, and math.

I'm a member of the Joint Economic Committee, which reported last year that STEM fields spur economic growth through innovation and value-added tradable goods. We also know that STEM unemployment rates are half of the normal unemployment rate. STEM salaries are double what other salaries are for non-STEM work. Putting people solidly in the middle class creates taxpayers, which grows our economy and helps control our debt, ensuring that the increasingly elusive American Dream is still attainable.

Mr. Speaker, this resolution to establish academic STEM competitions in each of our districts is a great way to highlight the importance of educating our youth in fields which are so necessary to the future competitiveness of our Nation.

I urge my colleagues to support this important legislation, and I look forward to this House continuing to find bipartisan ways to prioritize science, technology, engineering, and math education.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I congratulate the chairwoman and my friend, Mr. BRADY, for bringing to the floor very good legislation that recognizes the value of the best and brightest young Americans competing in the fields of math, science, and innovation.

But America is not going to compete very well if we don't solve the budget sequester that surrounds us here today. We're in a global economic competition where we will fall behind if we do not act by this Friday. Beginning this Friday, according to economists, a conservative estimate of the number of jobs lost in our country will be 750,000. There are those who believe that the job loss may exceed 2 million jobs.

Now, ladies and gentlemen of the House, there is a proposal in the well before the House that would postpone this job loss. Mr. VAN HOLLEN has offered a proposal that would postpone the sequester and save these jobs and still reduce our deficit by cutting sub-

sidies to huge oil companies who do not need those subsidies, by cutting subsidies to huge agribusinesses who do not need those subsidies, by saying that people who make more than \$2 million a year should pay a rate of taxation that does not let them exploit loopholes and other deductions.

To date, with the sequester looming, the majority in this House has done nothing to address this problem—not one bill, not one hour, not one debate, not one vote. So we have an alternative, and with this looming problem facing the people of the country, I believe that should be the order of business of the House today.

Mr. VAN HOLLEN's bill would end the sequester and reduce the deficit; so I therefore ask unanimous consent that the House bring up H.R. 699 at this time.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request unless it has been cleared by the bipartisan floor and committee leaderships.

Mr. ANDREWS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Is the result of the Chair's ruling that the House will not be able to vote on a bill to end the sequester at this time?

The SPEAKER pro tempore. The Chair cannot entertain the gentleman's unanimous-consent request at this time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Committee on the Judiciary, as well as the Internet Caucus, and a cosponsor of this resolution.

Mr. GOODLATTE. I thank Chairwoman MILLER for bringing this legislation forward and for the hard work of both herself and Congressman BRADY on this issue, and I rise in support of the Academic Competition Resolution of 2013.

This resolution establishes an academic competition in the fields of science, technology, engineering, and mathematics, STEM, which shall be held each year among students in each congressional district, and allows the Committee on House Administration to prescribe the regulations that will govern this competition.

This resolution will allow the Congressional Internet Caucus the ability to create the first Congressional App Challenge. Modeled after the Congressional Art Competition, the Congressional App Challenge promotes STEM learning and innovation by recognizing and incentivizing America's young programming talent.

In the 17 years since the formation of the Congressional Internet Caucus,

technology policy issues ranging from cybersecurity and intellectual property have gained more prominence with each passing Congress. This challenge allows Members to experience the technology, innovation, and entrepreneurship that take place on a daily basis in their own districts. This firsthand knowledge will be able to serve as a resource to Members as they consider legislation dealing with technology issues.

This competition will motivate our young people to further pursue programming and other technology-related educational opportunities. It will also enable them to showcase their programming skills on a national stage while at the same time promoting the value of STEM education and careers.

I want to thank the chair of the Committee on House Administration, Congresswoman MILLER, and Ranking Member BRADY for bringing this resolution to the floor, and I look forward to working with them to craft regulations that will make the congressional app contest a huge success to both Members and our constituents. I also look forward to working with my Congressional Internet Caucus cochair, the gentlewoman from California (Ms. ESHOO), in bringing this competition to fruition.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding me this time, and I rise in support of House Resolution 77. And I commend the chair of the committee and the ranking member for bringing this to the floor, and I hope that all of our colleagues will participate in this competition for students in STEM subjects to create these apps and to further, hopefully, their careers in STEM.

But I must tell you, Mr. Speaker, I am also deeply worried that our hopes to increase the number of students who will participate in STEM education and become part of the STEM careers that are available to them that this Nation so desperately needs could all be for naught, this resolution and all of our efforts, if on Friday we are not able to set aside the sequester and make a balanced proposal to reduce the deficit and to provide for the ongoing needs of this Nation.

□ 1250

Right now, if we do nothing between now and Friday, there will be a \$740 million cut to title I, impacting over 1 million students, low-income students, and 9,000 teachers and staff jobs. Those are the people that we want to encourage to go into STEM. Those are the very same students that have a 1 in 7 chance of having a qualified teacher teach them mathematics or science in their schools. So the very population

that you're trying to encourage will have less of a chance because of sequestration.

Over \$600 million cuts for students with disabilities, eliminating some 7,800 teacher and staff jobs with respect to those students.

For those students who are trying to acquire the English language so they can participate in STEM careers and STEM academics, nearly 210,000 children and 450 teachers would be eliminated by the sequestration. And the same goes with community learning centers, where it's an opportunity to expose these students, after school and in additional time, to these careers, to these opportunities, to the applications and to the Web sites that are available to them that they can't use during class time.

But, finally, there is even a more direct harm that will be done by sequestration, and that is that the National Science Foundation would issue nearly 1,000 fewer research grants and awards, impacting an estimated 12,000 scientists and students and curtailing critical scientific research. That's the scientific research that builds this Nation.

And for that reason, I ask unanimous consent that the House now take up H.R. 699, a balanced approach introduced by Mr. VAN HOLLEN, to replace the sequestration and save jobs and avoid these cuts in education that are so desperately needed.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request unless it has been cleared by the bipartisan floor and committee leaderships.

Mr. GEORGE MILLER of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GEORGE MILLER of California. Mr. Speaker, does that mean that we will not be taking up sequestration between now and Friday so that we can get rid of the sequestration with a balanced plan?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

Mrs. MILLER of Michigan. Mr. Speaker, I have no further speakers at this time, but I would reserve the balance of my time if my ranking member would like to close, to make his final statement.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Yes, I'd just like to also deviate, for a moment or two, on our issue here. Tomorrow we will be honoring Rosa Parks with a statue. And as our Chairman MILLER can start to understand, being the chairman of the committee,

we won't get an opportunity to say anything, but it is our committee that had this happen.

I would like to thank Mr. Lungren, the former chairman and ranking member of our committee. Because of that we will be honoring Rosa Parks in Statuary Hall tomorrow, which we would not, again, have a chance to say that.

I would like to thank, also, Jesse Jackson. Without his efforts every single day, every week, pushing to have that statue done, we would not be in that Hall tomorrow honoring her. So I need to give credit where credit belongs, and I appreciate the moment to be able to say that.

Again, I wish to thank the chair for her cooperation on this bill. I look forward to working with her as we implement the program's regulations.

I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I, first of all, would like to associate myself with the remarks about Rosa Parks that my ranking member just made. You think about one person with that act of courage literally changing a Nation, and it's a remarkable thing. And we were very proud in Michigan that she came to be a resident of Michigan in her final years, where she served, as you can imagine, so extraordinarily well and so inspiring to so many people. It's certainly entirely appropriate that a statue to her takes a place in Statuary Hall amongst Presidents and other national leaders. And so we're all looking forward to it tomorrow, to that unveiling of her statue.

But getting back to the House resolution that we have today, Mr. Speaker, I would just say, in closing, that certainly if America wants to remain competitive, we have to encourage and embrace innovation in the STEM fields. And as all of the various speakers have mentioned today, this program, I'm very excited about it. I have to tell you, in full transparency, 5 years ago I didn't even know what an app was. Now it's part of the nomenclature. You've got an app store and there's apps for all kinds of things. And these kids, when you get a chance to go into these high schools and talk to them, have ideas for apps doing all kinds of things.

And so I think that we're going to try to design this program to be technology neutral, whether it's a smartphone or a Web site or a laptop or any kind of software, and then sort of leave it open, because the technology is just changing so rapid fire as well.

We've thought about, for instance, in my district I've talked to my staff about how we would have a panel of judges that are very savvy on all of these things. You could use computer

science teachers to be part of the judging panel, people from industry, academics, what have you.

And then, I think, hopefully as some of the students come forward, whether they win or not, that we would have some sort of a mentoring program, as well, where folks from the industry, from the academics and the sciences in the STEM programs in the fields could talk to these students about opportunities, job possibilities, et cetera.

So I do think that this resolution that we're passing today, again, in a bipartisan way, is very important and does have the ability to really impact in a very positive way.

With that, I have no further requests for time, so I would urge my colleagues to support the legislation. I yield back the balance of my time.

Mr. FOSTER. Mr. Speaker, I rise today in support of House Resolution 77, the Academic Competition Resolution of 2013.

As a businessman, manufacturer and physicist, I know how important it is that we support STEM education. Throughout the twentieth century, American-led advancements in the STEM fields have driven forward our collective human understanding of the universe and strengthened the American economy.

The future of the American economy will depend on our ability to prepare graduates for work in STEM-related fields. Last year, the President's Council of Advisors on Science and Technology estimated that for the U.S. to maintain its position at the forefront of STEM fields, we will need to increase the number of American STEM graduates by one million students over the next decade.

The economic crisis has further highlighted the importance of STEM education, as the STEM fields weathered the downturn better than most. As the Joint Economic Committee on STEM education points out, the unemployment rate among STEM workers never surpassed 5.5% during the crisis, while unemployment in non-STEM fields grew to almost 10% in 2010. STEM workers also enjoy higher average wages than their non-STEM counterparts.

A congressionally-sponsored academic competition in the STEM fields will generate enthusiasm in this burgeoning field and provide an opportunity for students to work on meaningful, hands-on projects. Congress must do more to support educational initiatives that will prepare our students for participation in a dynamic, global economy, and sponsoring a STEM competition is a small step in the right direction.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H. Res. 77, the Academic Competition Resolution of 2013. For years, the annual art competition sponsored by the U.S. House of Representatives recognizes imaginative high school students from every congressional district in the United States. Like the congressional art competition, H. Res. 77 establishes an academic competition in the fields of science, technology, engineering and math (STEM) to be held each year among students in each congressional district across the country.

It is just and appropriate for the United States House of Representatives to incentivize

STEM education by highlighting outstanding youth across our country who are excelling in these disciplines. The highest growth sectors, such as information technology, require a workforce proficient in STEM. Producing students with the STEM skills needed to fill the jobs of the future is necessary to maintaining our nation's innovation capacity and creating new high-skill, high-paying jobs at home. As Ranking Member of the House Committee on Science, Space and Technology, I know that to strengthen our nation's technological workforce and infrastructure we must encourage and incentivize STEM education.

Mr. Speaker, as we rise in support of H. Res. 77 to encourage STEM education and American innovation, with the fiscal cliff looming I would be remiss if I did not warn against cutting our critical federal R&D investments. As we struggle with our own deficits, we too can make the strategic choice to continue to invest in our future—both in our human capital and physical infrastructure—or we can make the strategic choice to permanently cede our leadership, to fail our current generation of young people, and to put our economy in a state of stagnation for years to come. It is when our economy is hurting the most that we should be redoubling our efforts to innovate our way into a brighter future of new jobs, new technologies, and untold societal benefits.

Mr. ROYCE. Mr. Speaker, as an original co-sponsor of the Academic Competition Resolution (H. Res 77), I rise to express my strong support for the Congressional Academic Competition for STEM Education. I believe this new and innovative program promotes entrepreneurship while engaging students in Science, Technology, Engineering and Math (STEM).

With the increasing demand for students to focus on STEM fields, it is important for students to get involved, compete, and further their scientific knowledge. This Congressional competition will prepare future generations to better understand the world and technological progress. Since technology evolves rapidly, this competition reflects the fast pace of developments in these cutting edge fields.

The Congressional Academic Competition for STEM will first focus on developing mobile applications for phones, tablets and other computer devices. As time progresses, it has been constructed to evolve to meet future STEM needs whether it be technological applications or future inventions.

I am excited to see what students across America will invent and I look forward to the creative breakthroughs and scientific advancements this competition will fuel. I encourage my colleagues to support this initiative, which seeks to inspire our future generations to lead through innovation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 77.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 56 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 3 p.m.

MOTION TO ADJOURN

Mr. MASSIE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to adjourn will be followed by 5-minute votes on the motion to suspend the rules on House Resolution 77; and approval of the Journal.

The vote was taken by electronic device, and there were—yeas 1, nays 415, not voting 15, as follows:

[Roll No. 48]

YEAS—1

Reichert

NAYS—415

Aderholt	Braley (IA)	Chu
Alexander	Bridenstine	Ciilline
Amash	Brooks (AL)	Clarke
Amodei	Brooks (IN)	Clay
Andrews	Broun (GA)	Cleaver
Bachmann	Brown (FL)	Clyburn
Bachus	Brownley (CA)	Coffman
Barber	Buchanan	Cohen
Barletta	Bucshon	Cole
Barr	Burgess	Collins (GA)
Barrow (GA)	Bustos	Collins (NY)
Bass	Butterfield	Conaway
Beatty	Calvert	Connolly
Becerra	Camp	Conyers
Benishek	Campbell	Cook
Bentivolio	Cantor	Cooper
Bera (CA)	Capito	Costa
Bishop (GA)	Capps	Cotton
Bishop (NY)	Capuano	Courtney
Bishop (UT)	Cárdenas	Cramer
Black	Carney	Crawford
Blackburn	Carson (IN)	Crenshaw
Blumenauer	Carter	Crowley
Bonamici	Cassidy	Cuellar
Bonner	Castor (FL)	Cummings
Boustany	Castro (TX)	Daines
Brady (PA)	Chabot	Davis (CA)
Brady (TX)	Chaffetz	Davis, Danny

Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt

Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Long
Lowenthal
Lowe
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod

Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarelli
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman

Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao

Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)

Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IN)

NOT VOTING—15

Barton
Bilirakis
Cartwright
Coble
Culberson

Lucas
Lynch
Maffei
Pittenger
Richmond

Rigell
Scott (VA)
Velázquez
Young (AK)
Young (FL)

□ 1524

Messrs. SESSIONS, CAMPBELL, HARPER, COLLINS of New York, Mrs. BLACK, Messrs. NADLER and HUFFMAN, Ms. WILSON of Florida, and Messrs. RUSH and WHITFIELD changed their vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. REICHERT. Mr. Speaker, on rollcall no. 48 I mistakenly voted “yea.” I meant to vote “nay.”

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to reiterate the announcement of January 23, 2012, concerning floor practice.

Members should periodically rededicate themselves to the core principles of proper parliamentary practice that are so essential to maintaining order and deliberacy in the House. The Chair believes that a few of these principles bear emphasis today.

Members should refrain from trafficking the well when another—including the presiding officer—is addressing the House.

Members should wear appropriate business attire during all sittings of the House, however brief their appearance on the floor might be.

Members who wish to speak on the floor should respectfully seek and obtain recognition from the presiding officer, taking the time to do so in proper form, including 1-minutes. The proper form would be to ask unanimous consent to address the House for 1 minute.

Members should take care to yield and reclaim time in an orderly fashion, bearing in mind that the Official Reporters of Debate cannot properly transcribe two Members simultaneously.

Members should address their remarks in debate to the presiding officer and not to others in the second person or to some perceived viewing audience.

Members should not embellish the offering of a motion, the entry of a request, the making of a point of order, or the entry of an appeal with any statement of motive or other commentary, and should be aware that such utterances could render the motion, request, point of order, or appeal untimely.

Members should attempt to come to the floor to vote within the 15-minute period as prescribed by the first ringing of the bells. The Members should know that if the Member is in the aisle, is in the Chamber, they are entitled to vote. But as a point of courtesy to each of your colleagues, trying to be on time within the allotted time would help with the maintenance of the institution.

Following these basic standards of practice will foster an atmosphere of mutual and institutional respect. It will ensure against personal confrontation, among individual Members or between Members and the presiding officer. It will facilitate Members' comprehension of, and participation in, the business of the House. It will enable accurate transcriptions of proceedings. In sum, it will ensure the comity that elevates spirited deliberations above mere argument.

The Chair appreciates the attention of the Members to these matters.

ACADEMIC COMPETITION
RESOLUTION OF 2013

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 77) establishing an academic competition in the fields of science, technology, engineering, and mathematics among students in Congressional districts, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 3, not voting 17, as follows:

[Roll No. 49]

YEAS—411

Aderholt	Beatty	Boustany
Alexander	Becerra	Brady (PA)
Amodei	Benishek	Brady (TX)
Andrews	Bentivolio	Braley (IA)
Bachmann	Bera (CA)	Bridenstine
Bachus	Bishop (GA)	Brooks (AL)
Barber	Bishop (NY)	Brooks (IN)
Barletta	Black	Broun (GA)
Barr	Blackburn	Brown (FL)
Barrow (GA)	Blumenauer	Brownley (CA)
Barton	Bonamici	Buchanan
Bass	Bonner	Bucshon

Burgess	Gerlach	Luján, Ben Ray	Roybal-Allard	Simpson	Vargas	Crenshaw	Keating	Rice (SC)
Bustos	Gibbs	(NM)	Royce	Sinema	Veasey	Cuellar	Kelly	Roby
Butterfield	Gibson	Lummis	Ruiz	Sires	Vela	Cummings	Kennedy	Rogers (AL)
Calvert	Gingrey (GA)	Maloney,	Runyan	Slaughter	Visclosky	Daines	Kildee	Rogers (MI)
Camp	Gohmert	Carolyn	Ruppersberger	Smith (NE)	Wagner	Davis (CA)	King (IA)	Rohrabacher
Campbell	Goodlatte	Maloney, Sean	Rush	Smith (NJ)	Walberg	Davis, Danny	King (NY)	Rokita
Cantor	Gosar	Marchant	Ryan (OH)	Smith (TX)	Walden	DeGette	Kingston	Rooney
Capito	Gowdy	Marino	Ryan (WI)	Smith (WA)	Walorski	Delaney	Kline	Ros-Lehtinen
Capps	Granger	Markey	Salmon	Southerland	Walz	DeLauro	Kuster	Roskam
Capuano	Graves (GA)	Matheson	Sánchez, Linda	Speier	Wasserman	DelBene	Labrador	Ross
Cárdenas	Graves (MO)	Matsui	T.	Stewart	Schultz	DeSantis	LaMalfa	Rothfus
Carney	Grayson	McCarthy (CA)	Sanchez, Loretta	Stivers	Waters	DesJarlais	Lamborn	Roybal-Allard
Carson (IN)	Green, Al	McCarthy (NY)	Sarbanes	Stockman	Watt	Deutch	Lankford	Royce
Carter	Green, Gene	McCaul	Scalise	Stutzman	Waxman	Diaz-Balart	Larsen (WA)	Ruiz
Cartwright	Griffin (AR)	McClintock	Schakowsky	Swalwell (CA)	Weber (TX)	Dingell	Larson (CT)	Runyan
Cassidy	Griffith (VA)	McCollum	Schiff	Takano	Webster (FL)	Doggett	Levin	Ruppersberger
Castor (FL)	Grijalva	McDermott	Schneider	Terry	Welch	Doyle	Lipinski	Ryan (WI)
Castro (TX)	Grimm	McGovern	Schock	Thompson (CA)	Wenstrup	Duckworth	Loeb sack	Scalise
Chabot	Guthrie	McHenry	Schrader	Thompson (MS)	Westmoreland	Duncan (SC)	Lofgren	Schiff
Chaffetz	Gutierrez	McIntyre	Schwartz	Thompson (PA)	Whitfield	Duncan (TN)	Long	Schneider
Chu	Hahn	McKeon	Schweikert	Thornberry	Williams	Ellison	Lowenthal	Schock
Cicilline	Hall	McKinley	Scott, Austin	Tiberi	Wilson (FL)	Ellmers	Luetkemeyer	Schrader
Clarke	Hanabusa	McMorris	Scott, David	Tierney	Wilson (SC)	Engel	Lujan Grisham	Schwartz
Clay	Harper	Rodgers	Sensenbrenner	Tipton	Wittman	Enyart	(NM)	Schweikert
Cleaver	Harris	McNerney	Serrano	Titus	Wolf	Eshoo	Luján, Ben Ray	Scott, Austin
Clyburn	Hartzler	Meadows	Sessions	Tonko	Womack	Esty	(NM)	Scott, David
Coffman	Hastings (FL)	Meehan	Sewell (AL)	Tsongas	Woodall	Farenthold	Maloney,	Sensenbrenner
Cohen	Hastings (WA)	Meeks	Shea-Porter	Turner	Yarmuth	Farr	Carolyn	Serrano
Cole	Heck (NV)	Meng	Sherman	Upton	Yoder	Fattah	Maloney, Sean	Sessions
Collins (GA)	Heck (WA)	Messer	Shinkus	Valadao	Yoho	Fincher	Marino	Shea-Porter
Collins (NY)	Hensarling	Mica	Shuster	Van Hollen	Young (IN)	Fleischmann	Markey	Sherman
Conaway	Herrera Beutler	Michaud				Fleming	Massie	Shimkus
Connolly	Higgins	Miller (FL)				Flores	McCarthy (CA)	Shuster
Conyers	Himes	Miller (MI)	Amash	Massie	Ribble	Forbes	McCarthy (NY)	Smith (NE)
Cook	Hinojosa	Miller, Gary				Fortenberry	McCaul	Smith (NJ)
Cooper	Holding	Miller, George				Foster	McClintock	Smith (TX)
Costa	Holt	Moore				Frankel (FL)	McCollum	Smith (WA)
Cotton	Honda	Moran	Bilirakis	Lynch	Rokita	Franks (AZ)	McHenry	Southerland
Courtney	Horsford	Mullin	Bishop (UT)	Maffei	Scott (VA)	Frelinghuysen	McIntyre	Speier
Cramer	Hoyer	Mulvaney	Coble	Neugebauer	Velázquez	Fudge	McKeon	Stivers
Crawford	Hudson	Murphy (FL)	Culberson	Pittenger	Young (AK)	Gabbard	McMorris	Stockman
Crenshaw	Huelskamp	Murphy (PA)	Hanna	Richmond	Young (FL)	Gallego	Rodgers	Stutzman
Crowley	Huffman	Nadler	Lucas	Rigell		Garamendi	McNerney	Swalwell (CA)
Cuellar	Huizenga (MI)	Napolitano				Garcia	Meng	Thompson (PA)
Cummings	Hultgren	Neal				Garrett	Messer	Thornberry
Daines	Hunter	Negrete McLeod				Gerlach	Miller (FL)	Tiberi
Davis (CA)	Hurt	Noem				Gibbs	Miller (MI)	Tierney
Davis, Danny	Israel	Nolan				Goodlatte	Miller, Gary	Titus
Davis, Rodney	Issa	Nugent				Gosar	Moran	Tonko
DeFazio	Jackson Lee	Nunes				Gowdy	Mullin	Tsongas
DeGette	Jeffries	Nunnelee				Granger	Mulvaney	Upton
Delaney	Jenkins	O'Rourke				Grayson	Murphy (FL)	Van Hollen
DeLauro	Johnson (GA)	Olson				Green, Al	Murphy (PA)	Vargas
DelBene	Johnson (OH)	Owens				Griffith (VA)	Nadler	Wagner
Denham	Johnson, E. B.	Palazzo				Grimm	Napolitano	Walden
Dent	Johnson, Sam	Pallone				Guthrie	Negrete McLeod	Walorski
DeSantis	Jones	Pascarell				Hahn	Neugebauer	Walz
DesJarlais	Jordan	Pastor (AZ)				Hall	Noem	Wasserman
Deutch	Joyce	Paulsen				Hanabusa	Nunes	Schultz
Diaz-Balart	Kaptur	Payne				Harper	Nunnelee	Waters
Dingell	Keating	Pearce				Harris	O'Rourke	Watt
Doggett	Kelly	Pelosi				Hastings (WA)	Olson	Waxman
Doyle	Kennedy	Perlmutter				Heck (WA)	Palazzo	Weber (TX)
Duckworth	Kildee	Perry				Hensarling	Pascarell	Webster (FL)
Duffy	Kilmer	Peters (CA)				Higgins	Payne	Welch
Duncan (SC)	Kind	Peters (MI)				Himes	Pelosi	Wenstrup
Duncan (TN)	King (IA)	Peterson				Hinojosa	Perlmutter	Westmoreland
Edwards	King (NY)	Petri				Holt	Perry	Whitfield
Ellison	Kingston	Pingree (ME)				Huelskamp	Petri	Williams
Ellmers	Kinzinger (IL)	Pitts				Huffman	Pingree (ME)	Wilson (FL)
Engel	Kirkpatrick	Pocan				Huizenga (MI)	Pocan	Wilson (SC)
Enyart	Kline	Poe (TX)				Hultgren	Polis	Wittman
Eshoo	Kuster	Polis				Hunter	Pompeo	Wolf
Esty	Labrador	Pompeo				Hurt	Posey	Womack
Farenthold	LaMalfa	Posey				Issa	Price (NC)	Yarmuth
Farr	Lamborn	Price (GA)				Johnson, Sam	Quigley	Yoho
Fattah	Lance	Price (NC)				Jones	Rangel	Young (IN)
Fincher	Langevin	Quigley				Joyce		
Fitzpatrick	Lankford	Radel	Aderholt	Brady (TX)	Carson (IN)	Kaptur		
Fleischmann	Larsen (WA)	Rahall	Alexander	Braley (IA)	Cartwright			
Fleming	Larson (CT)	Rangel	Bachmann	Bridenstine	Cassidy			
Flores	Latham	Reed	Bachus	Brooks (AL)	Castro (TX)			
Forbes	Latta	Reichert	Barber	Brooks (IN)	Chabot			
Fortenberry	Lee (CA)	Renacci	Barletta	Brown (GA)	Chaffetz			
Foster	Levin	Rice (SC)	Barrow (GA)	Brown (FL)	Chu			
Fox	Lewis	Roby	Barton	Brownley (CA)	Cicilline			
Fox	Lipinski	Roe (TN)	Beatty	Buchanan	Cleaver			
Frankel (FL)	LoBiondo	Rogers (AL)	Becerra	Buchon	Cohen			
Franks (AZ)	Loeb sack	Rogers (KY)	Bera (CA)	Bustos	Cole			
Frelinghuysen	Lofgren	Rogers (MI)	Bishop (GA)	Butterfield	Collins (GA)			
Fudge	Long	Rohrabacher	Bishop (UT)	Calvert	Collins (NY)			
Gabbard	Lowenthal	Rooney	Black	Camp	Conaway			
Gallego	Lowey	Ros-Lehtinen	Blackburn	Campbell	Connolly			
Garamendi	Luetkemeyer	Roskam	Blumenauer	Cantor	Cook			
Garcia	Lujan Grisham	Ross	Bonamici	Capito	Cooper			
Gardner	(NM)	Rothfus	Bonner	Capps	Crawford			
Garrett			Boustany	Carney				

NAYS—3

NOT VOTING—17

□ 1538

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 290, nays 118, answered “present” 1, not voting 22, as follows:

[Roll No. 50]

YEAS—290

Aderholt	Brady (TX)	Carson (IN)
Alexander	Braley (IA)	Cartwright
Bachmann	Bridenstine	Cassidy
Bachus	Brooks (AL)	Castro (TX)
Barber	Brooks (IN)	Chabot
Barletta	Brown (GA)	Chaffetz
Barrow (GA)	Brown (FL)	Chu
Barton	Brownley (CA)	Cicilline
Beatty	Buchanan	Cleaver
Becerra	Buchon	Clyburn
Bera (CA)	Bustos	Cohen
Bishop (GA)	Butterfield	Cole
Bishop (UT)	Calvert	Collins (GA)
Black	Camp	Collins (NY)
Blackburn	Campbell	Conaway
Blumenauer	Cantor	Connolly
Bonamici	Capito	Cook
Bonner	Capps	Cooper
Boustany	Carney	Crawford

NAYS—118

Amash	Clay	Fitzpatrick
Andrews	Coffman	Fox
Barr	Conyers	Gardner
Bass	Costa	Gibson
Benishek	Cotton	Graves (GA)
Bentivolio	Courtney	Graves (MO)
Bishop (NY)	Crowley	Green, Gene
Brady (PA)	Davis, Rodney	Griffin (AR)
Burgess	DeFazio	Grijalva
Capuano	Denham	Gutierrez
Cárdenas	Dent	Hanna
Castor (FL)	Duffy	Hartzler
Clarke	Edwards	Hastings (FL)

Heck (NV)	Marchant	Ribble
Herrera Beutler	Matheson	Roe (TN)
Holding	Matsui	Rush
Honda	McDermott	Ryan (OH)
Horsford	McGovern	Salmon
Hoyer	McKinley	Sánchez, Linda
Hudson	Meehan	T.
Israel	Meeks	Sanchez, Loretta
Jackson Lee	Miller, George	Sarbanes
Jeffries	Moore	Schakowsky
Jenkins	Neal	Sewell (AL)
Johnson (OH)	Nolan	Sinema
Johnson, E. B.	Nugent	Sires
Jordan	Pallone	Slaughter
Kilmer	Pastor (AZ)	Terry
Kind	Paulsen	Thompson (CA)
Kinzing (IL)	Pearce	Thompson (MS)
Kirkpatrick	Peters (CA)	Tipton
Lance	Peters (MI)	Turner
Langevin	Peterson	Valadao
Latham	Pitts	Veasey
Latta	Poe (TX)	Vela
Lee (CA)	Price (GA)	Visclosky
Lewis	Rahall	Walberg
LoBiondo	Reed	Woodall
Lowe	Reichert	Yoder
Lummis	Renacci	

ANSWERED "PRESENT"—1

Owens

NOT VOTING—22

Amodei	Lucas	Scott (VA)
Bilirakis	Lynch	Stewart
Carter	Maffei	Takano
Coble	Mica	Velázquez
Cramer	Pittenger	Young (AK)
Culberson	Richmond	Young (FL)
Gohmert	Rigell	
Johnson (GA)	Rogers (KY)	

□ 1545

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MAFFEI. Mr. Speaker, on rollcall No. 48 on a motion to adjourn, I am not recorded because I was absent due to a death in my family. Had I been present, I would have voted "nay."

Mr. Speaker, on rollcall No. 49 on H. Res. 77, I am not recorded because I was absent due to a death in my family. Had I been present, I would have voted "yea."

Mr. Speaker, on rollcall No. 50 on approving the Journal, I am not recorded because I was absent due to a death in my family. Had I been present, I would have voted "yea."

□ 1550

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET AND COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore (Mr. ROTHFUS) laid before the House the following resignation as a member of the Committee on the Budget and the Committee on Financial Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 25, 2013.

Hon. JOHN A. BOEHNER,
Office of the Speaker, The Capitol,
Washington, DC.

MR. SPEAKER, In light of my recent appointment to the House Ways and Means Committee, I hereby resign my position on both the House Budget Committee and the House Committee on Financial Services.

Best Regards,

CONGRESSMAN JIM RENACCI.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, COMMITTEE ON NATURAL RESOURCES, AND COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Science, Space, and Technology:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 25, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Capitol,
Washington, DC.

DEAR MR. SPEAKER: Thank you for supporting my appointment to serve on the Committee on Appropriations. I sincerely appreciate the opportunity to serve on the Appropriations Committee.

I understand that in order to facilitate this appointment, I am required to resign from my current committee assignments. As a result, this letter is to resign my membership on the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Science, Space and Technology.

Thank you for your consideration.
Sincerely,

ANDY HARRIS, M.D.,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 26, 2013.

Hon. JOHN BOEHNER,
Speaker, The Capitol, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: This letter is to notify you of my interest in stepping down from the House Committee on Agriculture so that I can dedicate additional focus to my other committee assignments and legislative responsibilities. Thank you for your thoughtful consideration of my request.

Sincerely,

STEVE SOUTHERLAND II,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.J. RES. 19

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.J. Res. 19, a measure originally introduced by Representative Emerson of Missouri, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

STOP THE SEQUESTER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it's been almost 300 days since the House first acted to replace sequestration with targeted reforms that achieve the same level of deficit reduction without harming the economy, yet the Senate has failed to act.

The administration states that the Commonwealth of Pennsylvania is set to feel the impact of sequestration more than most States yet has offered no constructive plan forward.

The House has put forward two concrete proposals for a commonsense path to deficit reduction that will not harm our national security and will not harm our fragile economic recovery.

We all must make sacrifices in order to reduce the debt and fix Washington, for we can no longer spend \$1 trillion more than we take in each year. Raising taxes to chase after trillion dollar deficits, as the President suggests, is a recipe for economic decline. Spending is the problem.

It's time for the President to stop campaigning and call on the Democrat-led Senate to act. No more 11th-hour negotiations; no more unnecessary harm to families and small businesses. It's time for us to come together and work on serious solutions.

PROTECTING SCIENTIFIC RESEARCH FROM THE SEQUESTER

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, last week I visited the Salk Institute, a cutting-edge biological research facility whose work has contributed to San Diego's status as the number two life science cluster in the United States. At Salk, I met Dr. Geoff Wahl, a professor who leads a groundbreaking cancer research lab, and Bianca Kennedy, a breast cancer advocate and survivor.

In fiscal year 2012, San Diego firms received more than \$130 million from the National Science Foundation and \$850 million from the National Institutes of Health. It's these types of investments that have created hundreds of thousands of jobs and bolstered our economy, contributing also to the quality of life for people around the world.

The sequester threatens to undo this progress. The immediate cuts to NIH from sequestration are 8.2 percent, which is equivalent to a cut of \$2.5 billion. This could result in the loss of 33,000 research-related jobs in 2013 and a \$4.5 billion decrease in economic activity.

Let's work together to avert the sequester so we can continue to improve the lives of patients and lead the world in science and technology.

WAYZATA GIRLS NORDIC SKI TEAM

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate the Wayzata High School girls Nordic ski team.

For the first time in 33 years, the Wayzata girls Nordic skiing program claimed the very top prize at the State competition earlier this month in northern Minnesota.

Wayzata head coach Larry Myers lauded his team's attitude and morale as key to their success this season and at the State competition, but special congratulations also should go out to junior Alayna Sonnesyn and sophomore Anna French, who earned all-State honors at the meet.

Six students from Wayzata's State championship Nordic ski team also were members of the State championship cross-country running squad that captured a State championship title last fall. Each of these student athletes, their parents, and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent and recognize such great student athletes and the Wayzata School District. Congratulations.

STOP THE SEQUESTER

(Ms. EDWARDS asked and was given permission to address the House for 1 minute.)

Ms. EDWARDS. Mr. Speaker, on this coming Friday, March 1, we are going to see budget cuts that will devastate Federal workers, programs, agencies, and private sector contractors. This pending \$85 billion in cuts for this fiscal year alone was intended to be so bad, just so horrible, and cause such widespread damage that they were never intended to take effect in the

first place. Yet here we are with another self-inflicted wound as House Republicans continue to ignore Democrats' requests to find a sensible alternative.

In Maryland alone, sequestration will hurt families, including 800 children who will lose access to school readiness programs; 2,100 fewer children receiving lifesaving vaccinations; 12,000 mothers and young children cut from Women, Infants, and Children programs; and 46,000 civilian private sector workers are going to be furloughed. And the list goes on in Maryland and across the country.

Mr. Speaker, make no mistake, the GOP, the Republicans rule the roost here in the House, and they can stop these senseless cuts today. It's in their power and the power of the GOP to stop the cuts that are going to cost 900,000 jobs and threaten economic recession. The American people deserve better.

Mr. Speaker, with that, I also ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentlewoman's request unless it has been cleared by the bipartisan floor and committee leaderships.

□ 1600

THE INABILITY TO GOVERN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, sequestration is a bad idea. I voted "no."

The idea for the sequester came from White House advisers. The President quickly signed the sequester and made it the law of the land. Now he has buyer's remorse. The House, in seeing the error of its ways, repented, and two times replaced the sequestration with rational cuts. The President's siesta Senate, however, ignored the House legislation and went missing in action.

Rather than administer with a smidge less taxpayer money, the President blames others for his fate. This is in spite of his power to determine priorities in spending, so he says the sky is falling because his government cannot operate without more money. He does not have the ability to produce a balanced budget or cut back waste, duplication, inefficiency, or fluff.

As the sequester is upon us, it is time for the President to lead America and govern with less money, but the President only knows one way to rule—tax more, spend more, and scare the people more. This is the inability to govern.

And that's just the way it is.

WE MUST AVOID THE SEQUESTER

(Mr. HORSFORD asked and was given permission to address the House for 1 minute.)

Mr. HORSFORD. Mr. Speaker, we now have only a matter of days to prevent serious damage to the U.S. economy by the so-called "sequester."

These mindless, across-the-board cuts will hurt the country and my home State of Nevada. There has been a lot of talk that these cuts won't be that bad, but let me tell you about just one school in my district that I visited last week, the Matt Kelly Elementary Empowerment School.

In terms of funding, over 50 percent of its school allocation is title I funding. It is a high-achieving, five-star school, where teachers are doing the best that they can with the little money that they receive, but the sequester would hit them hard. They would have to cut back on full-day kindergarten, fire teachers' aides, eliminate reading and math intervention programs for struggling students, reduce meals to hungry kids, and defund their family community center.

This is a model school that is working hard to improve our students' academic achievement. Now, as their reward, because some in this body can't come to agreement, Congress will take a sledgehammer to their budget.

The sequester is not fair to the children and families in my district. It is not about trimming fat. It is about the children, and that's who we should focus on today in this House.

THE SEQUESTER LOOMS

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. The sequester looms. Programs are going to be cut, and people are going to suffer—and what has this House done today under the Republican leadership? We've passed three bills. We've brought up three bills, one of which is a motion to adjourn, and the other one is a vote on the Journal. What a shame and what a disgrace.

I didn't vote for the sequester law. I thought it was not a good idea—but we have it. The only way we're going to get away from it is if we have a combination of cutting spending and raising revenues.

The President has been fair. He wants to sit down with Republicans and have a balanced bill and close the tax loopholes for Big Oil and other people who have these loopholes but who don't need them. Let the people who can afford to pay more pay a little more. It has got to be a combination.

The American people want us to reach out and meet in the middle. Unfortunately, the Republicans have refused to budge. This is not good for the

American people. This is not something that we should be doing. Close the tax loopholes on Big Oil. The American people want to see a compromise.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute.)

Mr. SCHNEIDER. Mr. Speaker, we are just days away from an \$85 billion sequester that will result in arbitrary, devastating cuts to our Federal Government.

Despite the looming deadline, this House has not debated any alternative to protect programs that benefit this country's most vulnerable populations—our seniors, our students, and our middle class. Our fiscal house may be in disarray, but targeted decisions, not wholesale cuts, are needed.

This is the opportunity to come together—for both sides to roll up their sleeves and find a way forward. This is the moment to take a balanced, measured approach to deficit reduction that reduces spending thoughtfully and increases revenue responsibly. I know there is common ground between the sides; but it won't be found unless, together, Democrats and Republicans get to the table and prevent these across-the-board, irresponsible cuts. No two programs are the same, and no difficult decision should be made without thoughtful deliberation. There is no excuse for not sitting down and bridging the gap. Hardworking families everywhere are counting on it.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Here we go again. Our Nation is on the brink of disaster because Congress has created another manmade disaster. Let me repeat—not Congress. House Republicans have created another manmade disaster. I haven't talked with anyone—from business leaders, to children's advocates, to AARP and senior citizen groups—who think Congress is doing a good job.

Just last year, the Republicans took \$115 billion and handed it over to 6,000 of the wealthiest Americans in the form of tax cuts. At the same time, they cut health care funding for needy children and their families. I have a list of cuts and how they're going to affect children, senior citizens, and the FAA.

Do you know what? You can fool some of the people some of the time, but you can't fool all of the people all of the time.

In closing, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace this cutting and spending disaster.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

(Mr. GALLEG0 asked and was given permission to address the House for 1 minute.)

Mr. GALLEG0. I rise today to speak out against this manufactured monster that we know as sequestration—across-the-board cuts that hurt our economy and jeopardize our families.

In small-town west Texas, where there is a fire, everyone works together to put the fire out, and no one focuses on how the fire started or who started the fire until after the fire is out. Here and now in Washington, many folks are more focused on who is to blame for the sequester than in trying to do anything about it or, worse, they use inflammatory rhetoric to add fuel to the fire.

Meanwhile, here is what Texas is facing: 159,000 jobs lost; more than 16,000 Air Force personnel furloughed, hurting Laughlin Air Force Base in Del Rio and Lackland Air Force Base in San Antonio; 11,000 civilian employees at Fort Bliss, who could be furloughed in El Paso—and the biggest single threat to border security, that would be sequestration.

I represent the district with the largest border—Del Rio, Eagle Pass, Presidio, Fabens. Here, Border Patrol overtime is canceled, and workers are being furloughed. If you thought the lines of the border were long before, just wait.

Mr. Speaker, not having a vote this week is a decision by some in Congress for decreased border security, job loss and furloughs; and it devastates local communities and the State of Texas.

ELECTING CERTAIN MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. SOUTHERLAND. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 82

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE—Mr. Fincher, to rank immediately after Mr. Denham.

COMMITTEE ON APPROPRIATIONS—Mr. Harris.

COMMITTEE ON THE BUDGET—Mr. Price of Georgia, to rank immediately after Mr. Cole; Mrs. Black, to rank immediately after Mr. Lankford; and Mr. Duffy.

COMMITTEE ON WAYS AND MEANS—Mr. Renacci.

Mr. SOUTHERLAND (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1610

VOTING RIGHTS ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes as the designee of the minority leader.

Mr. CONYERS. Mr. Speaker, I'm pleased to join in this Special Order, a bipartisan one, in which I thank my judiciary colleague and former chairman of the Judiciary Committee, JIM SENBRENNER of Wisconsin, for joining me in this discussion, as well as Congressman BOBBY SCOTT of Virginia, also a distinguished member of the Judiciary Committee and former chairman of the Subcommittee on Crime.

Members of the House, just days before the anniversary of the Edmund Pettus Bridge march from Montgomery to Selma—and by the way, our colleague, Congressman JOHN LEWIS, was the only Member of Congress who was in that march—the Supreme Court will review Congress' authority under the Constitution to reauthorize the Voting Rights Act, specifically section 5 of that act. I believe and I am confident the Supreme Court will and should uphold the constitutionality of Congress' authorization of section 5 for three reasons. The first: Protecting minority voting rights is a constitutional imperative that Congress is required to enforce.

When Congress acts under the 15th Amendment to the Constitution, it acts at the zenith of its constitutional authority. The Supreme Court has consistently upheld Congress' authority under the 15th Amendment. The 15th Amendment gives Congress a mandate to eliminate racial discrimination in

voting by appropriate legislation. After almost a century of ineffective protection for minorities, and in the long wake of the Civil War, Congress took action to pass the 15th Amendment, and almost a hundred years later passed the Voting Rights Act, which included section 5. Protecting minority voting rights is something Congress can do, and this authority has been repeatedly affirmed by the United States Supreme Court.

For almost 50 years, the Supreme Court consistently affirmed Congress' authority to protect minority voting rights under section 5 of the Voting Rights Act. Legal challenges to section 5 are nothing new to Congress, and are nothing new to the Court. Legal challenges to section 5 of the Voting Rights Act have routinely been made after Congress has reauthorized temporary provisions.

The Supreme Court first affirmed the constitutionality of section 5 in 1966. In the case of *South Carolina v. Katzenbach*, the Supreme Court upheld the Voting Rights Act, including section 5. The Court in that decision cited Congress' careful study and the voluminous legislative history underlying the Voting Rights Act as the basis for upholding it. During Congress' most recent authorization of section 5 in 2006, both the Senate and the House studied the continued need for section 5 by amassing an extensive record that totaled over 15,000 pages, spanned 20 hearings, and included testimony from a total of 96 witnesses representing interests ranging from Federal and State executive officials to civil rights leaders and others. Those 15,000 pages were amassed by the House Judiciary Committee and the Senate Judiciary Committee as well.

Congress paid careful attention to the Court's decisions throughout the reauthorization process and acted consistent with them to the extent of the law, and only after commencing the evidence, strongly suggested widespread violations of the 15th Amendment, which led to ample justification for congressional action.

The result, on July 13, 2006, was the largest bipartisan vote in Voting Rights Act history, with a vote of 390-33 in the House and unanimous passage in the Senate, 98-0.

Although dicta from the Court's *Namundo* decision in 2009 suggested that the burdens of section 5 may be unnecessary because times have changed, Congress found that the evidence strongly suggests otherwise.

While we have made progress, Congress continues to find that racial discrimination in voting is still present and remains concentrated in those places covered by section 5. Unfortunately, the methods of discrimination have also become more sophisticated. I believe that the Court will recognize what Congress found in 2006—that the work of section 5 is not yet complete.

The protections in section 5 don't solely impact our Federal voting processes, but rather the breadth of section 5 extends to the smallest cities and most centralized local governments. When a voting change discriminates against local citizens even at the local level, section 5 has the ability to halt the impact of discrimination. Without section 5's strength to arrest the discrimination at the outset, the burden of remedying the discrimination would be on these local citizens.

The facts in *Shelby County v. Holder* further magnify the importance of section 5 to protect the voting rights of minorities. In the *Shelby* case, the Justice Department rejected an electoral map drawn by a city in Shelby County which would have decreased the number of black voters from 70.9 percent to 29.5 percent. In this instance, section 5 preserved the ability of the African American community in the city to elect their candidate of choice to the city council. Shelby County, along with many examples examined by Congress in 2006, highlights the importance of reauthorization of section 5 of the Voting Rights Act.

The constitutionality of the Voting Rights Act is an important matter for the Court to consider and continue to review, and is important to the democratic ideals of this country.

We believe the Supreme Court owes much deference to the considered judgment of the people's elected representatives since Congress continues to find that racial discrimination in voting is present and remains concentrated in many of the places covered by section 5. We expect the United States Supreme Court to continue to declare that section 5 of the Voting Rights Act is critical to protecting minority voting rights—all voting rights—well into the 21st century.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Michigan for yielding.

I was the principal author of the Voting Rights Act extension in 2006, which did pass this House 390-33, and unanimously was passed by the Senate.

□ 1620

The *Shelby County* case concentrates on the constitutionality of section 5 of the Voting Rights Act, and that is the section that requires pre-clearance of electoral changes in covered jurisdictions. The plaintiffs in the *Shelby County* case allege that since things have changed since 1965, section 5 is no longer applicable. They're wrong.

When Congress considered, in 2006, the extension of the Voting Rights Act, including section 5, the Constitution Subcommittee of the House Judiciary Committee had probably the most extensive legislative record in the history of this Congress compiled, 12,000 pages

on this side of the Capitol, numerous hearings, numerous witnesses, including those who were opposed to section 5, and even those who were opposed to the entire concept of the Voting Rights Act. So every viewpoint was heard; and the mountain of testimony, I don't think, can be equaled by any other issue that Congress has discussed, in my memory, and maybe in the history of the Republic.

I want to make two points. The first point is that all of that testimony very clearly shows that, even in the years immediately prior to 2006, there were attempts at discrimination made, mainly by local governments, to attempt to disenfranchise minority voters. And, in fact, over 700 requests for pre-clearance were denied, I believe, in the 10-year period prior to the hearings being held. So there still are attempts being made to disenfranchise minority voters, and the Congress found that; and that legislative record should be enough to persuade the Court that those of us who are elected representatives of the people had ample evidence to make a considered judgment on this issue.

The second point that needs to be made is that, right from the beginning of the Voting Rights Act in 1965, there was a procedure that would allow a covered jurisdiction to bail out of section 5 coverage, and that can be done by showing that there are no attempts to disenfranchise minority voters to the satisfaction of the Justice Department. A few jurisdictions have availed themselves of the bailout provision and have succeeded and thus are no longer under section 5.

What the plaintiffs in the *Shelby County* case want to do is, rather than going and presenting evidence that they are not discriminating anymore and saying that they qualify for the bailout, they want to go to court to throw the whole of section 5 out. It is like dealing with this issue with a blunderbuss rather than with a rifle shot or a surgical strike.

Now, if any of the plaintiffs in this case are clean, I believe that they ought to tell the Court why they're going to court, rather than using the provisions that have been in the law for close to 50 years to bail out, because they are clean.

When I was in law school, I was always taught that when you wanted to get equity, you ought to come in with clean hands. Well, if you have clean hands, the bailout is made for you. And if you don't have clean hands, then the Supreme Court should tell you to go wash up.

The Court should uphold the Voting Rights Act, should uphold section 5, as extensively considered by Congress and reauthorized, and rule in favor of the government.

Mr. CONYERS. I thank the gentleman from Wisconsin for his observations and his continuing support of this

very important act from the beginning. He was there when it started, and he's still with it. I congratulate you, sir.

Mr. SENSENBRENNER. I thank the gentleman.

Mr. CONYERS. Mr. Speaker, I am very pleased now to yield as much time as he may consume to the distinguished gentleman from Virginia, BOBBY SCOTT, a senior member of the House Judiciary Committee.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

I'm proud to join the gentleman from Wisconsin and the gentleman from Michigan, who were leaders in the reauthorization of the Voting Rights Act in 2006. They were there and have been fighting the battle for voting rights for a long time. The leadership in reauthorization was obviously the gentleman from Wisconsin and the gentleman from Michigan and the gentleman from North Carolina (Mr. WATT).

Mr. Speaker, a right to vote is the very foundation of our democracy. The Supreme Court noted in *Wesberry v. Sanders* in 1964 that no right is more precious in a free country than that of having a voice in the election of those who make laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.

From its initial passage of the Voting Rights Act, Congress has relied on an extensive record of discrimination in voting to justify the continued need for remedies imposed by the expiring provisions. In the original enactment of the Voting Rights Act and its subsequent reauthorization, Congress has made sure that voting rights remedies are proportionate to the problems Congress sought to secure.

In the reauthorization process in 2006, the gentleman from Wisconsin and the gentleman from Michigan made sure that we listened to each and every witness. They had long hearings and heard all kinds of different schemes to undermine the right to vote; and in the end, we reauthorized the Voting Rights Act.

As a result of the Voting Rights Act, since 1964—it was passed in 1965, but since 1964, the number of Black elected officials has increased from a nationwide total of 300 in 1964 to over 9,000 today. The Congressional Black Caucus grew from three prior to the Voting Rights Act to 43 today.

In the Commonwealth of Virginia, my home State, there were no African Americans in the General Assembly in 1965. Now there are 18 members of the Virginia Legislative Black Caucus. Clearly, these numbers show that many of the provisions of the Voting Rights Act have made a difference.

Section 5 is one of the Voting Rights Act's most important provisions. It requires covered jurisdictions to submit planned changes in their election laws

to Federal officials for prior approval. They have to show that the change does not have a discriminatory effect or intent.

The jurisdictions covered by section 5 were selected the old fashioned way: they earned it, by implementing poll taxes, literacy tests, gerrymandered election districts and other schemes.

Tomorrow the Supreme Court will hear a challenge to section 5. In *Shelby County v. Holder*, the challenge will be to try to eliminate the requirement for covered jurisdictions to secure that pre-clearance from the Department of Justice or a Federal Court in Washington, D.C. They are arguing that the current evidence of racial discriminatory practices in covered jurisdictions is inadequate to support section 5; but the record of section 5-based objections has shown that section 5 is needed.

Since 2006, when we reauthorized the Voting Rights Act, more than 750 objections have been lodged by the Department of Justice to changes in election procedures through the pre-clearance provision in section 5, finding that those 750 changes violated the Voting Rights Act. Those are changes in election laws that the jurisdictions knew they had to submit to Justice.

Now, just exactly what kind of changes would they have enacted if they hadn't been required to pre-clear their new laws?

Their bipartisan congressional report in 1982 warned that without this section discrimination would reappear overnight. That's because without this section there would be no effective deterrent in passing discriminatory laws.

Section 5 offers a type of relief that is not available in any other provision of the act. Without section 5's relief, jurisdictions with a history of discrimination could pass discriminatory changes in their election laws, and then the victim of the discrimination would bear the costs of litigation and bear the burden of proof to overturn the law.

□ 1630

If overturned, finally, then they could do another scheme and the process would start all over. If those impacted negatively by the discriminatory laws could not raise the money, then they're just stuck with the discriminatory plan.

Now, a lot of these plans are inflicted on small counties where people just do not have the resources to launch expensive, complex litigation. And so it is unfair to impose on them the burden of protecting their voting rights when you know from history that the covered jurisdictions have a history of discrimination.

Now, one of the problems with the elimination of section 5 is that once the small counties raise all the money, get to litigation, finally get a final judgment, and overturn it, the per-

petrators of the scheme already would have achieved their goal. They got elected. They were able to represent the area and cast all the votes. And then in the end, when they're finally caught discriminating, they get to run as incumbents, with all the advantages of incumbency. The magic of section 5 is that the illegal scheme never goes into effect to begin with.

Now, there is a provision, as the gentleman from Wisconsin pointed out, for covered jurisdictions to bail out if they feel they have stopped discriminating. But all they have to do to bail out is first prove that they haven't gotten caught discriminating in 10 years.

Now, the process is simple. For those who have attempted to bail out, they've been able to bail out. There is no barrier, essentially no barrier, to bailing out from under the provisions of section 5, other than the fact that you couldn't have been caught discriminating in the previous 10 years.

Striking section 5 will essentially turn our country to a pre-1965 election system. Mr. Speaker, at a time when America has staked so much of its international reputation on the need to spread democracy around the world, we must ensure its vitality here at home and preserve section 5 of the Voting Rights Act.

I thank the gentleman from Michigan for yielding and for all of his leadership in voting rights and civil rights over the years.

Mr. CONYERS. I thank the gentleman from Virginia for his very astute and precise evaluation of the continuing importance of section 5 to the Voting Rights Act.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 37 minutes remaining.

Mr. CONYERS. I would now be pleased to yield to the gentlelady from Texas, Ms. SHEILA JACKSON LEE, as much time as she may consume.

Ms. JACKSON LEE. Let me thank the gentleman very much, and thank him for convening this historic special order. It's historic because it is led by the Honorable JOHN CONYERS, who has actually walked the historic steps that generated the actual passing of the Voting Rights Act of 1965.

I think it is appropriate to put on the record again, as we've done often, that Mr. CONYERS is the only elected official, certainly Member of the United States Congress, that can claim that they were endorsed by Dr. Martin Luther King, Jr. I know that the Honorable BOBBY SCOTT and myself admire that and have benefited from the deep knowledge that JOHN CONYERS has on these important issues.

And I would offer, in my brief commentary this afternoon, to try to track the vitality of the Voting Rights Act in its series of reauthorizations so that

people can actually see that this is not legislation of whiners, this is not a legislation that is not in love with America, does not believe in the freedom of America's values and choice and being able to vote unencumbered, or not view the integrity of State election officials throughout the country. But it really is, if you will, a testament to the fact that laws can make things better.

In actuality, the Voting Rights Act is a codification of the 15th Amendment that no one shall be denied the right to vote on account of race or color. That was a necessary amendment and followed in the tradition of the 13th and 14th Amendments, which provide for due process and equal treatment under the law.

Then, of course, the 15th Amendment, which says that the vote is precious. It's so precious, and sometimes we forget that it was actually embodied in the Bill of Rights or in the context of the Constitution, that the 15th Amendment was, in fact, protecting the right to vote.

So the Voting Rights Act came as the leaders of this Nation watched the deterioration of the right to vote in certain parts of this Nation. And I would argue that that is true even today.

We heard on the floor that there is a way to, in essence, move yourself out of the Voting Rights Act by showing 10 years of, might I say with all due respect, good behavior.

But as we have watched over the last few years, let me recount for you, Mr. Speaker, that we have had incidences that impact school boards to governorships, if you will, or school boards to statehouses, and school boards to congressional seats, where there have been instances that have required the intervention of preclearance under the Voting Rights Act of section 5.

I would venture to say that no one has been hurt by that, that it has only enhanced the opportunity to vote. In the State of Texas, for example, in the last 2 years, there was an issue of purging voters. It so happened that those who were being purged were predominantly Hispanic and African American. In the last election of 2012, the State of Florida was poised to purge some 1 million voters, and through oversight of the Department of Justice that was, in essence, stopped.

In addition, we've had a series of what we've called voter ID laws, which came about and were born post, if you will, the election of 2010. Those voter ID laws were determined through preclearance to have a deteriorating effect on the vote of those who were needed to carry forth a vote.

And so I would make the argument that the voter ID laws were, in essence, prevented from taking the vote away under the 15th Amendment, the Voting Rights Act, because we had section 5. And so the Texas voter ID law was de-

clared to not meet the standards under section 5 preclearance, that it would hamper people from voting. And, in essence, it hampered people from voting because it did not have the process to get your voter ID in all the counties in the State of Texas.

So if you were in a county without a place to get your voter ID, if you didn't have the money, you clearly were prevented from voting. And that covered voters from all different races—voter ID laws that happened in Mississippi, voter ID laws that happened in Ohio. Some of them were undone through election processes, but the preclearance truly impacts real lives.

I remember as a junior member of the Southern Christian Leadership Conference, which I work for, doing registration in the Deep South, as it was defined in those years, in South Carolina, going onto plantations where sharecroppers worked and the intimidation of the process of not only registering, but voting. We were there to register to vote.

The reason why I know there was intimidation is because as I was approaching a voting station, which was a tattered area—when I say tattered, the voting booth was a tattered cloth from an old general store. My commentary is not to speak of that particular era of voting, but it was to say to you that I was promptly shot at for approaching. I was a stranger. And the next thing I knew we were running for cover. But all I was coming to do was to check the voting process out to ensure that the employees of that plantation, sharecroppers, were coming and could vote unencumbered.

So the Voting Rights Act is about unencumbered voting. What person would want to deny that?

Tomorrow, we will have a hearing before the United States Supreme Court in the Shelby case. And my argument—I'm not making the argument before the Supreme Court as we speak today—but my argument is that facts will speak for themselves. The courts will address the question of law, and they will listen to the proponents and the opponents.

I hope and pray that the Justices will understand that the underpinnings of the argument are based upon fact. And in the last election of 2012, there was an enormous mountain of facts that showed that in the nooks and crannies of America there were voters who were denied the right to vote. In 2008, voters were denied the right to vote—issues such as moving various polling places that were in minority neighborhoods, the misrepresentation of the message going out about felons would be arrested at the polls, as if the felons who could not vote would be showing up at the polls, or others being determined to be a felon and not be a felon, the misidentification of voters, sending them away.

□ 1640

I would just make the argument that this is a factual basis for which we need this. The fact that we have had these kinds of incidences shows the value of the Voting Rights Act section 5 preclearance. We show the value through 15,000 pages of documentation in the 2006 reauthorization, which was led by this Judiciary Committee, of which those of us on the floor today are members, led by JOHN CONYERS and, of course, Mr. SENSENBRENNER.

So let me conclude by thanking the chairman for his very kind yielding. I'll indicate that we can speak about the four corners of section 5, Supreme Court case that has reaffirmed it, but this is a question of fact. Until we eliminate the facts across America that people are denied the right to vote on the basis of their color and/or their race, then we have a reason for section 5 preclearance.

With that, I yield back in the name of freedom, in the name of justice, and in the name of those who lost their lives fighting for such and fighting for America.

Mr. Speaker, I rise today to speak about the need to protect democracy, to protect the voice of the American people, and to ensure the right to vote continues to be treated as a right under the Constitution rather than being treated as though it is privilege.

If you are a Constitutional Scholar this is an exciting time because the United States Supreme Court has a very active docket this term, deciding on matters which have great import to every American.

And pursuant to that, in less than two days the Supreme Court will hear the case of Shelby County Alabama v. Holder. The issue in this case is whether Congress' decision in 2006 to reauthorize Section 5 of the Voting Rights Act under the pre-existing coverage formula of Section 4(b) of the Voting Rights Act exceeded its authority under the Fourteenth and Fifteenth Amendments and thus violated the Tenth Amendment and Article IV of the United States Constitution.

The challenge to the constitutionality of Section 5 in this case was brought by Shelby County, Ala., which is a majority white suburb of Birmingham.

In rejecting the County's arguments Judge Bates agreed with an earlier unanimous decision, by a three-judge panel of the D.C. District Court, which likewise upheld the constitutionality of Section 5, in a case brought by a local Texas utility district, which is my home state.

That earlier decision, however, was vacated in 2009 when the Supreme Court decided that the utility district could pursue a statutory "bailout" from Section 5 coverage.

Unlike the Texas utility district, Shelby County freely admitted that it has a recent history of voting discrimination that disqualified it from "bailing out."

I am joined by my colleagues here today to call on all Americans to reject and denounce tactics and measures that have absolutely no place in our democracy. I call on African-Americans, Hispanic and Latino Americans, as

well as Asian-American voters to band together to fight for their right to vote and to work together to understand their voting rights which are granted to citizens of our nation by our laws and our Constitution.

I call on these citizens to stand against harassment and intimidation, to vote in the face of such adversity. The most effective way to curb tactics of intimidation and harassment is to vote. Is to stand together to fight against any measures that would have the effect of preventing every eligible citizen from being able to vote. Voting ensures active participation in democracy.

As a Member of this body and of the House Judiciary Committee which has primary jurisdiction over voting matters, I firmly believe that we must protect the rights of all eligible citizens to vote. Over the past few decades, minorities in this country have witnessed a pattern of efforts to intimidate and harass minority voters through so-called "Voter ID" requirements. I am sad to report that as we head into the 21st century, these efforts continue.

Never in the history of our nation, has the effect of one person, one vote, been more important. A great Spanish Philosopher, George Santayana once said "Those who cannot learn from history are doomed to repeat it." Our history has taught us that denying the right to vote based on race, gender or class is a stain on the democratic principles that we all value. The Voting Rights Act was a reaction to the actions of our passed and a way to pave the road to a new future.

The Voting Rights Act (VRA) was adopted in 1965 and was extended in 1970, 1975, and 1982. This legislation is considered the most successful piece of civil rights legislation ever adopted by the United States Congress. Contrary to the prevailing rumor that the Act is due to expire, leaving minorities with no rights, the Act is actually due for reauthorization in the 2nd session of the 108th Congress—there is no doubt about whether it will continue to protect our rights in the future.

The VRA codifies and effectuates the 15th Amendment's permanent guarantee that, throughout the nation, no person shall be denied the right to vote on account of race or color. Adopted at a time when African Americans were substantially disfranchised in many Southern states, the Act employed measures to restore the right to vote to citizens of all U.S. states.

By 1965, proponents of disenfranchisement made violent attempts to thwart the efforts of civil rights activists. The murder of voting-rights activists in Philadelphia and Mississippi gained national attention, along with numerous other acts of violence and terrorism.

Finally, the unprovoked attack on March 7, 1965, by state troopers on peaceful marchers crossing the Edmund Pettus Bridge in Selma, Alabama, en route to the state capitol in Montgomery, persuaded the President and Congress to overcome Southern legislators' resistance to effective voting rights legislation. President Johnson issued a call for a strong voting rights law and hearings began soon thereafter on the bill that would become the Voting Rights Act.

Congress adopted this far-reaching statute in response to a rash of instances of interference with attempts by African American citi-

zens to exercise their right to vote—a rash that appears to be manifesting itself again in this nation. Perhaps a legislative measure is needed to respond in a way that the VRA did.

The Supreme Court upheld the constitutionality of the VRA in 1966 in a landmark decision—*South Carolina v. Katzenbach*, 383 U.S. 301, 327–28:

Congress had found that case-by-case litigation was inadequate to combat widespread and persistent discrimination in voting, because of the inordinate amount of time and energy required to overcome the obstructionist tactics invariably encountered in these lawsuits. After enduring nearly a century of systematic resistance to the Fifteenth Amendment, Congress might well decide to shift the advantage of time and inertia from the perpetrators of the evil to its victims.

It seems that the "obstructionist tactics" that threatened the aggrieved parties in *Katzenbach* have returned. The advantages of "time and inertia" that were shifted from bigoted bureaucrats to minority victims are slowly shifting back against their favor when educators, government leaders, and agencies are allowed to contravene the policy and legal conclusions given by the highest court in the country.

Several factors influenced the initiation of this civil rights legislation. The first was a large shift in the number of African Americans away from the Republican Party. Second, many Democrats felt that it was a mistake of its Southern members to oppose civil rights legislation because they could lose more of the African American and liberal votes.

No right is more fundamental than the right to vote. It is protected by more constitutional amendments—the 1st, 14th, 15th, 19th, 24th and 26th—than any other right we enjoy as Americans. Broad political participation ensures the preservation of all our other rights and freedoms. Third, State laws that impose new restrictions on voting, however, undermine our strong democracy by impeding access to the polls and reducing the number of Americans who vote and whose votes are counted.

VOTER IDENTIFICATION

There have been several restrictive voting bills considered and approved by states in the past several years. The most commonly advanced initiatives are laws that require voters to present photo identification when voting in person. Additionally, states have proposed or passed laws to require proof of citizenship when registering to vote; to eliminate the right to register to vote and to submit a change of address within the same state on Election Day; to shorten the time allowed for early voting; to make it more difficult for third-party organizations to conduct voter registration; and even to eliminate a mandate on poll workers to direct voters who go to the wrong precinct.

These recent changes are on top of the disfranchisement laws in 48 states that deprive an estimated 5.3 million people with criminal convictions—disproportionately African Americans and Latinos—of their political voice.

Voter ID laws are becoming increasingly common across the country. Today, 31 states have laws requiring voters to present some form of identification to vote in federal, state and local elections, although some laws or ini-

tiatives passed in 2011 have not yet gone into effect. Some must also be pre-cleared under the Voting Rights Act prior to implementation. In 16 of those 31 States, voters must (or will soon be required to) present a photo ID—that in many states must be government-issued—in order to cast a ballot.

Voter ID laws deny the right to vote to thousands of registered voters who do not have, and, in many instances, cannot obtain the limited identification states accept for voting. Many of these Americans cannot afford to pay for the required documents needed to secure a government issued photo ID. As such, these laws impede access to the polls and are at odds with the fundamental right to vote.

In total, more than 21 million Americans of voting age lack documentation that would satisfy photo ID laws, and a disproportionate number of these Americans are low-income, racial and ethnic minorities, and elderly. As many as 25% of African Americans of voting age lack government-issued photo ID, compared to only 8% of their white counterparts. Eighteen percent of Americans over the age of 65 do not have government-issued photo ID.

Laws requiring photo identification to vote are a "solution" in search of a problem. There is no credible evidence that in-person impersonation voter fraud—the only type of fraud that photo IDs could prevent—is even a minor problem. Multiple studies have found that almost all cases of alleged in-person impersonation voter "fraud" are actually the result of a voter making an inadvertent mistake about their eligibility to vote, and that even these mistakes are extremely infrequent.

It is important, instead, to focus on both expanding the franchise and ending practices which actually threaten the integrity of the elections, such as improper purges of voters, voter harassment, and distribution of false information about when and where to vote. None of these issues, however, are addressed or can be resolved with a photo ID requirement.

Furthermore, requiring voters to pay for an ID, as well as the background documents necessary to obtain an ID in order to vote, is tantamount to a poll tax. Although some states issue IDs for free, the birth certificates, passports, or other documents required to secure a government-issued ID cost money, and many Americans simply cannot afford to pay for them. In addition, obtaining a government-issued photo ID is not an easy task for all members of the electorate. Low-income individuals who lack the funds to pay for documentation, people with disabilities with limited access to transportation, and elderly.

Americans who never had a birth certificate and cannot obtain alternate proof of their birth in the U.S., are among those who face significant or insurmountable obstacles to getting the photo ID needed to exercise their right to vote. For example, because of Texas' recently passed voter ID law, an estimated 36,000 people in West Texas's District 19 are 137 miles from the nearest full service Department of Public Safety office, where those without IDs must travel to preserve their right to vote under the state's new law.

In addition, women who have changed their names due to marriage or divorce often experience difficulties with identity documentation,

as did Andrea, who recently moved from Massachusetts to South Carolina and who, in the span of a month, spent more than 17 hours online and in person trying without success to get a South Carolina driver's license.

Voter ID laws send not-so-subtle messages about who is and is not encouraged to vote. As states approve laws requiring photo ID to vote, each formulates its own list of acceptable forms of documentation. Another common thread emerging from disparate state approaches is a bias against robust student electoral participation.

Henceforth, students at Wisconsin colleges and universities will not be able to vote using their student ID cards, unless those cards have issuance dates, expiration dates, and signatures.

Currently, only a handful of Wisconsin colleges and universities are issuing compliant IDs. Nor will South Carolina, Texas, or Tennessee accept student identification at the polls.

Policies that limit students' electoral participation are particularly suspect, appearing on the heels of unprecedented youth turnout in the 2008 election.

Four states with new voter identification mandates, including my home state of Texas, South Carolina, Mississippi, and Alabama, are required under the Voting Rights Act to have these voting changes pre-cleared by either the Department of Justice (DOJ) or a panel of federal judges. Before they may be implemented, DOJ must certify that these laws do not have the purpose or effect of restricting voting by racial or language minority groups.

Thus far, South Carolina and Texas both have submitted applications to DOJ that have been formally opposed in written submissions. DOJ has requested further information from both states, and the applications are on hold. Alabama's ID requirements do not take effect until 2014, so the state has not yet applied to DOJ for preclearance. Mississippi's voter ID requirement was approved by voters on November 8, 2011, so a preclearance request has not yet been submitted.

In countries scattered across this earth, citizens are denied the right to speak their hearts and minds. In this country, only a few decades ago, the right to vote was limited by race, sex, or the financial ability to own land. When a vote is not cast, it is a referendum on all those who fought so hard and tirelessly for our rights. When a vote is cast, it is cast not only for you and the future but also for all those who never had the chance to pull a lever.

We are still working to make Martin Luther King's dream a reality, a reality in which our government's decisions are made out in the open not behind cigar filled closed doors.

The time to take back the country is at hand, and we are the ones with the power to do just that. To do so we must allow all citizens who are eligible to vote, with the right to excise this decision without tricks or tactics to dilute their right to vote.

Instances of voter intimidation are not long ago and far away. Just last year I sent a letter to U.S. Attorney General Eric Holder to draw his attention to several disturbing instances of voter intimidation that had taken place in Houston. In a single week there were at least 15 report of abuse of voter rights throughout the city of Houston.

As a Senior Member of the House Judiciary Committee, I called for an immediate investigation of these instances. Many of these incidents of voter intimidation were occurring in predominately minority neighborhoods and have been directed at African-Americans and Latinos. It is unconscionable to think that anyone would deliberately employ the use of such forceful and intimidating tactics to undermine the fundamental, Constitutional right to vote. However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

I am here today in the name of freedom, patriotism, and democracy. I am here to demand that the long hard fought right to vote continues to be protected.

A long, bitter, and bloody struggle was fought for the Voting Rights Act of 1965 so that all Americans could enjoy the right to vote, regardless of race, ethnicity, or national origin. Americans died in that fight so that others could achieve what they had been forcefully deprived of for centuries—the ability to walk freely and without fear into the polling place and cast a voting ballot.

Efforts to keep minorities from fully exercising that franchise, however, continue. Indeed, in the past thirty years, we have witnessed a pattern of efforts to intimidate and harass minority voters including efforts that were deemed "Ballot Security" programs that include the mailing of threatening notices to African-American voters, the carrying of video cameras to monitor polls, the systematic challenging of minority voters at the polls on unlawful grounds, and the hiring of guards and off-duty police officers to intimidate and frighten voters at the polls.

My colleagues on the other side of the aisle have a particularly poor track record when it comes to documented acts of voter intimidation. In 1982, a Federal Court in New Jersey provided a consent order that forbids the Republican National Committee from undertaking any ballot security activities in a polling place or election district where race or ethnic composition is a factor in the decision to conduct such activities and where a purpose or significant effect is to deter qualified voters from voting. These reprehensible practices continue to plague our Nation's minority voters.

VOTING RIGHTS ACT HISTORY

August 6, 2011, marked the 46th anniversary of the Voting Rights Act.

Most Americans take the right to vote for granted. We assume that we can register and vote if we are over 18 and are citizens. Most of us learned in school that discrimination based on race, creed or national origin has been barred by the Constitution since the end of the Civil War.

Before the 1965 Voting Rights Act, however, the right to vote did not exist in practice for most African Americans. And, until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

Asian Americans and Asian immigrants also have suffered systematic exclusion from the

political process and it has taken a series of reforms, including repeal of the Chinese Exclusion Act in 1943, and passage of amendments strengthening the Voting Rights Act three decades later, to fully extend the franchise to Asian Americans. It was with this history in mind that the Voting Rights Act of 1965 was designed to make the right to vote a reality for all Americans.

And the Voting Rights Act has made giant strides toward that goal. Without exaggeration, it has been one of the most effective civil rights laws passed by Congress.

In 1964, there were only approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South. Today there are more than 9,100 black elected officials, including 43 members of Congress, the largest number ever. The act has opened the political process for many of the approximately 6,000 Latino public officials that have been elected and appointed nationwide, including 263 at the state or federal level, 27 of whom serve in Congress. And Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

We must not forget the importance of protecting this hard earned right.

VOTER ID

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may "infiltrate" our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than after a major disaster be it earthquakes, fires, floods or hurricanes, we must all understand how vulnerable our system is. Families fleeing the hurricanes and fires suffered loss of property that included lost documents. Compounding this was the devastation of the region, which virtually shut down civil services in the area. For example, New Orleans residents after Hurricane Katrina were scattered across 44 states. These uprooted citizens had difficulty registering and voting both with absentee ballots and at satellite voting stations. As a result, those elections took place fully 8 months after the disaster, and it required the efforts of nonprofits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

We need to address the election fraud that we know occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have solid documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. 1 million ballots nationwide were flawed

by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses change often, and the elderly, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6–8 weeks to receive the marriage certificate in the mail, another two weeks (and a full day waiting in line) to get the new Social Security card, and finally three-four weeks to get the new driver's license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within three months of Election Day.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

Mr. CONYERS. Mr. Speaker, I want to thank my colleagues, Mr. SENSENBRENNER, Mr. SCOTT, and Ms. JACKSON LEE, for their contributions.

We have no further requests for time. Under those circumstances, I yield back the balance of my time.

HONORING LIEUTENANT ERIC WALLACE AND LIEUTENANT GREGORY PICKARD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. FLORES) is recognized for 60 minutes as the designee of the majority leader.

Mr. FLORES. Mr. Speaker, on February 15 and 16, a couple of weeks ago, America lost two more heroes and dedicated first responders. On those dates, the Bryan Fire Department responded to a fire at the Knights of Columbus Hall in Bryan, Texas. This blaze was fierce, and ultimately the roof collapsed, taking the lives of Lieutenant Eric Wallace and Lieutenant Gregory Pickard. In addition, firefighters Ricky Mantey, Jr., and Mitch Moran were critically injured during the rescue operation.

Lieutenant Gregory Pickard was born in Guymon, Oklahoma, and eventually made his way to the great State of Texas. Pickard was a 32-year veteran of the Bryan Fire Department. During those 32 years, he served our community through one of the darkest days of our community, the collapse of the bonfire at Texas A&M University. Lieutenant Pickard served as a rescue division commander during the search and rescue of the victims and, ultimately, the 12 fallen students. He rose

through the ranks and served as battalion chief from 1999 to 2005 before choosing to step back to lieutenant to finish out his career. Pickard also served as an EMT and obtained his Advanced Firefighter certificate, and he was a leader in establishing many of the current Bryan Fire Department firefighting operations.

Lieutenant Eric Wallace was born here in our Nation's capital and, just like Lieutenant Pickard, eventually found his way to Texas. He also adapted quickly to our Texas culture and became an avid hunter. Wallace was a 13-year veteran of the Bryan Fire Department, and in 2010 he received an award for bravery during a fire in 2009 from the 100 Club.

On February 20, I attended the memorial service for both of these honorable men and stood with their families and friends, their fellow first responders, and the hundreds of citizens in attendance to honor and recognize these local heroes. We all mourned, and yet we celebrated the lives of both these great men. On February 21 and February 22, Lieutenant Eric Wallace and Lieutenant Gregory Pickard were laid to rest in Marlin and Bryan, Texas.

Our thoughts and prayers are with the families and many friends of Lieutenant Wallace and Lieutenant Pickard. They will forever be remembered as outstanding firefighters, husbands, and devoted fathers. We thank them and their families for their service and their sacrifice for our community.

Also, our thoughts and prayers are with firefighters Ricky Mantey, Jr., and Mitch Moran, who were critically injured during the fire. We pray that our Heavenly Father will give them a speedy recovery and comfort their families.

The sacrifices of these men model the words of Jesus in John 15:13, where he said:

Greater love hath no man than this, that a man lay down his life for his friends.

God bless our first responders, and God bless America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 47 minutes p.m.), the House stood in recess.

□ 1913

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BISHOP of Utah) at 7 o'clock and 13 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 47, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 113-10) on the resolution (H. Res. 83) providing for consideration of the bill (S. 47) to reauthorize the Violence Against Women Act of 1994, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. VELAZQUEZ (at the request of Ms. PELOSI) for today.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 298. An act to prevent nuclear proliferation in North Korea, and for other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 27, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

510. A letter from the Secretary, Department of Energy, transmitting a report entitled, "Independent Oversight Activities of the Department of Energy's Office of Health, Safety and Security for Fiscal Year 2012"; to the Committee on Energy and Commerce.

511. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to Section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, notification of the President's intent to drawdown funds in defense services of the Department of Defense; to the Committee on Foreign Affairs.

512. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

513. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-589, "The Elizabeth Ministry, Inc. Affordable Housing Initiative Real Property Tax Relief Act of

2012;; to the Committee on Oversight and Government Reform.

514. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-590, "Neighborhood Contractor Daytime Parking Permit Act of 2012"; to the Committee on Oversight and Government Reform.

515. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-612, "Breath Test Admissibility in Criminal Proceedings Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

516. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-591, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Act of 2013"; to the Committee on Oversight and Government Reform.

517. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-630, "Reckless Driving Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

518. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-629, "District Department of Transportation DC Streetcar Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

519. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-592, "Public Library Hours Expansion Act of 2012"; to the Committee on Oversight and Government Reform.

520. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-628, "Closing of a Public Alley in Square 393, S.O. 11-08780, Act of 2012"; to the Committee on Oversight and Government Reform.

521. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-593, "Howard Town Center Real Property Tax Abatement Act of 2012"; to the Committee on Oversight and Government Reform.

522. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-610, "Ignition Interlock Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

523. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-611, "Chuck Brown Park Designation Act of 2012"; to the Committee on Oversight and Government Reform.

524. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-613, "Grandparent Caregivers Program Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

525. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-627, "Child Sexual Abuse Reporting Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

526. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-615, "Sustainable DC Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

527. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-626, "Greater

Mount Calvary Way Designation Act of 2012"; to the Committee on Oversight and Government Reform.

528. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-616, "Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

529. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-625, "Access to Justice for Bicyclists Act of 2012"; to the Committee on Oversight and Government Reform.

530. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on the System of Internal Controls and the 2012 Audited Financial Statements; to the Committee on Oversight and Government Reform.

531. A letter from the Chief Operating Officer/President, Resolution Funding Corporation, transmitting the Corporation's Statement on the System of Internal Controls and the 2012 Audited Financial Statements; to the Committee on Oversight and Government Reform.

532. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's "Major" final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures [Docket No.: 120731291-2522-02] (RIN: 0648-BC40) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NUGENT: Committee on Rules. House Resolution 83. Resolution providing for consideration of the bill (S. 47) to reauthorize the Violence Against Women Act of 1994 (Rept. 113-10). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JONES:

H.R. 819. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself and Ms. SLAUGHTER):

H.R. 820. A bill to amend the Federal Food, Drug, and Cosmetic Act to enhance the reporting requirements pertaining to use of antimicrobial drugs in food animals; to the Committee on Energy and Commerce.

By Mr. GRAYSON:

H.R. 821. A bill to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VAN HOLLEN (for himself, Mr. PETRI, and Mr. WALZ):

H.R. 822. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Education and the Workforce.

By Mr. CULBERSON (for himself, Mr. WOLF, Mr. GENE GREEN of Texas, Mr. POSEY, and Mr. OLSON):

H.R. 823. A bill to preserve American space leadership, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LUMMIS (for herself and Mr. MULVANEY):

H.R. 824. A bill to reduce the total number of civil service employees in the executive branch of the Government through attrition, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HECK of Nevada (for himself, Mr. RYAN of Ohio, Mr. CRAMER, Mrs. CAPITO, Ms. BROWNLEY of California, Mrs. KIRKPATRICK, Mr. RENACCI, Mr. BARBER, Mr. MEEHAN, Mr. KILMER, Mr. GARDNER, and Mr. CARNEY):

H.R. 825. A bill to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance; to the Committee on Financial Services.

By Mr. WHITFIELD:

H.R. 826. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CASSIDY (for himself and Mr. DEUTCH):

H.R. 827. A bill to amend the Securities Investor Protection Act of 1970 to provide one-time payments from the SIPC Fund for customers during a pending lawsuit by the Securities and Exchange Commission against the Securities Investor Protection Corporation, and for other purposes; to the Committee on Financial Services.

By Mr. PRICE of Georgia (for himself, Mr. SESSIONS, Mr. BUCHON, Mr. WILSON of South Carolina, Mr. WESTMORELAND, Mr. POMPEO, Mr. FLORES, Mr. CULBERSON, Mr. GOHMERT, Mr. JONES, and Mr. SCALISE):

H.R. 828. A bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes; to the Committee on Appropriations.

By Ms. DELBENE (for herself and Mr. LARSEN of Washington):

H.R. 829. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself, Mr. NUNNELEE, Mrs. HARTZLER, Mr. HALL, and Mr. ROHRBACHER):

H.R. 830. A bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Ways and Means, Education and the Workforce, Oversight and Government Reform, Armed Services, Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER (for himself, Mr. ALEXANDER, Mr. BISHOP of Georgia, Mr. CONYERS, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. MOORE, Ms. NORTON, Mr. RUSH, Mr. TONKO, Mr. YOUNG of Alaska, and Mr. CLYBURN):

H.R. 831. A bill to phase out special wage certificates under the Fair Labor Standards Act of 1938 under which individuals with disabilities may be employed at subminimum wage rates; to the Committee on Education and the Workforce.

By Mr. HINOJOSA (for himself, Mr. VELA, Mr. GALLEGOS, and Mr. O'ROURKE):

H.R. 832. A bill to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. HUNTER (for himself, Mr. ROONEY, Mr. MURPHY of Pennsylvania, Mr. KINZINGER of Illinois, and Mr. HECK of Nevada):

H.R. 833. A bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal; to the Committee on Armed Services.

By Mr. LOBIONDO (for himself, Mr. SMITH of New Jersey, Mr. RUNYAN, and Mr. ANDREWS):

H.R. 834. A bill to direct the Secretary of Veterans Affairs to conduct cost-benefit analyses for the provision of medical care by the Department of Veterans Affairs in certain geographic areas served by multiple Department of Veterans Affairs medical facilities; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself, Mr. LARSON of Connecticut, Ms. DELAUNO, Mr. MCGOVERN, and Mr. WELCH):

H.R. 835. A bill to reauthorize the Low-Income Home Energy Assistance Program for fiscal years 2014 through 2018, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARY G. MILLER of California:

H.R. 836. A bill to amend the Federal Water Pollution Control Act to clarify the requirement that permit applications for the discharge of pollutants be approved by disinterested board members, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NEAL (for himself, Mr. LEWIS, Mr. KIND, and Mr. ELLISON):

H.R. 837. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the saver's credit, to make the credit re-

fundable, and to make Federal matching contributions into the retirement savings of the taxpayer; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 838. A bill to provide grants to States in order to prevent racial profiling; to the Committee on Transportation and Infrastructure.

By Mr. ROONEY (for himself and Mr. ANDREWS):

H.R. 839. A bill to require the lender or servicer of a home mortgage, upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale; to the Committee on Financial Services.

By Mr. SABLON (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, and Ms. MOORE):

H.R. 840. A bill to improve services for victims of sexual assault and domestic violence; to the Committee on the Judiciary.

By Mr. SCHRADER:

H.R. 841. A bill to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER (for himself and Mr. MORAN):

H.R. 842. A bill to expand the research activities of the National Institutes of Health with respect to functional gastrointestinal and motility disorders, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Ms. PELOSI, Ms. ESHOO, Mr. GARAMENDI, Mr. HONDA, Mr. HUFFMAN, Ms. LEE of California, Ms. LOFGREN, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Mr. SWALWELL of California, and Mr. THOMPSON of California):

H.R. 843. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Transportation and Infrastructure.

By Mr. TAKANO:

H.R. 844. A bill to amend title 38, United States Code, to extend the eligibility period for veterans to enroll in certain vocational rehabilitation programs; to the Committee on Veterans' Affairs.

By Mr. SCHRADER:

H.J. Res. 32. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to regulate campaign contributions for Federal elections; to the Committee on the Judiciary.

By Mr. BARLETTA (for himself and Ms. NORTON):

H. Con. Res. 18. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mr. HOYER (for himself, Mr. MORAN, Mr. VAN HOLLEN, Mr. WOLF, Ms. EDWARDS, Mr. CONNOLLY, Ms. NORTON, and Mr. DELANEY):

H. Con. Res. 19. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself, Ms. MATSUI, Ms. ESHOO, Ms. HAHN, Ms. BORDALLO, Mr. WELCH, Mr. PETERS of California, Mr. WATT, and Mr. MCGOVERN):

H. Res. 81. A resolution supporting the designation of National Digital Literacy Day; to the Committee on Energy and Commerce.

By Mrs. McMORRIS RODGERS:

H. Res. 82. A resolution electing certain Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. AL GREEN of Texas:

H. Res. 84. A resolution supporting the goals and ideals of National Salute to Hospitalized Veterans Week; to the Committee on Veterans' Affairs.

By Mr. RANGEL (for himself, Mr. SERRANO, Mr. PIERLUISI, Mr. MORAN, Mr. CROWLEY, and Mr. CICILLINE):

H. Res. 85. A resolution recognizing the importance of acknowledging the contributions of Dominican-Americans to the United States; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KING of New York.

H.R. 811.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. JONES:

H.R. 819.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution, which states that "Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. WAXMAN:

H.R. 820.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. GRAYSON:

H.R. 821.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have Power * * * to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. VAN HOLLEN:

H.R. 822.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. CULBERSON:

H.R. 823.

Congress has the power to enact this legislation pursuant to the following:

General Welfare Clause

Article I, Section 8

The Commerce Clause.
Necessary and Proper Clause

By Mrs. LUMMIS:

H.R. 824.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. HECK of Nevada:

H.R. 825.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. WHITFIELD:

H.R. 826.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. CASSIDY:

H.R. 827.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States, which authorizes Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PRICE of Georgia:

H.R. 828.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article I whereby Congress is given the authority to appropriate moneys in the Treasury.

By Ms. DELBENE:

H.R. 829.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution:

Congress has the power “to make all laws which shall be necessary and proper for carrying into Execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or any Department or office thereof.

By Mr. GRAVES of Missouri:

H.R. 830.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 8 of Article I of the Constitution, in creating the authority of the Congress to, “Establish a uniform Rule of Naturalization.”

and

The 14th Amendment of the Constitution stating that, “All persons born or naturalized in the United States,” are, “citizens of the United States and of the State wherein they reside.”

By Mr. HARPER:

H.R. 831.

Congress has the power to enact this legislation pursuant to the following:

“clause 3 of section 8 of article I of the Constitution”.

By Mr. HINOJOSA:

H.R. 832.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3 of the Constitution

By Mr. HUNTER:

H.R. 833.

Congress has the power to enact this legislation pursuant to the following:

Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, and 14), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces.

By Mr. LOBIONDO:

H.R. 834.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution of the United States of America

By Mr. MARKEY:

H.R. 835.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution and Clause 4 of Section 8 of Article 1 of the Constitution.

By Mr. GARY G. MILLER of California:

H.R. 836.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NEAL:

H.R. 837.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Ms. NORTON:

H.R. 838.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. ROONEY:

H.R. 839.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause

Article 1, Section 8, Clause 3

To regulate Commerce with foreign nations, and among the several States, and with Indian Tribes.

By Mr. SABLAN:

H.R. 840.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, section 8, clause 1 and clause 18, and Article IV, section 3, clause 2 of the Constitution.

By Mr. SCHRADER:

H.R. 841.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 842.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. SPEIER:

H.R. 843.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. TAKANO:

H.R. 844.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. SCHRADER:

H.J. Res. 32.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. BRIDENSTINE.

H.R. 104: Mr. MULVANEY and Mr. POMPEO.

H.R. 129: Ms. SCHAKOWSKY, Mr. GENE GREEN of Texas, and Mr. COFFMAN.

H.R. 137: Ms. SHEA-PORTER.

H.R. 138: Ms. SHEA-PORTER and Mr. LOEBSACK.

H.R. 140: Mr. NEUGEBAUER, Mr. GRAVES of Georgia, Mr. BROUN of Georgia, and Mr. GRAVES of Missouri.

H.R. 142: Mr. PASCRELL.

H.R. 148: Mr. RYAN of Ohio.

H.R. 164: Mr. PETERS of Michigan, Mr. CICILLINE, Mr. BISHOP of Utah, Mr. SMITH of New Jersey, and Mr. GENE GREEN of Texas.

H.R. 165: Mr. MILLER of Florida.

H.R. 207: Mr. FORTENBERRY, Mr. LIPINSKI, Mr. SALMON, and Mr. STIVERS.

H.R. 217: Mr. TURNER.

H.R. 227: Ms. SHEA-PORTER.

H.R. 258: Mr. TIPTON and Mr. SOUTHERLAND.

H.R. 269: Mr. FARR.

H.R. 300: Mr. GARAMENDI and Mr. MURPHY of Florida.

H.R. 301: Ms. MENG, Mr. ROHRBACHER, Ms. SLAUGHTER, Mr. LEVIN, Mr. KING of New York, and Mr. STOCKMAN.

H.R. 310: Mr. COOK.

H.R. 311: Mr. BOUSTANY, Mr. YOHIO, Mr. KINGSTON, and Mr. CONAWAY.

H.R. 312: Mr. PETERS of California.

H.R. 333: Ms. DUCKWORTH and Mr. DEUTCH.

H.R. 341: Ms. CHU.

H.R. 354: Ms. TITUS and Mr. SWALWELL of California.

H.R. 366: Ms. BASS, Mr. PITTENGER, Mrs. NAPOLITANO, Mr. LYNCH, Mr. AMODEI, Ms. SCHAKOWSKY, Mr. COLLINS of New York, and Mr. JOYCE.

H.R. 383: Mr. BRIDENSTINE.

H.R. 384: Mr. LOBIONDO.

H.R. 386: Mr. LOBIONDO.

H.R. 398: Mrs. BUSTOS.

H.R. 401: Mr. BENISHEK, Mr. PASCRELL, Mr. STIVERS, Mr. BARBER, and Mrs. NAPOLITANO.

H.R. 411: Mr. TAKANO.

H.R. 422: Mr. MCCLINTOCK.

H.R. 423: Mrs. BLACK, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mr. STIVERS, and Mr. VALADAO.

H.R. 447: Mr. SMITH of New Jersey, Mr. KINGSTON, and Mr. HUDSON.

H.R. 452: Mr. CONYERS, Mr. KING of New York, Mr. DANNY K. DAVIS of Illinois, Mr. FITZPATRICK, Mr. BARBER, Mr. GRIMM, Mrs. MCCARTHY of New York, Ms. LEE of California, Mr. CLAY, Mr. CARTWRIGHT, Mr. FARR,

Mr. POCAN, Ms. SPEIER, Mr. HIMES, Ms. NORTON, Mr. SCOTT of Virginia, Mr. HONDA, Ms. SINEMA, Mr. MORAN, Mr. CICILLINE, Ms. MATSUI, Ms. SLAUGHTER, Mr. LYNCH, Ms. MOORE, Mr. VARGAS, Mr. SCHNEIDER, Mr. CARNEY, Mr. MCGOVERN, and Mr. PIERLUISI.

H.R. 482: Mr. SEAN PATRICK MALONEY of New York.

H.R. 493: Mr. ADERHOLT, Mr. DUNCAN of Tennessee, Mr. SCALISE, Mr. BROUN of Georgia, Mr. MEADOWS, Mr. JOHNSON of Ohio, Mr. HUELSKAMP, Mr. NEUGEBAUER, Mr. NUNNELEE, and Mr. STIVERS.

H.R. 496: Mr. ROSS.

H.R. 517: Ms. DELAURO, Mr. POLIS, and Mr. VAN HOLLEN.

H.R. 520: Ms. CHU and Mr. VEASEY.

H.R. 526: Ms. LOFGREN, Mr. COHEN, and Mr. MCNERNEY.

H.R. 530: Mr. MICHAUD.

H.R. 543: Mr. POSEY.

H.R. 565: Mr. CARSON of Indiana and Mr. HASTINGS of Florida.

H.R. 569: Mr. TAKANO, Mr. HORSFORD, and Ms. SCHWARTZ.

H.R. 570: Mr. TAKANO and Ms. SCHWARTZ.

H.R. 573: Mr. LOWENTHAL.

H.R. 582: Mr. COLE, Mrs. ROBY, Mr. BARR, and Mr. BROOKS of Alabama.

H.R. 597: Mrs. DAVIS of California and Mr. CAPUANO.

H.R. 607: Mr. BROOKS of Alabama, Mr. PEARCE, and Ms. JENKINS.

H.R. 612: Mr. SCHOCK.

H.R. 627: Mr. DUNCAN of Tennessee, Mr. PETERSON, and Mr. GERLACH.

H.R. 629: Mr. TAKANO, Mr. MORAN, Ms. LORETTA SANCHEZ of California, and Mr. POCAN.

H.R. 647: Mr. MEADOWS, Mr. SCHIFF, Mr. CAPUANO, Ms. DUCKWORTH, and Mr. WEBSTER of Florida.

H.R. 656: Mr. RYAN of Ohio.

SENATE—Thursday, February 26, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Answer us, O God, when we call. Be gracious to us and hear our prayers. Look on our Nation with favor, for Your promises are sure. We thank You that so many of our Nation's founders put their trust in You. Make us worthy of this godly heritage.

Lord, don't be far from us during this challenging season of our national history. As we grapple with the challenges of another fiscal standoff, help us to reaffirm each day our conviction that we are indeed one Nation under Your sovereign authority.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 26, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following leaders' remarks, the Senate will proceed to executive session to consider the nomination of Senator Chuck Hagel to be Secretary of Defense.

At noon today there will be a cloture vote on the Hagel nomination, upon reconsideration. Following that vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings.

HAGEL NOMINATION AND SEQUESTRATION

Mr. REID. Mr. President, I just indicated the Senate will vote today for a second time to move forward on the nomination of Senator Chuck Hagel, a Republican, serving as Secretary of Defense. Twelve days ago, the Republicans mounted a first-of-its-kind filibuster of Senator Hagel's confirmation. Senator Hagel is the first nominee for Secretary of Defense in the history of our country to have been filibustered. And what has the filibuster gained my Republican colleagues 12 days later? Nothing. Nothing has changed. Twelve days later Senator Hagel's exemplary record of service to his country remains untarnished.

I can still remember going to visit Senator Hagel in his office. I don't remember what we were to discuss, but it was something dealing with Senate business. As I walked into his office, I saw a picture of two young men on a mechanized vehicle in Vietnam. I asked what that was, and his staff indicated those were the Hagel brothers and their time together serving in Vietnam. They had both been wounded—Senator Chuck Hagel more than once—and Chuck Hagel was also credited with saving his brother's life in Vietnam. And this is the person who is going to be our next Secretary of Defense.

I repeat: His record of service to his country is untarnished. And 12 days later President Obama's support for this qualified nominee is still strong. Twelve days later a majority of Senators still supports his confirmation.

Senate Republicans have delayed for the better part of 2 weeks for one reason: partisanship. At a time when our Nation faces threats abroad—and that is an understatement—the President's nominee for Secretary of Defense deserves a fair and constructive confirmation process. Politically motivated delays send a terrible signal to our allies around the world and they send a terrible signal to the tens of thousands of Americans serving in Afghanistan, other parts of the world, and those valiant people who are serving here in the United States. For the sake of national security, it is time to set aside this partisanship.

In 3 days, across-the-board cuts to the Defense Department are scheduled to take effect. The Pentagon needs a seasoned leader to implement these cuts. Democrats are working hard to avert the worst of these arbitrary cuts—cuts for which an overwhelming majority of Republicans in Congress voted. The so-called sequester was supported by 174 Republicans in the House of Representatives and 28 Republicans here in the Senate—60 percent and 75 percent of the two Republican bodies in this Congress.

We have a balanced proposal to replace those across-the-board cuts for this year with smart spending reductions, which must continue; measures that would close corporate tax loopholes and wasteful subsidies; and revenue from the very wealthiest among us—Americans making millions of dollars each year.

It is critical Republicans and Democrats come together to find a balanced way to avert these drastic cuts. The consequence of the so-called sequester cuts is real, not only for our national defense but for millions of American families and businesses alike. Three-quarters of a million jobs—750,000 jobs—are at stake. Across the country, tens of thousands of teachers, including thousands who work with disabled children, would be laid off; 70,000 children would be dropped from Head Start; 373,000 adults living with serious mental illnesses and children dealing with severe emotional problems will go untreated.

Airports could close due to a shortage of air traffic controllers and other essential personnel. And lines at airports that do stay open will stretch out the door, as TSA workers are furloughed.

At McCarran Airport in Las Vegas last year more than 40 million people used that airport in coming to visit the bright lights of Las Vegas, the Las Vegas strip and downtown Las Vegas. Those lines are going to get longer, waiting to take off from Las Vegas. That is too bad.

From coast to coast hundreds of thousands of civilian employees from the Department of Defense will face furloughs that will devastate their families and devastate our economy. These cuts will take place.

On Friday, when this kicks in, not everyone is going to see these cuts on Saturday, but they are going to kick in for the people who run these agencies, the people who run the Pentagon. I met with the Chairman of the Joint Chiefs of Staff before we left for our break. These cuts are going to take place.

They are going to be felt in Defense more quickly because the civilian agencies have not rehired the people they could have, and they have done other things because of the essential nature of what the military does. They haven't done that, so the cuts in the military are going to kick in more quickly. The other cuts are not going to come immediately, but as the weeks move on, we will see more and more people who have been hurt in the non-defense fields. The effects are cumulative and they are going to hurt and hurt badly.

We want to work with the Republicans to come to a balanced, responsible way to reduce the impact of this sequester, but my Republican colleagues are standing in the way of a solution. They only want cuts and more cuts. They are willing to sacrifice 750,000 American jobs rather than ask multimillionaires to pay a penny more.

Mr. President, 56 percent—almost 60 percent—of the Republicans around the country support this balanced approach we have. Republicans, I repeat, around the country support this, in addition to the Independents and the Democrats. The only Republicans in America who don't support this balanced approach are the Republicans who serve here in Congress—in the Senate and in the House.

Three-quarters of Americans, I repeat, including almost 60 percent of Republicans, are crying out for a balanced approach. With only 3 days left to protect American families and our economic recovery from this latest crisis, it is time for Republicans to work toward a solution instead of being part of the problem.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE SEQUESTER

Mr. McCONNELL. Mr. President, I wish to say a word about the sequester.

The President's top aides proposed this sequester as a way to help the White House avoid a debt limit debate during last year's campaign. In essence, the deal we struck was that in exchange for avoiding a second vote before the election, the debt limit would be paired with spending cuts only—spending cuts only—and would not involve a tax increase.

The President had more than a year and a half to revisit his proposal and to work with us to prevent it. He obviously thought his time and energies would be better spent elsewhere. In fact, I note that today he is off campaigning again in Virginia instead of working with us to resolve the issue.

So here we are. Here we are. The President has been running around act-

ing as though the world is going to end because Congress might actually follow through on an idea he proposed—he proposed—and signed into law, all the while pretending he is somehow powerless to stop it. Well, it is time to put the record straight. As someone who was personally involved in the 2011 budget talks, I think I am in a pretty good position to do that.

On the question of who came up with the idea in the first place, it originated, as I noted, in the White House. I was less than 100 yards from this very spot when Vice President BIDEN called me at my desk to lay it out. He explained the sequester in exquisite detail. And then, as has been reported, the administration stubbornly stuck by those details throughout the negotiations, refusing any effort by Republicans to adjust the design in any meaningful way.

More important than who came up with the idea of the sequester, however, is the fact the bipartisan agreement that included it, and that brought us to this point, envisioned \$2.1 trillion in spending cuts. That is what we voted for in August of 2011. Democrats and Republicans agreed to \$2.1 trillion in spending reductions as part of the 2011 Budget Control Act.

So we can all go back and talk about what might have been or what the President wanted or what he now wants, but let us be clear about the facts. Those cuts were to come in two steps: First, through an immediate \$900 billion spending reduction in the form of budget caps, and then by an additional \$1.2 trillion in cuts to be achieved in one of two ways, either by the so-called supercommittee or, if that failed, through the President's sequester proposal, meaning automatic spending cuts to both domestic and defense programs.

While the President tried repeatedly to make tax hikes a part of the backup plan, he ultimately gave up on that in exchange for avoiding a second vote on the debt limit before his election. The President made a deliberate decision to give up on getting any tax hikes or revenue enhancements, or whatever the White House wants to call it, as part of negotiations over the sequester mechanism. He made the calculation that avoiding a second vote on the debt limit before the election was more important.

So any effort to bring taxes into the picture now is a ploy to move the goalpost, as the primary chronicler of this whole episode, Bob Woodward, has noted.

Of course, the White House has tried to refute those historical facts, but it hasn't gotten anywhere because we know what happened.

As the chairman of the Finance Committee helpfully reminded us last week, "The President is part of the sequester" because "the White House

recommended it . . . and so now we're feeling the effects of it."

So it is time for the administration to at least accept reality so we can all move forward and focus on what the White House is actually doing right now. It is asking the American people for permission to break its word on spending.

Look, we reached an agreement to cut \$2.1 trillion in government spending over 10 years, and we intend to keep our word. Should these cuts be implemented in a smarter way? You bet. But the President and his Cabinet Secretaries had a year and a half to think about that. They just can't show up now at the last minute and expect the American people to bail them out of their own lack of responsibility.

We can either secure these reductions more intelligently or we can do it the President's way with across-the-board cuts. But one thing Americans simply will not accept is another tax increase to replace spending reductions to which we already agreed.

It was my hope that the supercommittee would succeed. The Senators I appointed took their assignments very seriously. They put real skin in the game because they wanted it to work. They didn't like the sequester idea either. Had the President engaged in a serious and supportive way at that time, the supercommittee may well have succeeded. But he was busy. He was campaigning and, I would argue, undermining the process instead.

But even after the supercommittee failed, Republicans continued to work to find another way to achieve these spending cuts. We repeatedly called for replacing the sequester with smarter cuts rather than tax hikes, according to the original pact. House Republicans actually passed two bills to do just that. But again, instead of engaging with us, the President just set up more roadblocks. For more than 1 year, he resisted and dismissed every Republican attempt at a compromise. He refused to offer any kind of reasonable alternative, and he even threatened to veto other proposals aimed at averting the sequester.

Now here we are, with the President presenting the country with two options: Armageddon or a tax hike. Well, it is a false choice, and he knows it, but the President is a master at creating the impression of chaos as an excuse for government action—do nothing, fan the flames of catastrophe, and then claim the only way out is more government in the form of higher taxes.

Look, the choice we face isn't between the sequester and tax hikes. Remember, we are only talking about cutting 2 to 3 percent of the budget. Any business owner or middle-class parent will tell you it is completely ridiculous to think Washington can't find a better way to cut 2 or 3 percent

EXECUTIVE SESSION

of the Federal budget at a time when we are \$16 trillion in debt. Every single working American had to figure out how to make ends meet with 2 percent less in their paychecks just last month when the payroll tax holiday expired. Are you telling me Washington can't do the same? It is absurd. It is utterly absurd.

There is no reason in the world these cuts need to fall on essential services or emergency responders. After all, even with the sequester, Washington will be spending more than when President Obama got here. We are only talking about cutting one-tenth of what the President spent on the stimulus bill. Enough. Enough.

Step 1 in this process of getting to a serious solution is to end the White House's denial of historical reality. We are starting to get there, slowly but surely. More important, though, is the next step, and that is when the President and his Democratic allies actually come to the table and negotiate in a serious way, without gimmicks and without games, on how best to reduce Washington spending. So let's shelve the tax hikes and the endless campaigning.

Finally, I think there is an even larger point to be made. The President has been going around warning of utter chaos if the sequester takes effect. While I agree that those cuts could be made in a much smarter way and I don't like the fact that they fall disproportionately on defense, what does it say about the size of government that we can't cut it by 2 or 3 percent without inviting disaster? Doesn't that really make our point? Hasn't government gotten too big if just cutting the overall budget by a couple of percentage points could have that kind of an impact? Personally, I don't believe the world will end if the President's sequester takes effect, but our country would be much better served if the Democrats who run Washington would get off the campaign trail and work with us to trim the budget in a more rational way.

Americans are tired of the manufactured crises. I know my constituents in Kentucky are. It is simply time. They want us to work together, and Republicans are ready to do just that.

Mr. President, I yield the floor.

Mr. REID. Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read as follows:

Department of Defense, Nomination of Charles Timothy Hagel, of Nebraska, to be Secretary.

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the nomination is agreed to and the motion to reconsider is agreed to.

Under the previous order, the time until 12 noon will be equally divided in the usual form.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I believe the business before the Senate now is the vote on the reconsideration of the motion to end debate on the Hagel nomination. Is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. LEVIN. Mr. President, I believe it is now time for us to vote on the Hagel nomination.

Mr. INHOFE. Excuse me. Would the Senator from Michigan yield for a question?

Mr. LEVIN. Of course.

Mr. INHOFE. It is my understanding that we have equally divided our time between now and noon. That is about 1 hour 40 minutes. I ask unanimous consent, on the Republican side, that I be given the first 10 minutes and the last 15 minutes of our Republican time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, it is now time for us to vote up or down on the nomination, for many reasons.

The nomination has been before us for an adequate length of time for us to get the information our colleagues have asked for, but also there is the looming fact of sequestration. We need to have a Secretary of Defense who is not only in office but whose leadership is not in limbo but is there. Our troops need it. Their families need it. Our country needs it.

As of today we have 66,000 military personnel in harm's way in Afghanistan. The President of Afghanistan has just directed the United States to remove its special operations forces from a key Afghan province. Our military faces key decisions about the pace of the drawdown between now and the end of 2014, the size and composition of a residual force, and the terms and conditions for the ongoing presence in Af-

ghanistan of the United States and our coalition partners after 2014.

At the same time we face new and growing threats elsewhere, including the ongoing threat posed by Iran's nuclear weapons program and the increasingly destructive civil war in Syria, with the risk that that conflict could result in the loss of control over that country's substantial stockpile of chemical weapons. There is also the growing instability in other countries affected by the Arab spring; the growth of al-Qaida affiliates in ungoverned regions, including parts of Yemen, Somalia, north Africa; and the continued unpredictable behavior of the nuclear-armed regime in North Korea.

We face these challenges at a time when the Department of Defense budget is under unique pressure as a result of cuts previously agreed upon by Congress, the budgeting by continuing resolution, and the impending threat of a sequester. These across-the-board cuts will affect Defense and just about every other agency we have. Those cuts are going to be disastrous in many ways. I hope we can still find ways to avoid them, but as of right now the threat of a sequester is a real one. It is within a few days.

The Department of Defense has already instituted civilian hiring freezes, reduced or eliminated temporary and term employees, deferred facilities maintenance, and begun canceling or postponing the maintenance of ships, aircraft, and ground vehicles. In the next few days, the Department will begin to implement additional actions, including furloughs for most civilian employees, cutbacks in flying hours, steaming hours and other military training, and cancellation of contracts. And those contracts, when they are cancelled, have major costs to the Treasury. Those are not savings, except in the short term, perhaps. But in the long term, we not only lose the equipment and the product of the contracts, but we also have these cancellation costs which will hit the Treasury.

The result of these looming cuts is truly devastating and it is serious. For example, the Army informs us that if sequestration continues through the end of the fiscal year, two-thirds of its brigade combat teams will fall below acceptable readiness levels. The Air Force says it will not be able to support requirements outside of Afghanistan and will experience significant degradation in its airdrop and refueling capabilities. The Navy says the *Nimitz* and the *George H.W. Bush* carrier strike groups will not be ready for scheduled deployments later this year, resulting in an indefinite extension of the *Truman* and *Eisenhower* deployments, with the resulting impact on morale and retention.

Hundreds of Department of Defense investment programs, acquisition programs, and research and development

projects may become unexecutable because we have insufficient funds to enter needed contracts. By the end of the summer, the Department of Defense says it will be unable to pay its TRICARE bills and will be in a position of having to deny that critical health care service to military members, families, and retirees.

Our men and women in uniform need a Secretary of Defense to lead them through these difficult challenges. They need a Secretary of Defense to defend their interests in the budget battles we know are about to come. They need a Secretary of Defense to speak out and ensure that Congress and the country understand the consequences of sequester and, if the sequester cannot be avoided, to help them avoid the worst of those consequences and to end the impacts as quickly as possible. Now, as much as anytime in the recent past, is not a time when we can afford to leave the Department of Defense with leadership that is in limbo.

Information has been requested, appropriately, by colleagues about the nominee. Information has been provided to the best of the nominee's ability. This information falls into two categories: requests for Senator Hagel's speeches and requests for additional financial disclosure.

With regard to the speeches, Senator Hagel and his team have conducted an exhaustive review and have provided us with all of the speeches available to them—not only the prepared statements requested in our committee questionnaire but also transcripts and even videos of speeches he has been able to obtain from outside sources. Before the recess, I placed in the RECORD links to several other speeches that had surfaced on the Internet.

In recent days, Senator Hagel has received additional requests for speeches in the exclusive control of the Washington Speakers Bureau and for access to his senatorial archives at the University of Nebraska.

On the first point, the Washington Speakers Bureau has informed Senator Hagel and the Department of Defense that all speeches given under its auspices are "private, off the record, and not recorded"—except in rare cases where a customer requests that a recording be kept for archival purposes only. Further, the Department of Defense informs us that the Washington Speakers Bureau will not provide any recordings of speeches that were given by Senator Hagel or even confirm which of its clients may have recorded speeches. Since neither Senator Hagel nor the Department of Defense has access to these speeches, they cannot be provided to the Senate.

On the second point, the University of Nebraska holds title to Senator Hagel's archives. The University has publicly stated that once the archives are processed and indexed according to

the standards of the Society of American Archivists, they will be open to the public. Until that time, the archives will not be open to the public. Again, since neither Senator Hagel nor DOD has access to these materials, they cannot provide them to us. It is also worth noting that these archives cover the period of Senator Hagel's service in the Senate. Senator Hagel has an extensive record of speeches and votes during this period that are readily accessible to the Senate and the public through the CONGRESSIONAL RECORD and other official documents.

With regard to financial disclosure, Senator Hagel has complied with the same disclosure requirements and conflict of interest rules that have applied to at least the last eight Secretaries of Defense and to hundreds of other nominees for senior DOD positions over the course of the last five administrations.

Despite his compliance with the same disclosure rules that apply to everybody else, we have heard innuendos that Senator Hagel is trying to hide something. Senator Hagel serves with a number of distinguished individuals on the Board of Advisors of a private equity firm. We had one Senator suggest, without any evidence, that "it is, at a minimum, relevant to know" if the fees that Senator Hagel received for his service on this Board "came directly from Saudi Arabia, [or] . . . from North Korea." Another Senator suggested that we should postpone a vote on the nomination because "FOX News is going to run a story tomorrow regarding some speeches . . . which were made and paid for by foreign governments . . . [that] may not be friendly to us." This story apparently died before it was aired, because it was apparently based on a hoax.

These are unfair innuendos and they have been answered even though they are unfair.

Senator Hagel has an extensive record of service to his country. As a young man, he enlisted in the Army and served with distinction in Vietnam. He served as the head of the USO, and as the Deputy Administrator of the VA during the Reagan Administration. He was a businessman. Many of us served with him during his two terms in the Senate. Since he left the Senate, he has continued to serve, as co-chairman of the President's Foreign Intelligence Advisory Board, a member of the Defense Policy Board, and a member of the Energy Department's Blue Ribbon Commission on America's Nuclear Future.

Senator Hagel has been endorsed by five former Secretaries of Defense, three former Secretaries of State, and six former National Security Advisors, who served under both Democratic and Republican Presidents. He has been endorsed by the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, AMVETS, Vietnam

Veterans of America, and the American Legion. He has received the support of the Military Officers Association of America, the Foreign Area Officers Association, and the Non Commissioned Officers Association.

Last month, Senator Hagel was endorsed in a letter signed by six former U.S. Ambassadors to Israel, along with dozens of other retired senior diplomats. The letter stated:

We support, strongly and without qualification, President Obama's nomination of Chuck Hagel to be the next Secretary of Defense. Most of us have known the Senator for a decade or more and consistently have found him to be one of the best informed leaders in the U.S. Congress on national security issues.

Senator Hagel's political courage has impressed us all. He has stood and argued publicly for what he believes is best for the United States. Time and again, he has chosen to take the path of standing up for our nation, rather than the path of political expediency. He has always supported the pillars of American foreign policy: a strong military; a robust Atlantic partnership; a commitment to the security of Israel, as a friend and ally; a determination to stop the proliferation of nuclear weapons; and the defense of human rights as a core principle of America's role in the world. . . .

We urge speedy confirmation of this outstanding American patriot to be the next Secretary of Defense.

If confirmed, Senator Hagel would be the first former enlisted man, and the first veteran of the Vietnam War, to serve as Secretary of Defense. This background gives Senator Hagel an invaluable perspective not only with respect to the difficult decisions and recommendations that a Secretary of Defense must make regarding the use of force and the commitment of U.S. troops overseas, but also with respect to the day-to-day decisions a Secretary must make to ensure that our men and women in uniform and their families receive the support and assistance that they need and deserve. It would be a positive message for our soldiers, sailors, airmen, and marines in harm's way around the world to know that one of their own holds the highest office in the Department of Defense.

The President needs to have a Secretary of Defense in whom he has trust, who will give him independent advice, a person of integrity and one who has a personal understanding of the consequences of decisions relative to the use of military force. Senator Hagel certainly has those critically important qualifications and he is well-qualified to lead the Department of Defense.

The vote which is coming at noon is a vote to invoke cloture to end the debate so we can finally, later on today, hopefully, but at some future hour, finally vote on this important nomination and end the situation where this nominee is in limbo and the leadership of the Department of Defense is uncertain and in limbo as well. The time has come to vote on the nomination of Senator Hagel, and to do that we must end debate and invoke cloture.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I agree with a lot of what the distinguished chairman of the Senate Armed Services Committee has said. Certainly Senator Hagel has had a brilliant military career. I sometimes look at my time in the Army and his time in the Army and mine is very unimpressive. That is not what the issue is.

I do think it is interesting in the debate we have had on the floor, all the time from the Democrats has been talking about his military record. Nobody disagrees with that. That is a fact. But there are some things that have to come out because they are very significant.

First of all, what we are going to vote on at noon is the vote. There is not any other vote. The vote after that is merely a simple majority and that would be automatic. Those who are expressing where they are on the Hagel nomination must be reflected in the vote that takes place now, the cloture vote at noon today. Our time is equally divided. Leadership time did take up some of that so we are a little bit scarce on time. First, let me make it real clear this is the one vote that makes a difference. If they are able to get 60 votes for the Hagel nomination, it is history. It is over.

I do wish to say a couple things for clarification before others on our side start speaking. One is about the whole idea of a 60-vote threshold. I have been listening to some of the pundits on television. One of my favorites—I will not mention her by name, but she is kind of the leader of the far left on television. I was watching her a couple days ago and she was talking about how this is something that never happened before, we have never had a 60-vote margin on a Cabinet-level position.

This is not true. It happens all the time. It is normal. This is how significant this confirmation vote is. It is not something that would make it go for a long period of time. Actually, I have lists. Later on, if there is time, I am going to go over some of these. Kathleen Sebelius, for example, that was a 60-vote margin; John Bryson for Secretary of Commerce, 60-vote margin.

Here is an interesting one. Back when President Bush, who was a Republican, was President, he nominated Stephen Johnson to be the EPA Administrator. He was a Republican. The President was a Republican. Stephen Johnson was a Democrat. Of course the other side was saying, no, we are going to demand to have cloture, and they finally did get 61 votes on that; Dirk Kempthorne, same thing, Secretary of the Interior.

This idea that this is the first time is just not right. I would appreciate it if

people would be a little more honest when they are looking at that issue.

They also have said we are in the middle of the wars, which we are. I am the ranking member on the Armed Services Committee. No one is more sensitive to it, no one spends more time talking to the troops than I do, and we do need to have confirmed a Secretary of Defense. Leon Panetta has said he will serve until such time as one is confirmed. But if we go ahead and if this should for some reason not be able to come up with 60 votes, I suggest they go ahead and nominate someone else and we will run it through. I would even help them.

I called Leon Panetta not too long ago—I guess I should not say this on the floor—and asked: Why don't you agree to serve again? He has, of course, family reasons, and I certainly understand he was unable to do it. Michele Flournoy, I commented, would be one. I don't agree with her philosophically on a lot of things, but I think she is one who would not be controversial. Ash Carter—we have a number who could be confirmed in a matter of minutes, and I would be right there with them in order to help that take place.

I do wish to say something about advice and consent. Sometimes people do not understand it. I had someone go back and research this. It started back in 1787. At the Constitutional Convention they talked about it. Back then they used the term "approbation or rejection of the Senate." It means the same thing. This has been going on for a long period of time. Certainly, in the Federalist Papers, Hamilton talked about it as long as he talked about any other subject. So "approbation or rejection of the Senate" is the rejection language that was used at that time that is advice and consent today.

Where are we today? Certainly, the distinguished chairman of the Armed Services Committee, from whom we just heard, is one of the strongest supporters of advice and consent who has said: "It is shocking and sad to me that the Senate may vote on this nominee"—it doesn't matter, it could be any nominee—"while Senators are being denied critical, relevant information."

The leader of the Senate has also said many times, he said "raising the impression that the nominee and the White House have something to hide."

This is exactly what now is going on in reverse. It goes on and on with different ones who have stated over and over again the significance of the role that the Senate has in advice and consent.

John Kerry said: What the Senate has to decide is whether it is going to stand for the rights of the committees, the rights of advice and consent. The Senators ought to respect the fact that both the chairman and ranking members had requests and those requests had not been fulfilled.

That is exactly what happened. We have one of the new Senators for whom I have a great deal of respect, Senator CRUZ. I was talking to him last night. I said: You ought to come down and let them know why it is you are not speaking on this. He said: Look, what else can I do? I have requested over and over and over again for information on our nominee for Secretary of Defense and I have been denied. I have been stonewalled. What else can I say?

I said—maybe it sounded a little extreme the other day when I said I would walk through fire for the ability of our members on the committee to get all the information they are entitled to. Senator CRUZ has not received that information. That is something that I think is very critical.

What I want to do, in the short time I have left over—by the way, I ask unanimous consent, if following me, if Senator COATS could be acknowledged for 5 minutes.

Mr. DURBIN. Reserving the right to object, I have been waiting to speak on this subject.

Mr. INHOFE. After the remarks of the Senator from Illinois, I have no objection.

Mr. LEVIN. I have no objection after the Senator from Illinois is recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. The problem I had is not with information I had. I didn't need any additional information. I didn't request additional information. Many of the members on the Republican side of our committee did not receive the information they asked for. That was the case with Senator CRUZ.

I had a different reason. My reason is that while I think so highly of Senator Hagel and the work he did while he was in the Vietnam war—he was, in fact, a hero—I have to also look at nominees and ask what their philosophy is. Senator Hagel was one of only two who voted against sanctions for Iran. He was one of only four who voted against an effort to designate the Iran Revolutionary Guard a terrorist group, and one of only four who refused to sign a letter of solidarity with Israel.

The Global Zero movement advocates a nuke-free world. That sounds so good, and it is something President Obama has talked about. He wistfully looks to the day when we have a nuke-free world. That sounded good back in the days of the Cold War. I look wistfully back at the days of the Cold War. Back then we had two superpowers. They were predictable. We knew what they had. Mutual assured destruction meant something to them. Mutually assured destruction doesn't mean much to some people in the Middle East, and I think we all understand that. So Global Zero sounds good until we realize that we have countries such as Iran—even our nonclassified intelligence says

it is going to have the nuclear capability and delivery system by 2015. I am concerned with that.

I was in shock—and, first of all, I have to thank the chairman of the committee because in the years I served on the Armed Services Committee, I have never seen this done before—when the chairman agreed to allow Senator CRUZ, a member of the committee, to use a video that had the Al Jazeera interview where Senator Hagel agreed with Al Jazeera's position that Israel has committed war crimes, that Israel has committed sickening slaughter, and that America is the world's bully. These are things which concern me about the attitude toward Israel. I understand we can go back and get a lot of people in the past to sign a letter, but I have to say that is still very much a concern of mine.

With that, I will yield the floor to my good friend from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Oklahoma and the Senator from Indiana. I rise today to express my support for our former colleague Chuck Hagel to be America's 24th Secretary of Defense. We hoped Chuck Hagel would have been named Secretary of Defense 2 weeks ago and could have led the delegation to Brussels last week to meet with our NATO partners on the challenges we face in Afghanistan and around the world.

Instead, he was subjected to a rare and historic filibuster by the other side of the aisle. What a way to give an opportunity to a man of Chuck Hagel's background to serve our Nation. What we have seen over the past 2 weeks is the cost of apostasy, the cost of breaking with a party, or a leadership, and what it means when their name comes up again for consideration.

There is no question that there are some who bear some negative feelings toward Chuck Hagel because of his independence and some of his votes in the past—even his support of President Obama in the last Presidential election. But this has been taken to a level I never expected.

Chuck Hagel is no stranger to most of us in the Senate. We served with him. I served with him on the Intelligence Committee for 4 years. Not once did I have any question about this man's commitment to America and its national defense—not once. I watched votes being taken behind closed doors on some very sensitive issues, and I saw Chuck Hagel respond in a non-partisan way to those votes. I believe, as many have said on the floor, he is an extraordinary individual who has proven with his life his commitment to this Nation and its defense.

He has big shoes to fill with Secretary Leon Panetta leaving. Leon Panetta has been an extraordinary public servant and a very close personal

friend of mine for years now. The fact that he received a unanimous vote to be Secretary of Defense is as solid a tribute as anyone can expect in this life of public service. I believe Chuck Hagel is up to this task.

There is an expression that adversity doesn't build character, it reveals it.

Chuck Hagel enlisted in the Army and served in Vietnam. He received two Purple Hearts, the Army Commendation Medal, and the Combat Infantryman Badge for his service. Less well known is how he got there. Hagel was drafted and immediately volunteered for the Army, but he lucked out. He was assigned to Europe during the Vietnam war. There wasn't much of a war going on in Europe, so this brave, future nominee to head the Department of Defense literally told his commanders: I want to volunteer to actually go to Vietnam and risk my life.

As he recounted it to me, he said: "The room just stopped." This wasn't something that many people in Europe saw—in those days an enlisted man, who received a safe assignment in Europe, would volunteer to go to war. He convinced his leaders to give him that chance and he served alongside his brother Tom in the same unit. He said they saved each other's lives more than once, and thankfully they both came home safe to Nebraska. That was the first chapter of Chuck Hagel's public service and his commitment to servicemembers and veterans.

A second chapter came in 1981 when President Ronald Reagan appointed Chuck Hagel Deputy Administrator of the Veterans' Administration. The Washington Post speculated at the time of his appointment that Hagel "might be expected to toe the company line." How wrong they were. He went to work immediately to be an advocate for veterans. He quickly ran into roadblocks while serving Vietnam vets. At one point the head of the VA publicly called Vietnam vets "crybabies."

After months of unsuccessful attempts to bring attention to the care of our veterans, as they deserved, including repeatedly raising the issue to the White House, he did the right thing. As a matter of principle, he resigned in order to bring the poor treatment of veterans to light in America.

He went on to start Vanguard Cellular, a very large multimillion-dollar mobile phone company. He served as president and CEO of the USO, which brings a smile, a laugh, and some comfort and entertainment to our servicemembers around the world.

Later, as a U.S. Senator, he shepherded the post-9/11 GI Bill into law along with fellow veteran Jim Webb. It was a substantial and overdue update of the law to ensure that we continue to keep our commitment to veterans. It should not surprise any of us that this commitment is among the reasons so many organizations back Senator

Hagel's nomination, including the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, the AMVETS, Vietnam Veterans of America, the American Legion, Military Officers Association of America, and the Noncommissioned Officers Association. They recognize that a person of his character is precisely the person we need to head the Department of Defense.

When I spoke with Senator Hagel in my office a few weeks ago, he discussed his views on security challenges around the world, including the challenges to the Pentagon's budget and the Iran nuclear program and its threat to peace in the world. It included safeguarding our rock-solid commitments to allies such as Israel.

I am firmly convinced that Senator Hagel shares President Obama's commitment to addressing these challenges and supporting our allies. He is committed to the President's Iran strategy and he voted for many multilateral sanction packages against their nuclear program.

My friend from Oklahoma raised one vote when it comes to Iran, but I wish to make a record of the fact that Chuck Hagel voted for the Iran Missile Proliferation Sanctions Act of 1998, the Iran Nonproliferation Act of 2000, and the Iran Freedom Support Act of 2006.

In his book "America: Our Next Chapter," Chuck Hagel stated that Iran is a "state sponsor of terrorism," and that it "provides material support to Hezbollah and Hamas." Chuck Hagel's public statements and voting record in the Senate demonstrate a strong commitment to Israel, a commitment that the United States-Israeli relationship will grow even stronger in the future.

As he said in his book in 2008:

[a]t its core, there will always be a special and historic bond with Israel exemplified by our continued commitment to Israel's defense.

He also understands the budget challenges facing the Pentagon. During his testimony to the Armed Services Committee, he said that sequestration "would send a terrible signal to our military and civilian workforce."

On this, and many other issues, Senator Hagel continues to demonstrate a clear-eyed commitment to our core national security interests and a nuanced, personal understanding of the gravity of the use of force. This is not just my judgment; 13 former Secretaries of State and Defense and former National Security Advisors wrote to the Senate recently, urging Senator Hagel's swift confirmation. The signatories included senior leaders from both parties across several decades of Presidential administrations, such as Robert Gates, Colin Powell, Brent Scowcroft, and William Cohen. These men—all of whom have been part of the responsibility of keeping America

safe—believe Chuck Hagel, as Secretary of Defense, will do exactly that. There are some here who may question that, and this is their right. But men who have had that responsibility trust Chuck Hagel, as do I.

Let me quote from their letter:

His approach to national security debates about the use of American power is marked by a disciplined habit of thoughtfulness that is sorely needed and these qualities will serve him well as Secretary of Defense at a time when the United States must address a range of international security issues that are unprecedented in scope.

Allow me to conclude by pointing to the 2002 interview Chuck Hagel gave to the Library of Congress Vietnam History Project. He discussed how he and his brother Tom would volunteer to “walk point.” In other words, to watch, be out in front watching for ambushes, booby traps, leading his men safely through the day. He said, “You know what happens to a lot of point men, but I always felt a little better if I was up front than somebody else.”

Forty-five years after first walking point for our servicemen in Vietnam, I hope Chuck Hagel may be out in front again walking point as our next Secretary of Defense. We need his wise counsel on matters of war and peace and his rock-solid commitment to our men and women in uniform.

Let me conclude by saying that over this past week, in my new capacity as chairman of the Defense Appropriations Subcommittee, I traveled to Africa and the Middle East. While I was there, I met with some of our great men and women in uniform. It was humbling to see the sacrifice they are making personally for the safety of the United States. I visited places where people we don't even know are working on the job every single day to protect this great Nation. I am confident that Chuck Hagel, as Secretary of Defense, will keep them in mind and keep our national security in his heart.

I hope my colleagues on the other side will relent and spare us this filibuster on Chuck Hagel, and will, in fact, give him an opportunity to continue to serve this Nation in the capacity of Secretary of Defense. I look forward to working with him when that happens.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, normally I would be talking about the sequester and the Nation's fiscal health, but we are about to vote on a critical nomination for a very critical position in this government. I wish to spend a few minutes defining why I came to the decision I have to oppose the confirmation of Senator Hagel to be Secretary of Defense.

Chuck Hagel is a former colleague. He is someone I respect for his honorable service to this country, both in uniform and out of uniform. I respect

him as a human being and as a person and, as I said, a colleague. I also recognize that elections have consequences, and in most situations the President has the right to choose his own advisers, but this is no ordinary Cabinet position. This is Secretary of Defense and one of the most critical positions in this government to protect the American people and to deal with national security issues.

Based on a number of positions Senator Hagel has taken and a number of statements he has made throughout his career, I have serious concern that his nomination and confirmation will send the wrong signal and could have a very adverse effect on our national security. I will list those.

First, and the primary reason, goes to the question of Iran and its relentless pursuit of nuclear weapons capability. As a Senator, Chuck Hagel repeatedly voted against sanctions legislation. He even opposed sanctions aimed at the Iranian Revolutionary Guard Corps who were killing and maiming our troops in Iraq.

As someone who, as ambassador to Germany, made many trips to Landstuhl, the first stop for those maimed by improvised explosive devices supported by the Iranian Revolutionary Guard Corps, I saw the tragic consequences of their action. I could not come to grips with how it is possible to vote against efforts to try to sanction and punish those who were injuring and maiming our soldiers. During his recent testimony before the Senate Armed Services Committee, Senator Hagel also proclaimed the legitimacy of the current regime in Tehran which has violently repressed its own citizens. We have seen that played out before our very eyes. They have rigged recent elections, provided material support for terrorism and denied the Holocaust.

Regarding U.S. policy in Iran's pursuit of nuclear weapons, Senator Hagel displayed an embarrassing lack of knowledge and confusion regarding our official policy toward Iran—a well-understood policy. One of the most critical topics facing our Nation is Iran's threat to world stability by the possession of nuclear capability and weapons. Senator Hagel had to be handed a note by an aide, indicating he was not aware his answer was contrary to even the administration's position. And his attempt to correct his answer had to be further clarified by the chairman of the Armed Services Committee. This is central to our position, to our policy relative to how we deal with Iran. Yet our next Secretary of Defense stated a position exactly opposite from what that current policy is.

The second issue of concern to me is that it is widely accepted, I think in a bipartisan way, that any sound strategy on Iran must be underpinned by the highly credible threat of U.S. mili-

tary force if all other efforts fail; if diplomacy fails, if our ever-ratcheting sanctions fail as they have to this particular point. They may have had an impact on the Iranian public, but it has not had an impact on those leaders who are making the decisions about the pursuit of nuclear weapons. This has broad bipartisan support: Four U.S. Presidents, including President Obama, has declared that an Iranian nuclear arms capability is “unacceptable.” Use of military force as the last option, if all other options fail, is central to our ability to success in preventing Iran from achieving this capability.

Senator Hagel's previous statements and record contradict all that. He has publicly stated that military action to stop Iran's weapons programs is—and I quote his statement: “Not viable, feasible, or reasonable.” Not reasonable? Is it not reasonable to have a policy the administration has adopted and four U.S. Presidents have endorsed? When asked about this at the hearing, he again failed to offer, in my opinion, a coherent response.

Senator Hagel has long called for direct, unconditional talks with the Iranian regime, not to mention direct talks with Hamas, Hezbollah, and Syria as well. He has pressed that such talks should proceed without the backing gained from other more forceful, credible options. This approach is far too weak, in my opinion, to be effective and reveals a person less committed to results than this critical moment—particularly regarding the Iranian intentions—demands. In fact, I fear a military option will have virtually zero credibility if Senator Hagel becomes Secretary of Defense because it sends a dangerous message to the regime in Tehran and undermines our efforts to prevent their intentions as it seeks to obtain the means necessary to harm both the United States and the country of Israel.

Lastly, and the third reason I have problems with this nomination, is that it does not have bipartisan support. Over the last half century, no Secretary of Defense has been confirmed and taken office with more than three Senators voting against him. Further, in the history of this Nation, in this position, none has ever been confirmed with more than 11 opposing votes.

The occupant of this critical office should be someone whose candidacy is neither controversial nor divisive. It would be unprecedented for a Secretary of Defense to take office without the broad base of bipartisan support and confidence needed to serve effectively in this critical position.

At this critical time in our Nation's history, we need a Secretary of Defense who commands bipartisan support and is willing to take every action necessary to defend the United States if the need arises. Based on the years of public statements and actions taken

during his career, I cannot say Chuck Hagel meets the criteria needed for this position that is so critical—the position of Secretary of Defense; therefore, I will oppose his nomination when the vote comes before us.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I know the distinguished Senator from Delaware, Mr. CARPER, wishes to be heard. He is not on the floor now, so I think it is acceptable to go ahead with another Republican now; is that correct?

Mr. LEVIN. Yes.

Mr. INHOFE. I recognize the senior Senator from Texas, Mr. CORNYN.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, we all know the Chamber is about to hold a cloture vote on the President's nominee to be the next Secretary of Defense. If former Senator Chuck Hagel is eventually confirmed, he will take office with the weakest support of any Defense Secretary in modern history, which will make him less effective on his job.

I ask unanimous consent to have printed in the RECORD a letter regarding this nomination following my remarks. It is a letter dated February 21, signed by 15 Senators, to the President asking him to withdraw the nomination, noting that no Secretary of Defense since that position has been created has received more than 11 opposing votes. I am confident this vote will eclipse that former record demonstrating what the Senator from Indiana was just talking about, and that is a lack of bipartisan support for this critical position in the President's Cabinet.

What should we expect from Senator Hagel if he is confirmed as Secretary of Defense? Well, it is hard to say. Over the last 2 months he has repudiated many of his past votes and stated positions related to the Middle East and the Defense Department. During his confirmation hearings, he actually said the Defense Secretary was not a policymaking position. I had to scratch my head at that one.

I also had to scratch my head when Senator Hagel described President Obama's policy toward Iran and its nuclear program as containment. When he tried to correct himself, he said President Obama does not have a position on containment, but that is not true either. The U.S. position—as the distinguished chairman of the Armed Services Committee reminded Senator Hagel during that hearing, and which reflects a wide bipartisan consensus—is that we oppose containment and will prevent Iran from getting nuclear weapons. That is the U.S. policy, one that people would think the nominee for Secretary of Defense would be aware of.

Unfortunately, I fear Senator Hagel is actually expressing his own personal views. I fear he really does think a nuclear Iran could be contained. He suggested as much in the book he wrote in 2008.

At another point during the hearing, Senator Hagel described the murderous, terror-sponsoring Iranian theocracy as an “elected, legitimate government.” That comment is a slap in the face to all of the courageous Iranian democracy activists who have risked their lives and, in many cases, given their lives to oppose the dictatorship and promote freedom.

There is simply no way to sugarcoat it. Senator Hagel's performance before the Senate Armed Services Committee was remarkably inept, and we should not be installing a Defense Secretary who is obviously not qualified for the job and who holds dangerously misguided views on some of the most important issues facing national security policy for our country. For that matter, Senator Hagel was candid to admit there are many things about the Department he doesn't really know. He has assured us he will learn on the job. That doesn't inspire a lot of confidence in me because I don't think we want a Secretary of Defense who has to learn on the job.

A moment ago I mentioned Senator Hagel holds dangerously misguided views about many critical issues. His supporters have called him a realist. In fact, there is nothing realistic about his world view.

It is not realistic to think that by offering unconditional talks or establishing a new U.S. diplomatic post in Iran it will change the character of a regime that has spent the past 34 years waging war against America and our allies—a regime that was recently discovered to have been plotting to assassinate a Saudi diplomat by blowing up a crowded restaurant in Washington, DC. Likewise, it is not realistic to think that further engagement with Hamas will dissuade it from pursuing Israel's destruction. A terrorist organization that promotes genocidal violence is never going to be reformed by dialogue or concessions.

Finally, it is not realistic to think that browbeating Israel will jumpstart the Middle East peace process. President Obama tried that approach himself during his first term, and it was a spectacular failure. We are further from a lasting peace agreement today than we were in January 2009, and many Israelis, along with many Arabs, believe the United States is no longer a reliable ally.

When we look around the Middle East, not only do we see a theocratic dictatorship trying to acquire nuclear weapons, we see a terrible civil war raging in Syria which is led by a desperate, pro-Iranian regime with massive stockpiles of chemical weapons

that has no reservation whatsoever at killing tens of thousands of its own civilians. We see the Muslim Brotherhood attempting to create a new dictatorship in Egypt. We see rising sectarian violence in Iraq because of our withdrawal without a status of forces agreement that would stabilize the country and a democracy earned by the blood and treasure of so many Americans. We see a substantial al-Qaida presence in countries such as Libya and Yemen.

President Obama would like to pivot away from the Middle East, but the region isn't cooperating. Now, more than ever, we need a Secretary of Defense who understands the disastrous consequences of a nuclear Iran.

We need a Defense Secretary who understands the importance of a robust U.S.-Israeli alliance.

We need a Defense Secretary who understands Hamas for what it is: a genocidal terrorist group sworn to Israel's destruction.

In a larger sense, we need a Secretary of Defense who understands why U.S. leadership is indispensable to solving our greatest challenges in the Middle East and beyond.

Senator Hagel is clearly the wrong man for the job. This isn't about personality, this isn't about politics, but I will be voting against his confirmation for that reason: because he is clearly the wrong man for the job.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, February 21, 2013.

President BARACK H. OBAMA,

The White House, 1600 Pennsylvania Avenue NW., Washington, DC.

DEAR PRESIDENT OBAMA: Last Thursday, the Senate voted to continue its consideration of your nomination of former Senator Chuck Hagel to serve as our nation's next Secretary of Defense. While we respect Senator Hagel's honorable military service, in the interest of national security, we respectfully request that you withdraw his nomination.

It would be unprecedented for a Secretary of Defense to take office without the broad base of bipartisan support and confidence needed to serve effectively in this critical position. Over the last half-century, no Secretary of Defense has been confirmed and taken office with more than three Senators voting against him. Further, in the history of this position, none has ever been confirmed with more than 11 opposing votes. The occupant of this critical office should be someone whose candidacy is neither controversial nor divisive.

In contrast, in 2011, you nominated Leon Panetta, who was confirmed by the Senate with unanimous support. His Pentagon tenure has been a huge success, due in part to the high degree of trust and confidence that Senators on both sides of the aisle have placed in him. The next Secretary of Defense should have a similar level of broad-based bipartisan support and confidence in order to succeed at a time when the Department of Defense faces monumental challenges, including Iran's relentless drive to obtain nuclear weapons, a heightened threat of nuclear attack from North Korea, potentially

deep budget cuts, a strategic pivot to the Asia-Pacific region, military operations in Afghanistan, the ongoing Global War on Terror, the continued slaughter of Syrian civilians at the hands of their own government, and other aftermath of the Arab Spring.

Likewise, Senator Hagel's performance at his confirmation hearing was deeply concerning, leading to serious doubts about his basic competence to meet the substantial demands of the office. While Senator Hagel's erratic record and myriad conversions on key national security issues are troubling enough, his statements regarding Iran were disconcerting. More than once during the hearing, he proclaimed the legitimacy of the current regime in Tehran, which has violently repressed its own citizens, rigged recent elections, provided material support for terrorism, and denied the Holocaust.

Regarding U.S. policy on Iran's pursuit of nuclear weapons, Senator Hagel displayed a seeming ambivalence about whether containment or prevention is the best approach, which gives us great concern. Any sound strategy on Iran must be underpinned by the highly credible threat of U.S. military force, and there is broad bipartisan agreement on that point. If Senator Hagel becomes Secretary of Defense, the military option will have near zero credibility. This sends a dangerous message to the regime in Tehran, as it seeks to obtain the means necessary to harm both the United States and Israel.

We have concluded that Senator Hagel is not the right candidate to hold the office of Secretary of Defense, and we respectfully request that you withdraw his nomination. Thank you for your consideration.

Sincerely,

John Cornyn; Lindsey Graham; David Vitter; Mike Lee; Marco Rubio; Ron Johnson; Tom Coburn; Tim Scott; James Inhofe; Roger Wicker; Ted Cruz; Patrick J. Toomey; Daniel Coats; James E. Risch; John Barrasso.

Mr. CORNYN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, it is rare that I disagree with the Senator from Texas—maybe once or twice in the last half a dozen years. Seriously, we disagree from time to time, but we do it in a way that we are not disagreeable with one another.

I support the President's nomination of Chuck Hagel to be our Secretary of Defense, and I wish to take a couple of minutes to explain why.

For folks who might be watching this from afar, this body used to operate very differently than it does today. The President would nominate people to serve in a cabinet or to serve as judges and there would be hearings. There would be debate. Sometimes people would disagree. But, certainly, for Cabinet appointments and for sub-Cabinet level appointments, for the most part, the President got the team he, or someday she, asked for. That is the way we have done it as Governors across the country, and it is the way we still do it. The idea of 4 years of this administration to still be playing a game of executive branch Swiss cheese—we have so many relatively high level positions, confirmable posi-

tions that are still vacant—is not good, whether it happens to be a Democratic administration or a Republican administration.

The President, regardless of what party they are from, needs, for the most part, to have the team they want to put in place. They have been elected to lead. Let's give them a chance to lead. If they screw up, we can hold them accountable.

I had the pleasure of serving with Chuck Hagel for, I guess, my first 8 years as a Senator. I like him and respect him as a fellow Vietnam veteran. He is a war hero. He was wounded not once but twice. He has the Purple Hearts and some other decorations to show, to demonstrate his valor.

He came back, put his life together, built a business, a good-sized business, ran that business, and he has led some large government entities, including those that look out for our veterans and others too.

As to the question of does one have the kind of intimate knowledge of the Department of Defense we would like for a person to have, he has had good training. He has had good exposure. He has been there. He has done that. He has been able to, as an innovator, as an entrepreneur, start a business, grow a business, run that business, build that business.

Here he served on the committees of jurisdiction that actually enabled him to drill down on parts of the Department of Defense and part of our defense policy and foreign policy that you never have a chance to when you are over there serving in Southeast Asia or some other area around the world as a member of our Armed Services.

When I went with Chuck on a codel—I want to say it was maybe in 2005—that is when we actually get to know people around here. We could be here, be kind of airdropped in on Monday afternoons, vote, and then by the time Thursday night rolls around, folks here smell the jet fumes and they are ready to go back to Hawaii or Michigan or Oklahoma or someplace such as that. We go by train to Delaware. But people are ready to head for home, and we just do not have the kind of time together, quality time together, that we used to have when people would actually stay here for weekends, when we were not focused 24/7 on fundraising, and we actually had—believe it or not—dinner clubs and people carpooled to work. Can you imagine that: Democrats and Republicans carpooling to work here? We just do not have those opportunities these days. I do not know that we ever will again.

So one of the great opportunities we have to know people is when we go on codels, these congressional delegation trips. I had the opportunity to go with Chuck Hagel on a codel he led over one-half dozen years ago. We went to the Middle East. We went to Israel. We

spent time along Gaza. We went to Jordan. We met with leaders of Saudi Arabia. I had a chance to actually see him interact up close and personal with leaders of all those countries, see how he handled himself, to see his knowledge of the issues, his ability to debate, discuss those issues with the leaders of three of the most important nations, allies of ours in the world.

I was proud of the job he did then. I was proud of the leadership he showed on those occasions. I was proud of his grasp of the issues.

Do you know the other thing I was proud of? He was willing to be honest and frank with people with whom we need to be honest and frank. He reminds me of one of the old caveats of leadership, which is that leadership is having the courage to stay out of step when everybody else is marching to the wrong tune. Leadership is also the willingness to speak truth to power, to tell people—sometimes our leaders, whether they be the President or, frankly, sometimes leaders of other countries—what they need to hear, maybe not what they want to hear.

Chuck Hagel is that kind of person. I believe he is principled. I think he is hard working, that he will surround himself with good people, ethical people, honest people, capable people, bright people.

I think as a former Member here, he understands the importance of the interaction between us and the Department of Defense, which I hope he will have the opportunity to lead.

When we passed something called the Chief Financial Officer Act, I think in 1990 in this Chamber, coauthored, I think, by Bill Roth, my predecessor, one of the requirements of that legislation was not only would every major department in our government be required to have a chief financial officer, but also, in addition, there was a full expectation that all these departments which were not auditable—could not be audited—had to become auditable. They had to be capable of being audited. Then there was the full expectation that once they were auditable, they would be able to pass an audit fully without qualification.

Today, there are two departments in the Federal Government that are not auditable and have not passed an audit in an unqualified manner. One of them is the Department of Homeland Security. They are getting real close. They are knocking on the door. I think they will get it done by next year. I congratulate the Secretary and their team for doing that.

The other is the Department of Defense. For years and years and years they would say: Well, manana. We will do that manana, next year or the year after that. They have not. Why is this important? What you cannot measure you cannot manage. What we cannot

measure we cannot manage. The Department of Defense is unable to measure well and, as a result, they do not manage as well as they need to.

We just got a high risk update from the GAO, the General Accountability Office, 2 weeks ago. High on their list of issues that need to be addressed is the Department of Defense's need to be able to pass an unqualified audit so their financials, their accounting systems and supply systems, their spare parts systems, personnel systems actually work.

Leon Panetta has done much in the 2 years he has served as Secretary of Defense to make sure the Department of Defense takes this obligation seriously. I commend him and I thank him for that. He has been like a breath of fresh air.

Second, Chuck Hagel has given me his personal commitment that he will not relent, he will not turn back, but he will continue on this path of undertaking and be in a position by the next 3 years to do what the Department of Homeland Security is about to complete, the benchmark they are about to reach, the milestone they are about to reach, and the milestone that virtually every other Department of the Federal Government has reached.

We are looking down the barrel of a gun this Friday—sequestration. If we are serious about making sure we do not get shot by that gun, mortally wounded by that gun, along with our economy, we are going to have to make sure we are doing three things better.

One of those is, we need some additional revenues. We need to have revenues closer to the level of where revenues were in the 4 years we had balanced budgets under Bill Clinton, where revenues as a percentage of GDP, my colleagues will recall, ranged anywhere from 19½ percent of GDP to 20½ percent of GDP—somewhere in that range. Last year, it was about 15½, maybe 16 percent of GDP.

With the fiscal cliff deal adopted in this body and signed by the President back in early January, revenues as a percentage of GDP by the end of these 10 years will be up to about 18, 18½ percent. But some additional revenues are needed, very much in line with what we had when we actually had four balanced budgets in a row under the Clinton administration. Remember, those were the first balanced budgets we had since 1969. So, No. 1, we need some additional revenues—in smart ways.

The second thing we need to do is entitlement program reform. Over half the money we spend is on entitlements. Is it possible? The President says we need entitlement reform that saves money, does not savage old people, poor people, and actually makes sure these programs are around for future generations. I could not agree more. That is No. 2.

The third thing we need to do is find ways to save money in everything we

do—everything we do—from agriculture to transportation and everything in between, including defense.

I am told—and I am going to look over here at Senator LEVIN, the chairman of the committee, and the ranking member, Senator INHOFE, and just ask a rhetorical question. I recall hearing not long ago that we spend more as a nation on defense—I say this as a 23-year veteran naval flight officer, Active and Reserve Duty, a Vietnam veteran—but I am told we spend as much money on defense as maybe the next 5, 6, 7 nations combined.

As important as it is for our next Secretary of Defense to have a good grasp of military issues—foreign issues, intelligence issues, the ability to manage big operations, to have strong managers under him or her—as important as that is, it is important for us to spend more wisely.

A good place to start is the GAO high risk list for high-risk places where we are wasting money and that we get a good to-do list out of GAO. It is one I think we ought to take seriously. I know the chairman of our committee and the ranking member take it seriously. Believe me, I do too.

One of things we are going to use from our commitment of Homeland Security and Governmental Affairs—on which Senator LEVIN serves, and he chairs the Permanent Subcommittee on Investigations—we are going to make sure we hold the feet of the Department of Defense to the fire, and we need a Secretary of Defense who will do that as well—someone who is a fiscal hawk, someone who understands the importance of getting better results for less money in everything we do, including providing for the defense of our country.

That is not the speech I brought with me to the floor, but it is the speech that is in my heart.

I just say to my colleagues, if you are on the fence and you are not sure whether you ought to vote for cloture, someday we are going to have a Republican President again. Someday we will have a Republican majority here. There is an old saying: Every dog has its day. Today we have a Democratic President and we have a Democratic Senate for confirmations. Someday that will not be the case. I will say to our Republican friends, just be careful. Just be careful. I say this with respect: Be careful of the bed we make because someday our friends on the other side will get to lie in it. Do we want to continue to go on with this precedent of maybe even denying an up-or-down vote on the nomination of a Secretary? I do not think so. I do not think that is a good precedent. An even worse precedent is to have all these sub-Cabinet-level positions that are vacant and have been vacant, in some cases, for weeks, months, in some cases for longer. That is a terrible precedent to

have, and we need to stop it. A good time to stop it is right now.

I am pleased to stand and endorse the nomination of Chuck Hagel. I think he was a credit to his State, to this body when he served here, and I think he will be a credit to us if he is confirmed. I urge his confirmation starting with today's vote for cloture.

Thank you very much.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I too rise in opposition to the nomination of Chuck Hagel to lead the Department of Defense. Mr. Hagel is probably going to get his vote, but let me say this to my friend from Delaware. If a Republican President in the future brings a nomination for Defense Secretary to this Senate and he does not get as many as 60 votes, I will ask that Republican President to withdraw that nomination, and I wish this President would do the same. This could have been an easy matter. The selection of the Defense Secretary for President Obama's second term could have been a unifying moment. There were a host of qualified, able candidates, both Republican and Democrat, who could have sailed through the process. The President knew controversy was ahead and decided to name Senator Hagel anyway.

There were signals from the right and from the left that Senator Hagel would be a divisive and distracting choice. The Washington Post editorial board gave the President good advice on December 18 by saying: "Chuck Hagel is not the right choice for defense secretary."

The differences surrounding Senator Hagel's nomination during the last few weeks stand in stark contrast to the unanimous support for outgoing Defense Secretary Leon Panetta. Mr. Hagel's nomination is markedly different from the overwhelming confirmation of Senator John Kerry for Secretary of State.

With so much at stake in the coming days, this should be a time for consensus and cooperation. A nominee who could draw unequivocal support would have served our defense priorities better—and those of our allies.

This confirmation fight occurs against the backdrop of severe across-the-board cuts to America's defense programs that are set to take effect this week unless current policy is changed. The Joint Chiefs of Staff reiterated this disastrous reality at a hearing on February 12. The generals and admirals who testified are some of the most respected in the Pentagon. They are some of the most respected in the world. They made it clear that these cuts, at nearly one-half trillion dollars, threaten America's military readiness and national security. Based on their expertise, we are obliged to believe them.

By contrast, Senator Hagel has called the defense budget "bloated." He

did not simply say there is some fat we can trim or that there is room for savings, as we all believe. No, he said it was bloated.

Which is it? Are the Joint Chiefs of Staff correct or is Chuck Hagel correct? The testimony from Defense officials is clearly at odds with Mr. Hagel's shortsighted assessment.

Would Senator Hagel defend a robust defense budget in the face of indiscriminate cuts that could weaken our national security or does he believe sequestration is the answer to what he calls a bloated defense budget?

The statement that our national security budget is bloated is only one of many outlandish pronouncements Senator Hagel has used to grab attention rather than give an accurate evaluation of the situation at hand.

Senator Hagel has in fact made a career out of speaking against the bipartisan mainstream and taking positions on the fringe of public opinion. Here are a few other examples: Senator Hagel has accused Israel of "playing games" and committing "sickening slaughter" when it was defending itself from Hezbollah terrorists in Lebanon. He has said that Israel should not keep the Palestinians "caged up like animals."

We never had a Defense Secretary who would have said such a thing. Senator Hagel has said the "Jewish lobby intimidates a lot of people up here" and forces Congress to do "dumb things."

On Iran, Senator Hagel has stated he is both for and against unilateral sanctions. He wrote to Senator BOXER's office on January 14:

I agree that, with Iran's continued rejection of diplomatic overtures, further effective sanctions, both multilateral and unilateral—may be necessary.

A week earlier, Senator Hagel told the Lincoln Journal Star that he opposed unilateral sanctions because they "don't work and they just isolate the United States."

When speaking about the Iraq war, Senator Hagel has described it as a "meat grinder," a crude characterization that succeeded, once again, in gaining him some additional headlines.

Perhaps, in an effort to minimize his inconsistent record, Senator Hagel said during the Armed Services hearing on January 31 that he "won't be in a policy-making position" as Defense Secretary. This comment illustrates either naivety or a disturbing abdication of the Defense Secretary's responsibilities, which include well-informed policy decisions that will affect the lives of men and women in uniform. Of course the Secretary of Defense makes policy.

During the Armed Services hearing, Senator MCCAIN was correct to try to ascertain what Senator Hagel's feelings are today about the surge in Iraq. A number of people agreed with Senator

Hagel at the time but are now willing to admit with hindsight that the surge went better than expected, but not Senator Hagel.

Let's not forget that Senator Hagel did not merely oppose the surge. It was not enough to say he had misgivings or doubts. He called it the greatest foreign policy blunder since the Vietnam war. This has been the extreme, outlandish, rhetorical approach of Chuck Hagel throughout his career.

People involved in a position of this importance need to be careful about what they say. When one is being interviewed for a book, they should choose words wisely. That is why, during the Armed Services hearing, I asked Senator Hagel about why he told author Aaron David Miller "the Jewish lobby intimidates a lot of people up here" and that he "always argued against some of the dumb things they do."

Let me make this clear. Americans who come to Washington and advocate for Israel do meaningful work to advance a strong, sovereign, and democratic Israel, America's closest ally in the Middle East. Mr. Hagel did not defend his comments at the hearing. Instead, he blamed his statements on a poor choice of words.

Congressional actions, such as tough Iran sanctions and greater military cooperation with Israel, are not the products of intimidation. To suggest otherwise challenges the bipartisan judgment of the men and women elected to serve in this Chamber.

When questioned by Senator GRAHAM during the hearing, Senator Hagel could not name one person in Congress who had been intimidated or one dumb thing that Congress had done because of the pro-Israel lobby. One or two troubling statements might not be disqualifying when taken alone, but all of the positions taken together paint what I believe is an accurate picture of this nominee. Our troops and allies need to rely on the words of the Secretary of Defense. Changing viewpoints for the purpose of political expediency or to make headlines is not the hallmark of a steadfast leader.

Weeks after the process began, two conclusions emerged from the totality of the information that has come to light about Senator Hagel: Either we should disregard everything he has said and stood for as merely hyperbole—The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WICKER. May I ask unanimous consent for 1 additional minute?

Mr. INHOFE. I yield 2 additional minutes to the Senator from Mississippi.

Mr. WICKER. I thank the gentleman.

Let's say everything the Senator has said is merely hyperbole or this is a nominee with a very unsettling and naive world view. You can't have it both ways. Either he means what he said over his career or it has all been theater.

The President is entitled to make his nomination, but the Senate must uphold its important constitutional duty to provide advice and consent on this nomination.

Early on, many friends on the Democratic side of the aisle voiced their very real concerns. Let me ask, Has Chuck Hagel truly answered those concerns? Which Chuck Hagel are we being asked to confirm: the one who shoots from the hip and means what he says or the one who is now willing to say anything to be confirmed?

We need a Secretary of Defense who can stand before the world and articulate that America is opposed to a nuclear Iran and rejects a policy of containment. We need a Secretary of Defense who can stand before the world and be clear that the Iranian Government is not a legitimately constituted government. We need a Secretary of Defense who has broad, bipartisan support. Sadly, that Secretary is not Chuck Hagel.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, may I inquire how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Michigan has 11½ minutes remaining, and the Senator from Oklahoma has 11 minutes.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding we each have about 11 minutes. I will take my time and request to be acknowledged when I have 2 minutes remaining.

The PRESIDING OFFICER. The Chair will do so.

Mr. INHOFE. Mr. President, this has been a good debate. We have repeated a lot of things that have been said before. There are just some things I think are worth repeating.

I need to say over and over again, as often as I can, that nobody is impugning the integrity of former Senator Hagel. Everyone is very complimentary of the great service he has performed in military service. That is not the issue. That has nothing to do with it.

The thing that is important is the fact that they have said continuously, over and over again, this is a filibuster. They have said this is the first time that there has been a filibuster on a Cabinet nominee. That is just not true. This happens all the time. In fact, in recent history there have been six demands for cloture on the Democratic side as opposed to only one on the Republican side. This is not a filibuster.

Rather than take my word for it, take our Vice President JOE BIDEN's word for it when he said this is not a filibuster. He was talking about a controversial appointee. A letter was sent by him to his colleagues arguing that opposing cloture was not a filibuster. He said: "It is a vote to protect the Senate's constitutional power to advise and consent to nominations."

This is worth repeating. Vice President JOE BIDEN said it is not a filibuster. "It is a vote to protect the Senate's constitutional power to advise and consent to nominations."

This expresses the frustration of our new Senator from Texas, Senator CRUZ, who finally just gave up. He said: You know, I have been wanting to exercise my constitutional rights all of this time. Senator CRUZ said, I have said it over and over again, and I have requested over and over again the information to which I am entitled and to which I have a constitutional right.

I am in a position to quote—I have already done it several times from this podium—our distinguished chairman, who also agrees we need to have those rights. Certainly, we have quoted Senator Kerry and others talking about the fact that requiring this information is simply something so ingrained in our system. This is not just JIM INHOFE and Alexander Hamilton talking, this is everybody throughout this country's history.

This is one of the things that people should consider: This is not a filibuster, and we have not received the information to which we are entitled. It is not just Senator CRUZ, it is others too. It doesn't happen to be me because I am opposing this nominee for many of the same reasons that the previous speakers, Senator CORNYN and Senator WICKER from Mississippi, have stated.

I know we are close to running out of time. I think the senior Senator from Texas, Mr. CORNYN, brought out and has probably talked more—and has in the last month—about the concerns he has regarding the Middle East, with the attitude of former Senator Hagel to the various Middle Eastern countries and how Hezbollah, Hamas, all of those work into it.

In the case of Iran, I am and have been concerned about the attitude of Mr. Hagel in terms of this group called Global Zero movement that wants to do away with nukes, even if it is unilateral.

This isn't the way it used to be in the old days. As I said a minute ago, I look wistfully upon those days because it is not that way anymore. Our unclassified intelligence says Iran is going to have nuclear capability and a delivery system by 2015. Why would we want to bring down our nuclear capability in an environment like that? We also know and have watched recently what North Korea has done, all of them trading with China, Syria, and these other countries. It is not like it was in the old days.

I need to mention this also because three of the previous speakers spoke about Iran, their concern about the statements that have been made in support of Iran by Mr. Hagel. If you look at some of the quotes that come from Iran, you need to remind people those guys are bad guys over there. One

of their statements from their ministry was that people of the Middle East—the Muslim region and North Africa, people from these regions—hate America from the bottom of their hearts. Then they go after, of course, Israel. They said Iran's warriors are ready and willing to wipe Israel off the map. The Zionists will receive a crushing response from the Islamic Republic's armed forces, which will lead to their annihilation.

This is the Islamist Revolutionary Guard, the same group which was to be declared a terrorist group when he was then-Senator Hagel, and he was only one of four Members of the entire Senate who objected to designating the Revolutionary Guard as a terrorist group. This quote is the one that received my attention the most, and it has directly to do with Israel. Iran said:

They launched the myth of the Holocaust. They lied, they put on a show and then they support the Jews.

This is interesting they would have that kind of a strong statement. I asked my staff this morning if they remembered a movie called "Schindler's List." "Schindler's List" was a movie I never saw until it was on national TV 3 days ago, and I couldn't stop watching it. I couldn't turn it off. You need to look at the Holocaust from that perspective. Iran denies it even took place.

You will not find any country or any area we have dealt with in the past that is more anti-Israel than Iran. I have to say also, if anyone wants to know some of my feelings, I have made over five speeches more than 1 hour each on the floor of this Senate about Israel, and they are entitled to the land. All of these issues are very important—the mere fact Iran would say the Holocaust didn't exist.

Now, keep in mind—and I know the response to this is that we don't have any control over who supports him, but it is interesting, though—that Iran supports Chuck Hagel's nomination to be Secretary of Defense. I mean, Iran arguably could be considered to be the greatest foe that is out there for the United States, recognizing the capabilities they are going to have and the statements they have made about the United States of America. That is frightening.

So those are the reasons I was concerned initially about this nomination—and I think it has been said and said very well by the Senator from Mississippi, who went over all the details—and I think it is something that has to be looked at and looked at seriously.

The idea that this process of requiring a 60 vote margin is new at a Cabinet level—I mentioned that a very prominent leftwing television station was talking about that over and over again, that this has never happened, there has never been a Cabinet position

that has been filibustered. First of all, it is not filibustering. We know that because we heard that from John Kerry, JOE BIDEN, and all the rest of the people who have been concerned about the fact that there is something improper about cloture when it comes to nominees. There is nothing more important than a President nominating someone for these Cabinet positions, and it is very common that they are questioned by the opposition, by an opposition party to the President in the Senate. We are the ones who have that constitutional responsibility.

I remember because I was sitting here when Kathleen Sebelius went through the same thing. She, obviously, had to finally have a 60-vote margin. John Bryson, Secretary of Commerce—I remember what he went through. Also, I recall very well Miguel Estrada. I remember being down here with Miguel Estrada, and they rejected him seven different times. They required a 60-vote margin. He always got in the fifties. The highest he got was 55. But he was rejected.

So what we are saying is that this is not anything unusual. We all know about Dirk Kempthorne and Steven Johnson. Steven Johnson happened to be an appointee of Republican President Bush, yet he was a Democrat, and he was one where finally we were able to get the 60 votes. We got 61 votes. So, again, there is nothing unusual about this.

My only plea is that we consider some of the things that are in the background of this nominee to be Secretary of Defense, as has been stated before. The fact that he is one of only two who were against sanctions in Iran, one of only four who opposed designating the Iranian Revolutionary Guard as terrorists, one of only four who refused to sign a letter of solidarity with Israel, and the fact that—and I do applaud and appreciate the chairman of the committee for allowing Senator CRUZ to show the video of an interview on Al Jazeera—Senator Hagel agreed with the comment that Israel made war crimes or the statement that Israel committed sickening slaughters and that America is the world's bully. These all underscore the fact that Senator Hagel is not the kind of person we need as Secretary of Defense of the United States of America.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First, on the question of whether this is a filibuster, under our rules Senators have a right to speak and debate as long as they want until 60 Senators decide it is time to end debate. That is the definition, under our rules, of a filibuster. And that is the right of Senators to engage in. That is not the issue, as to whether it is right; the issue is whether it is now time to end debate. Under our rules, in order to

bring debate to an end, where Senators insist on continuing a debate unless 60 Senators vote to end it, this is what this vote will be about at noon—whether we want to bring this debate to an end. Why? Well, first of all, we need a Secretary of Defense. But before we can get a Secretary of Defense, there has to be a vote on the nomination itself. The vote at noon will be a vote as to whether we want to bring this debate to an end so that we can, at a later time—hopefully today—then vote on the nomination itself. That is a majority vote, not 60 votes. In fact, the final vote on either a nominee or on a bill is always a majority vote. The 60 votes comes into play when Senators say: We are not going to end debate. We have a right to talk as long as we want in the Senate until 60 Senators vote to end it. And we demand that vote of 60 Senators takes place to see if there are 60 Senators who want to end debate. That is called cloture. That is what we will be voting on at noon. That is the very definition of a filibuster, under our rules.

So it is not unusual, as the Senator from Oklahoma says, for there to be a demand for a cloture vote on positions in the Cabinet. That has happened before. But what has never happened is that that has been insisted upon for a nomination to be Secretary of Defense. That is what is unusual.

It seems to me it is essential now that we get to the vote on the nomination itself, which will come later on today—again, I hope—and the only way to do that is if we vote to end the debate on this nomination, which is what will take place at noon. Whether there will be 60 votes, we will find out at noon, but hopefully there will be because this is a position which needs to be filled.

There have been many misstatements about quotes of Senator Hagel. Obviously, not all of the statements that have been attributed to him are misstatements, but some of them are. Just one of them we heard earlier this morning was about the fact that he has talked about the sickening slaughter by the Israelis in the case of Lebanon. So here is the quote, and it was a full speech. It was on C-SPAN. The quote is—and this involves the issue of Lebanon—“The sickening slaughter on both sides must end.” So what Senator Hagel was bemoaning was the loss of lives on both sides. I would hope that decent people everywhere would bemoan the massive loss of lives on both sides that occurred during those events in Lebanon. I was there, and I saw what happened—the huge loss of life. So he was bemoaning the sickening slaughter on both sides and saying it must end and calling on President Bush to call for an immediate cease-fire. I find nothing reprehensible about such a call.

This has been a debate which has raised a lot of issues, but, to me, some

of the most compelling arguments have been made by former Secretaries of Defense and State urging that we approve and confirm Senator Hagel.

Mr. President, I ask unanimous consent to have printed in the RECORD letters of support to which I will refer. At an earlier time, they were made part of the RECORD, but it is important that they be made a part of the RECORD of today's debate and not just previous debates.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 20, 2012.

Ambassadors' Open Letter: Senator Hagel Impeccable Choice for Defense Secretary

We support, most strongly and without qualification, President Obama's reported intention to nominate Senator Chuck Hagel to be the next secretary of defense. Each of us has known the senator over the past twenty years and has found him invariably one of the best informed leaders in the U.S. Congress on the issues of U.S. national security. Senator Hagel's credentials for the job are impeccable. As a decorated Vietnam veteran, an extremely successful entrepreneur in the private sector and as a two-term senator, he brings unusually high qualifications and experiences to the Department of Defense at this time of budget constraint and challenges to reshape America's military power while keeping it strong for the coming decades.

Senator Hagel's political courage has impressed us all. He has stood and argued publicly for what he believes is best for the United States. When he was attacked for opposing the war in Iraq as “unpatriotic,” he replied, “To question your government is not unpatriotic—to not question your government is unpatriotic.”

Time and again he chose to take the path of standing up for our nation over political expediency. He has always supported the pillars of American foreign policy—such as: a strong NATO and Atlantic partnership; a commitment to the security of Israel, as a friend and ally; a determination to stop the proliferation of nuclear weapons; and the defense of human rights as a core principle of America's role in the world.

Each of us has had the opportunity to work with Senator Hagel at one time or another on the issues of the Middle East. He has invariably demonstrated strong support for Israel and for a two state solution and has been opposed to those who would undermine or threaten Israel's security.

We can think of few more qualified, more non-partisan, more courageous or better equipped to head the Department of Defense at this critical moment in strengthening America's role in the world. If he is nominated, we urge the speedy confirmation of Senator Hagel's appointment.

Sincerely,

Nicholas Burns, former Under Secretary of State for Political Affairs, Ambassador to NATO and Greece; Ryan Crocker, former Ambassador to Iraq and Afghanistan; Edward Djerejian, former Ambassador to Israel and Syria; William Harrop, former Ambassador to Israel; Daniel Kurtzer, former Ambassador to Israel and Egypt; Sam Lewis, former Ambassador to Israel; William H. Luers, former Ambassador to Venezuela and Czechoslovakia; Thomas R. Pickering, former Under Secretary of

State for Political Affairs, Ambassador to Israel and Russia; Frank G. Wisner, former Under Secretary of Defense for Policy, Ambassador to Egypt and India.

U.S. SENATE,

Washington, DC, January 24, 2013.

Re Support Senator Hagel's Nomination

DEAR COLLEAGUE: I wanted to share the attached letter from thirteen former Secretaries of Defense, Secretaries of State, and National Security Advisors in support of Senator Hagel's nomination for Secretary of Defense.

These eminent national security experts advised Presidents Reagan, George H.W. Bush, Clinton, and George W. Bush on a host of international matters.

I hope that you will take a moment to review their letter as you consider Senator Hagel's nomination.

Sincerely,

JACK REED,
U.S. Senator.

JANUARY 24, 2013.

TO MEMBERS OF THE U.S. SENATE: We, as former Secretaries of State, Defense, and National Security Advisors, are writing to express our strong endorsement of Chuck Hagel to be the next Secretary of Defense.

Chuck Hagel has an impeccable record of public service that reflects leadership, integrity, and a keen reading of global dynamics. From his time as Deputy Veterans Administrator managing a quarter of a million employees during the Reagan presidency, to turning around the financially troubled World USO, to shepherding the post-9/11 GI Bill into law as a United States Senator, and most recently through his service on the Defense Policy Board at the Pentagon and as co-Chairman of the President's Intelligence Advisory Board, Chuck Hagel is uniquely qualified to meet the challenges facing the Department of Defense and our men and women in uniform. As President Obama noted in announcing the nomination, this twice-wounded combat veteran “is a champion of our troops and our veterans and our military families” and would have the distinction of being the first person of enlisted rank and the first Vietnam veteran to serve as Secretary of Defense.

His approach to national security and debates about the use of American power is marked by a disciplined habit of thoughtfulness that is sorely needed and these qualities will serve him well as Secretary of Defense at a time when the United States must address a range of international issues that are unprecedented in scope. Our extensive experience working with Senator Hagel over the years has left us confident that he has the necessary background to succeed in the job of leading the largest federal agency.

Hagel has declared that we “knew we needed the world's best military not because we wanted war but because we wanted to prevent war.” For those of us honored to have served as members of a president's national security team, Senator Hagel clearly understands the essence and the burdens of leadership required of this high office. We hope this Committee and the U.S. Senate will promptly and favorably act on his nomination.

Sincerely,

Hon. Madeleine Albright, former Secretary of State; Hon. Samuel Berger, former National Security Advisor; Hon. Harold Brown, former Secretary of Defense; Hon. Zbigniew Brzezinski, former National Security Advisor; Hon.

William Cohen, former Secretary of Defense; Hon. Robert Gates, former Secretary of Defense; Hon. James Jones, former National Security Advisor; Hon. Melvin Laird, former Secretary of Defense; Hon. Robert McFarlane, former National Security Advisor; Hon. William Perry, former Secretary of Defense; Hon. Colin Powell, former Secretary of State and National Security Advisor; Hon. George Shultz, former Secretary of State; Hon. Brent Scowcroft, former National Security Advisor.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,

Alexandria, VA, January 22, 2013.

Hon. CARL LEVIN, Chairman,
Hon. JAMES M. INHOFE, Ranking Member,
Committee on Armed Services, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEVIN AND RANKING MEMBER INHOFE: The Non Commissioned Officers Association of the USA (NCOA) strongly supports the appointment of The Honorable Chuck Hagel to be Secretary of Defense.

The association's membership is comprised of current and former enlisted members of the active duty military, Guard and Reserve Components to include all elements of the United States Coast Guard. The members of NCOA share a common experience with Senator Hagel who personally experienced the rigors of military service to include combat in the Vietnam War.

His military service including being twice wounded in action has instilled the values of service and personal sacrifice and for which he knows well the human cost of war.

He has been an advocate for Soldiers, Marines, Sailors, Airmen, and Coasties to ensure the training and equipage of America's 21st Century Military Force to coincide with a solid revised Defense posture to meet conventional and unconventional world challenges.

Senator Hagel has also championed personnel issues relating to combat dwell time, force protection, transition issues including electronic medical issues, preparation for future employment and training, veterans benefits including enhancements to Post 9/11 educational benefits. He also recognizes the value and sacrifice of families of the men and women who serve in this nation's Uniformed Services.

The NCOA has no hesitation in asking that Senator Hagel receive an expeditious hearing that confirms his confirmation to be the next Secretary of Defense. This Association recognizes the challenges that will be faced as Secretary of Defense and believe Senator Hagel is well qualified to lead the Department of Defense.

Sincerely,

RICHARD C. SCHNEIDER,
Executive Director for Government Affairs.

AMVETS,
Lanham, Md, January 8, 2013.
AMVETS NATIONAL COMMANDER APPROVES DEFENSE SECRETARY NOMINATION

This afternoon, AMVETS National Commander Cleve Geer endorsed President Barack Obama's nomination of Chuck Hagel as the next Secretary of Defense. Obama announced the nomination yesterday, Jan. 7, 2013.

"AMVETS fully supports President Obama's nomination of Chuck Hagel for the

future Secretary of Defense," said Geer. "As a veterans service organization, AMVETS' main mission is to serve as an advocate for veterans, their families and the community in which they live. I am confident that former Sen. Hagel will utilize his experience and understanding of America's military to lead this nation's troops and the Department of Defense."

If confirmed by the Senate, Hagel will be the first infantryman to serve as the Secretary of Defense. He will replace current Secretary of Defense Leon Panetta, who has been in this position since 2011. Hagel's experience ranges from serving in the Army during the Vietnam War to representing Nebraska as a senator.

About AMVETS:

A leader since 1944 in preserving the freedoms secured by America's armed forces, AMVETS provides support for veterans and the active military in procuring their earned entitlements, as well as community service and legislative reform that enhances the quality of life for this nation's citizens and veterans alike. AMVETS is one of the largest congressionally-chartered veterans' service organizations in the United States, and includes members from each branch of the military, including the National Guard and Reserves.

To learn more, visit: www.amvets.org.

CHUCK HAGEL WOULD MAKE AN OUTSTANDING SECRETARY OF DEFENSE

JANUARY 16, 2013.

Hon. CARL LEVIN,
Chairman,

Hon. JAMES M. INHOFE,
Ranking Member, Committee on Armed Services,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR CHAIRMAN LEVIN AND RANKING MEMBER INHOFE: While some of our organizations cannot recommend whom the President should appoint to his cabinet, we believe that Senator Chuck Hagel would make an outstanding Secretary of Defense, and is uniquely qualified to lead the men and women of America's Armed Forces.

Chuck Hagel is a true patriot who volunteered to fight in the war of his generation when he could easily have opted for a safe assignment. Twice wounded in the service of our nation, this combat veteran knows firsthand what it means to wear the uniform, what it means when the nation sends its young people to war, and the price that our Soldiers, Sailors, Airmen and Marines sometimes pay in our defense.

He has fought with and for our troops his entire adult life: as a 21-year-old infantry sergeant in Vietnam; as the deputy head of the VA who pushed for Agent Orange Benefits and for the Vietnam Veterans Memorial; as the President of the USO; and as a U.S. Senator who coauthored the Post-9/11 GI Bill. As Secretary of Defense he will be a strong advocate of preparing servicemen and women for a smooth transition from the military to the VA system, including making jobs and training, and efficient electronic records a top priority. His door would always be open to veterans' service organizations.

Chuck Hagel knows that, while military force in defense of the nation is unfortunately sometimes necessary, decisions concerning war and peace, life and death, never should be undertaken lightly. This is the least that we can ask of our leaders.

The President has said that "in Chuck Hagel our troops see a decorated combat veteran of character and strength. They see one

of their own. Chuck is a champion of our troops and our veterans and our military families." "Chuck knows that war is not an abstraction. He understands that sending young Americans to fight and bleed in the dirt and mud, that's something we only do when it's absolutely necessary." As veterans, we could not agree more. As the nation commemorates the 50th anniversary of the Vietnam War, it is fitting and proper that the next Secretary of Defense should be a wounded and decorated veteran of that conflict—the first Vietnam veteran and the first enlisted man to hold this post.

Sincerely,

STEWART M. HICKEY,
Executive Director.

Mr. LEVIN. The first letter is a letter of 11 Ambassadors, including four former Ambassadors to Israel, in which these Ambassadors say that Senator Hagel "has always supported the pillars of American foreign policy—such as a strong NATO and Atlantic partnership; a commitment to the security of Israel, as a friend and ally . . ."

The second letter is from 13 former Secretaries of Defense, State, and National Security Advisers, including a number of Republicans who served in Republican administrations. Part of their letter reads as follows:

His approach to national security and debates about the use of American power is marked by a disciplined habit of thoughtfulness that is sorely needed.

It also says:

Our extensive experience working with Senator Hagel over the years has left us confident that he has the necessary background to succeed in the job of leading the Department of Defense.

These, again, are 13 former Secretaries of Defense.

Then there is a series of letters that came in from veterans organizations. These are elegant pleas for Senator Hagel to be confirmed.

This is from the Non Commissioned Officers Association of the United States:

Senator Hagel has championed personnel issues relating to combat dwell time, force protection, transition issues including electronic medical issues, preparation for future employment and training . . . He also recognizes the value and sacrifice of families of the men and women who serve in this Nation's Uniformed Services.

This is from AMVETS:

AMVETS fully supports President Obama's nomination of Chuck Hagel for the future Secretary of Defense. As a veterans service organization, AMVETS' main mission is to serve as an advocate for veterans, their families and the community in which they live. I am confident that former Senator Hagel will utilize his experience and understanding of America's military to lead this nation's troops and the Department of Defense.

In terms of Israel and in terms of Iran, I wish to read a couple of statements of Senator Hagel and about Senator Hagel—first in terms of his statements about Iran. In his 2008 book, he said:

At its core, there will always be a special and historic bond with Israel, exemplified by

our continued commitment to Israel's defense.

And this is a statement made by an Israeli Deputy Foreign Minister whose name is Danny Ayalon. This is what he said just recently:

Senator Hagel believes in the natural partnership between Israel and the United States. Senator Hagel is proud of the volume of defense relations between Israel and the United States, which are so important for both countries. Hagel is a true American Patriot and the support America gives Israel is in America's interest, so I am optimistic.

Relative to Iran, this is what Senator Hagel has said about Iran:

Iran poses a significant threat to the United States, our allies and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime. Iran is one of the main state sponsors of terrorism and could spark conflict, including against U.S. personnel and interests.

He has also said that he is "fully committed to President Obama's goal of preventing Iran from obtaining a nuclear weapon," and he has said that "all options must be on the table to achieve that goal." He specifically said that his policy will be that of the President's policy—one of prevention and not containment.

Relative to sequestration—and we are facing sequestration—Senator Hagel has said the following, which is also what Secretary Panetta has said.

Sequestration, if allowed to occur, would damage our readiness, our people and our military families. It would result in the grounding of aircraft and returning ships to port, reducing the Department's global presence and ability to rapidly respond to contingencies. Vital training would be reduced by half of current plans and the Department would be unable to reset equipment from Afghanistan in a timely manner. The Department would reduce training and maintenance for nondeploying units and would be forced to reduce procurement of vital weapon systems and suffer the subsequent schedule delays and price increases. Civilian employees would be furloughed. All these effects negatively impact long-term readiness as well. It would send a terrible signal to our military and our civilian workforce, to those we hope to recruit, and to both our allies and adversaries around the world.

Mr. President, we must end this uncertainty about this position. It is time for us to end this debate, and that is what we will be voting on now. Later on there will be a vote on whether to confirm Senator Hagel. The vote now is whether to bring this debate to an end. I hope we will do so and get on to the nomination vote.

I yield the floor, as I think it is noon and time for a vote.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me just say everything has been said, not everyone has said it. However, I would like to make sure everyone understands the actual statements were

made by the former Senator Hagel in terms of the relationship of our country with Israel and Iran prior to the time he was nominated because many of those statements were changed at that time.

I encourage a "no" vote.

The PRESIDING OFFICER. All time has expired.

CLOTURE MOTION

Under the previous order, the clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Barbara Boxer, Al Franken, Christopher A. Coons, Jack Reed, Carl Levin, Kirsten E. Gillibrand, Claire McCaskill, Robert P. Casey, Jr., Richard Blumenthal, Tom Harkin, Dianne Feinstein, Bill Nelson, Jeanne Shaheen, Sherrod Brown.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense shall be brought to a close on reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Colorado (Mr. UDALL) are necessarily absent.

The PRESIDING OFFICER (Ms. HEITKAMP). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 71, nays 27, as follows:

[Rollcall Vote No. 23 Ex.]

YEAS—71

Alexander	Feinstein	Mikulski
Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Baucus	Gillibrand	Murray
Begich	Graham	Nelson
Bennet	Hagan	Pryor
Blumenthal	Harkin	Reed
Blunt	Hatch	Reid
Boxer	Heinrich	Rockefeller
Brown	Heitkamp	Sanders
Burr	Hirono	Schatz
Cantwell	Johanns	Schumer
Cardin	Johnson (SD)	Sessions
Carper	Kaine	Shaheen
Casey	King	Shelby
Chambliss	Klobuchar	Stabenow
Coburn	Landrieu	Tester
Cochran	Leahy	Thune
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Corker	McCain	Warren
Cowan	McCaskill	Whitehouse
Donnelly	Menendez	Wyden
Durbin	Merkley	

NAYS—27

Barrasso	Cornyn	Enzi
Boozman	Crapo	Fischer
Coats	Cruz	Grassley

Heller	Lee	Roberts
Hoeben	McConnell	Rubio
Inhofe	Moran	Scott
Isakson	Paul	Toomey
Johnson (WI)	Portman	Vitter
Kirk	Risch	Wicker

NOT VOTING—2

Lautenberg Udall (CO)

The PRESIDING OFFICER. On this vote, the yeas are 71 and the nays are 27. Upon reconsideration, three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. REID. Madam President, I ask unanimous consent that following the recess for the weekly party conferences, the time until 4:30 p.m. be equally divided in the usual form and that at 4:30 p.m. all postcloture time be yielded back and the Senate proceed to vote on the nomination of Chuck Hagel, without intervening action or debate; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE—Continued

The PRESIDING OFFICER. Under the previous order, the time until 4:30 p.m. will be equally divided in the usual form.

The Senator from Illinois.

TRIP TO UGANDA, DJIBOUTI, AND BAHRAIN

Mr. DURBIN. Madam President, as everyone in the Senate knows, and people across the United States, with the sad passing of Senator Daniel Inouye in December, there were a number of changes that were made in the Senate Appropriations Committee—a committee which Senator Inouye skillfully chaired until his passing. He also chaired the Defense Appropriations Subcommittee and served our Nation with the kind of leadership that only a person with his distinguished military service could give.

With this unfortunate change of events, I found myself unexpectedly in a new role as chairman of the Defense Appropriations Subcommittee. I never would have guessed 2 months before

that it was even in the realm of possibility. Given this new role, I thought it was appropriate and worthwhile during the recent recess to take a firsthand look at some of what our military is doing in an often overlooked part of the world—Africa—and in the nearby gulf.

Before I go any further, let me note how impressed I always am on these trips that no matter where we go in any corner of the world, there is an outpost of America's finest—our diplomatic personnel serving on the front lines and representing the best of our values. They are often joined by American development and military personnel, helping to improve the lives of host nation populations, providing training and security in the area.

I want to thank all of the Ambassadors, their staff, and others who made great personal sacrifice to make my recent short, quick visit a great success.

My first stop last week was Uganda—a good friend of the United States located in a difficult neighborhood of central Africa. Many know that Uganda was recognized around the world for its early efforts to stem the spread of AIDS at a time when many other African nations were in complete denial. Some of that progress has waned over the years, but there has been a renewed effort to rebuild on earlier success.

Uganda is also helping to lead negotiations with various factions involved in the violence in eastern Congo, also known as the rape capital of the world. Last year, the armed rebel group M23 overran key parts of this eastern Congo, bringing further human suffering to an already scarred part of Africa. I want to acknowledge the constructive role Uganda has played in moving these talks forward.

Uganda is also home—originally—to the horrific actions of the Lord's Resistance Army, an army group led by a messianic and violent warlord named Joseph Kony. Kony and the LRA's brutality were once again in the spotlight last year when the group Invisible Children launched an online video detailing more than 20 years of brutal LRA violence, including murder, rape, kidnapping, and the dragooning of child soldiers. To date, this video has had almost 100 million viewers.

In Uganda, I had the chance to meet with two impressive people who were victims of the Lord's Resistance Army. They witnessed some horrific acts.

One young man met with us at the Ambassador's residence. This Lord's Resistance Army invaded his village, dragged all the young men out, put them in a circle, and said: You are about to become soldiers in the army. Before you become soldiers, though, you will be asked to kill your family.

Many of them could not believe it. This young man said he was praying they would spare his father. They

brought his father in front of him and murdered him, as the child looked on. Then he was brought into service for 6 months, roaming through the jungles, fighting on behalf of this Lord's Resistance Army, until there was an opportunity for him to escape. He has turned his life around. It is hard to imagine anyone could after those horrible experiences, but he has.

Next to him was Lilly, a beautiful young woman. She too was kidnapped by the Lord's Resistance Army and forced into unspeakable things for the time she was under their control, until she too escaped.

The good news in both of those stories is they have made a life since then, and they have tried to help others who have been victimized by this kind of kidnapping. These horrible things are occurring in Africa, and we have decided to help. With the Ugandans, we are working to put Joseph Kony and the Lord's Resistance Army out of business. We have pushed them out of Uganda. We now believe they are in the Central African Republic.

In 2010, Congress passed a bill led by a former colleague and great champion of Africa, a friend and former colleague of the Presiding Officer, Senator Russ Feingold of Wisconsin, called the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, an important step forward—and it was. I was proud to cosponsor the bill. As a result, last year, President Obama—because of the Feingold legislation—sent 100 U.S. military personnel to help the Ugandan Army track down and bring an end to the Lord's Resistance Army menace.

I met in the bush with our military in Uganda that was following up on this Feingold legislation. I can't tell you what a remarkable job they are doing under very difficult circumstances.

The LRA is on the run. Defections are increasing and formerly terrorized communities are starting to live without fear. There is still more to be done, but I was impressed and proud of how the United States stepped up and is doing something that will be remembered for generations by the Ugandan people.

Let me also take a moment to mention another issue in Uganda. There is a proposed law pending before the Parliament in Uganda that would literally criminalize homosexuality, in some cases even imposing the death penalty. This is a cruel piece of legislation that has been met by global condemnation and concern. I met with the activists in Uganda who fear for their personal safety if this bill becomes law, a fear that I believe, unfortunately, is warranted.

I and others have appealed to the Ugandan Government not to tarnish its international reputation and impose criminal penalties against people sim-

ply because of their sexual orientation. Uganda must continue to be a leader in the region, something this legislation will substantially erode. I hope ultimately common sense will prevail and the Ugandan Parliament will not pass this terrible legislation.

While few have ever heard of a small, hardscrabble country in the Horn of Africa called Djibouti, it is one of the most strategic pieces of real estate in the world. Tens of thousands of ships pass through the nearby shipping lanes every year. Over 30,000 vessels, 40 percent of all the ocean traffic in the world, passes this point. The country is surrounded by violence and instability, including Yemen, just 17 miles away, and Somalia, their next-door neighbors.

We are fortunate, therefore, to have Camp Lemonnier located in Djibouti. It is a significant U.S. military base helping to bring security and stability to a difficult neighborhood. It is not an easy location to do business. In the summer, temperatures reach 120 degrees. There is not a tree in sight in Djibouti. The country is extremely poor and opportunities for recreation and escape are almost nonexistent.

These American service men and women are to be thanked for their dedication and long tours away from family and friends. They are playing an important role in bringing greater security to the region and helping to dramatically reduce the scourge of piracy that has so dramatically impacted the waters in recent years.

USAID also has a major humanitarian distribution warehouse in Djibouti in which emergency food aid can be shipped quickly and efficiently throughout the region as far as Bangladesh.

Even in faraway Djibouti, there was a woman from Illinois helping with this effort. I wish to recognize her work for a moment on the floor. Her name is Christine Karpinski. She is from Chicago, and she is part of this USAID effort to save the lives of the most vulnerable people in the world.

Let me also note Djibouti had elections last weekend, elections the opposition is claiming were fraudulent. I wasn't there as an election observer, but certainly Djibouti can do more to open its political system. It took some notable steps with the current election, and I hope the postelection process can move forward in a peaceful manner. I also hope the Djibouti Government and other foreign powers which have significant footprints there will do more to help its own people out of poverty.

What I saw there in terms of underdevelopment, particularly given the sizable sums being paid by foreign governments for base leases and a population of less than 1 million people, simply didn't add up. We and the Government of Djibouti have a responsibility to do more for the people who

live there, especially the next generation of young people.

In Uganda, Djibouti, and so many countries in that region, we will find 50 percent of the population under the age of 15. It is a reminder to us that the forces, the dynamic forces behind the Arab Spring in many parts of the Middle East and northern Africa are at least evident in many of these other countries that haven't been touched yet by that change.

Lastly, I had the opportunity to visit the small gulf nation of Bahrain. It has been one of the more open and forward-thinking countries in the gulf region. It is also a close U.S. ally, home to the U.S. Fifth Fleet and located in yet another difficult neighborhood bordering Iran, just across the straits.

Bahrain has been a generous host to our Fifth Fleet. Anyone who looked at the map or followed tensions with Iran knows the importance of such a naval force in this part of the world. These dedicated sailors help keep shipping lanes open and ensure that Iran does not threaten its neighbors or U.S. interests. Their presence alone is likely to make Iran think twice about reckless moves in the Persian Gulf.

Let me say a word about the Navy. I guess I am partial because my two late brothers both served in the Navy during the Korean war. When I get a chance to go aboard ships, I visualize my older brothers and what life must have been like in those days. When I went out with ADM John Miller to visit some of the ships in the fleet, I met some of the finest young men and women you could ever ask for. Most of them trained in Illinois at the Great Lakes Naval Training Station and now were off serving in the U.S. Navy around the world.

No one, unless they have some experience and knowledge of the subject, could understand the enormity of the responsibility which these men and women in the Navy have. We often hear about the heroic efforts of those who were in the Army, Marine Corps, and Air Force—and I certainly don't want to take anything away from them—but the important lifesaving peacekeeping jobs being done by the U.S. Navy, particularly the Fifth Fleet that I visited, cannot be overstated.

Bahrain, incidentally, is going through its own domestic difficulties. It experienced its own Arab Spring in early 2011, one that started with a peaceful protest calling for a more open political process. That process unfortunately broke down and many demonstrators were killed or jailed. Others, sadly, were tortured.

The Government of Bahrain did what few other countries in the region would be willing or brave enough to do. They created an outside commission to look into many issues around the uprising. A blunt and sober report was issued, and it is my hope the Government of

Bahrain will abide by many of its recommendations. At the same time, I hope the opposition will seriously explore the latest attempt at dialog offered by the government as a means to address the current political impasse.

Bahrain has so much promise and can continue to be one of the shining lights of the gulf. Both sides must renounce violence and work toward a peaceful political solution.

Let me also note an overarching theme noted on this trip, one I mentioned before on the Senate floor, the role of China. Everywhere we went we heard time and again how China is everywhere, often at the exclusion of American businesses, investment, and influence. This pattern costs us not only lost jobs but lost diplomatic and security engagement.

That is why, last year, Senator BOOZMAN and I introduced a bill to create a coordinated U.S. strategy to boost U.S. exports to Africa and in turn foster American jobs. This bipartisan bill cleared the Foreign Relations, Banking and Finance Committees only to be held up at the last minute at the end of the year by Senator TOOMEY of Pennsylvania. To his credit, he didn't do it in a secret manner; he came to the floor and objected.

Although I disagreed with him, I respected him for the fact that he stated his point of view. I would like to sit down with him again and any others who are skeptics about this legislation and let them know what I saw on this trip. Delaying the passing of this legislation costs us more than lost influence on the continent and jobs here at home.

It is going to be a squandered opportunity. Think about this. In the last 10 years, the six fastest growing economies in the world were in Africa. In the next 10 years, 8 of the top 10 will be in Africa. Where are we? We are playing a distant second fiddle to China.

What does that mean for the future? It isn't very encouraging. It is time for us to step forward and show real American leadership in this area. I appeal to those who have opposed this Africa trade bill, which Senator BOOZMAN and I have sponsored, to take a second look and reconsider their position.

It was an honor to visit our dedicated diplomatic, development, and military personnel. It was a reminder of the importance of indispensable contributions to U.S. policy they still play around the world in improving lives and ensuring security. These investments abroad are not only symbols of American generosity and values, they make the world safer for everyone. We should keep this in mind when we consider America's foreign assistance budget, one that includes maintaining all our embassies around the world, is just over 1 percent of the total U.S. budget.

I yield the floor.

I ask unanimous consent any remaining time between now and 4:30 be

equally divided and that time which is in quorum calls be equally divided between those supporting and opposing the vote at 4:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. CARDIN. Madam President, I have the honor of being the chair of the U.S. Helsinki Commission representing this body. This is a commission which was established in 1975 in order to implement the U.S. responsibilities in the Organization for Security and Cooperation in Europe. Its membership includes all the countries of Europe, as well as the former Republics of the Soviet Union, Canada, and the United States.

The main principles of Helsinki are we are interested in each other's security. In order to have a secure nation, you need to have a nation that respects the human rights of its citizens, which provides economic opportunity for its citizens, as well as the defense of their borders. We also have partners for cooperation, particularly in the Mediterranean area, that used the Helsinki principles in order to try to advance security in their region.

During this past recess, I took the opportunity to visit that region on behalf of the U.S. Helsinki Commission. I was joined by several of our colleagues looking at the current security issues. Our first visit was to Israel, and our main focus, quite frankly, was on Syria—what is happening today in Syria.

In Israel, we had a chance to meet with the Israeli officials, and it was interesting as to how many brought up the concerns about Syria. They were concerned about Syria's impact on Israel's neighbors and what was going to happen as far as security in that region.

While we were there, there was an episode on the Syrian-Israeli border, and the Israelis provided health care to those who were injured, providing humanitarian assistance. We thank the Israelis for providing that humanitarian assistance.

It was interesting that the Israeli officials pointed out the concern about the refugees who are leaving Syria going into neighboring countries. We know the vast numbers. There are almost 1 million Syrians who have left Syria for other countries because of the humanitarian concerns. About one-quarter of a million have gone to Jordan, about 280,000 are in Lebanon, about 281,000 in Turkey, another 90,000 in Iraq, and 16,000 in Egypt.

Israel is concerned about the security of its neighbors and concerned about

how Jordan is dealing with the problems of the Syrian refugees, how Lebanon is handling them. We note the concerns about Hezbollah operations in Lebanon and how that is being handled with the Syrian refugee issue.

We had a chance to travel to Turkey when we left Israel. We met first with the Turkish officials in Ankara, and we received their account as to what was happening in Syria and what Turkey was doing about it. We then had a chance to visit the border area between Turkey and Syria.

We visited a refugee camp named Kilis, where there has been about 18,000 Syrian refugees. We also had a chance to meet with the opposition leaders who were in that camp, as well as later when we were in Istanbul meeting with the opposition leaders from Syria.

I mention that all because the humanitarian crisis is continuing in the country of Syria. The Assad regime is turning on its own people. Over 70,000 have been killed since the Arab Spring started in Syria. While we were there, the Assad regime used scud missiles against its own people, again killing Syrians and killing a lot of innocent people in the process. This is a humanitarian disaster.

I wish to mention one bright spot, if I might. We had a chance to visit the camps, I said, in Kilis, on the border of Syria and Turkey, in Turkey. We had a chance to see firsthand how the Syrian refugees are being handled by the Turkish Government. I want to tell you, they are doing a superb job. I think it is a model way to handle a situation such as this. They have an open border.

The border area at that point is controlled by the Syrian freedom fighters. They control that area. The Turks allowed the Syrians to come in and find a safe haven. The Turkish Government has built housing for the refugees in the camp. We had a chance to see their children in schools. They are attending schools. They are getting proper food and proper medical attention. They have the opportunity to travel where they want in Turkey, freedom of movement. They have the opportunity to go back to Syria if they want to go back to Syria. The Turkish authorities are providing them with a safe haven and adequate help. They are doing this primarily with their own resources.

There is one other thing we observed when we were in this camp on the border. We had a chance to meet with the elected representatives of the refugees in Kilis. They actually had an election. They don't have that opportunity in Syria. They are learning how to cast their votes. They are learning what democracy is about. They are learning what representation is about. We had a chance to talk to these representatives about the circumstances in Syria and what we could do to help.

First, I want to point out there is still a tremendous need for the inter-

national community to contribute to the humanitarian needs of those who are affected in Syria. There are approximately 4 million Syrians in need of humanitarian assistance. There are 2½ million internally displaced people within Syria. The United States has taken the lead as far as humanitarian aid, having provided \$384 million. Other countries have stepped up but, quite frankly, more needs to be done.

In talking with the opposition leaders—and we had a chance to talk to them in depth when we were in Istanbul—they expressed to us a sense of frustration that there hasn't been a better, more unified international response to the actions of the Assad regime—to what the Assad regime has done to its own people—and to get Assad out of Syria. Quite frankly, they understand—or, as we explained—some countries might be willing to provide a certain type of help; other countries may not. The United States has provided nonlethal help, other countries are providing weapons, still other countries training. But we need to coordinate that. The absence of coordination provides a void in which extreme elements are more likely to get into the opposition, and that is something we all want to make sure doesn't happen.

The message I took back from those meetings is that the United States needs to be in the lead in coordinating the efforts of the opposition. We made it clear, and I think the international community has made it clear, that Assad must go, and he should go to The Hague and be held accountable for his war crimes. He has no legitimacy to remain in power in Syria. That has been made clear and we underscored that point again. We also underscored the point there is no justification for any country—any country—providing assistance to the Assad regime on the military side. As we know, Russia and Iran have provided help. That is wrong. That is only adding to the problems and giving strength to a person who has turned on his own people. But then we also need to coordinate our attentions so we can provide the help they need and the confidence they are looking for so they will have the necessary training not only to reclaim their country but then to rule their country in a democratic way that respects the rights of all of its citizens.

As the Chair of the Helsinki Commission, I pointed that out to the Syrian opposition, that we want to provide the help so they can rule their country one day—we hope sooner rather than later—in a way that respects the rights of all of its citizens and provides economic opportunity for its citizens, for that is the only way they will have a nation that respects the security of its country.

That was the message we delivered, and I hope the United States will join

other countries in a more concerted effort to get Assad out of Syria. As I said, I think he should be at The Hague and held accountable for his war crimes and held accountable for not allowing the people of Syria to have a democratic regime.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

TENTH ANNIVERSARY OF PEPFAR

Mr. ISAKSON. Madam President, I rise today, in this year of 2013, on the tenth anniversary of the State of the Union Address given by President George W. Bush when he introduced a program known as PEPFAR—the President's Emergency Program for AIDS Relief—a program that has had remarkable success in the last decade.

A lot of that success has taken place on the continent of Africa, where I just returned from my seventh trip in the last decade. This was a trip where remarkable things were observed happening all over the continent in terms of AIDS infection being reduced, mother-to-child transmission being in fact eliminated in many cases, and seeing that the biggest challenge today for those who fall victim to AIDS is not that they will die soon but that they will have the continuum of care necessary to see to it they live a normal lifestyle with the antiretrovirals provided by PEPFAR.

It is important that the American taxpayers, the American people, those of us in Congress recognize what has been achieved in the last decade, for our taxpayers have invested billions of dollars on the continent of Africa to begin the process of trying to eliminate AIDS. We cannot yet declare victory, but we can declare great victories in battles along the way, and we are making more and more of them along the way. Males are getting tested, females are getting tested, as they should, and mothers are getting the care they need with antiretrovirals during their pregnancies to prevent the transmission to their babies, and we are seeing a continuation of the progress of the great program started 10 years ago by this Congress, by President Bush, and by the American people.

We are beginning to send the message, and we need to let the African countries know, that we will be scaling down our investment and raising their participation at the government level. It is important to see to it that PEPFAR remains a viable program. In our visit of the past 7, 8, now 9 days, I guess it was, we visited the Congo, we visited Mali, Senegal, Morocco, and we visited South Africa. In each and every country they are beginning the process of having more and more of their health professionals taking more and more of the responsibility of caring for people, testing people, and distributing the antiretrovirals, which lessens the

pressure on the budget of the United States of America. But I think it is important to recognize that a disease we feared was going to take much of the population of that continent—and ours, for that matter—10 years ago is now a disease that is being managed and being reduced, and over time, we hope, we will have a generation free of HIV/AIDS not only in America but around the world.

There is a troubling event happening on the continent of Africa and in Asia, and that is there are those who are taking the volunteers who come from our country and other organizations and actually stopping them from giving inoculations and vaccinations to the people. Pakistan, Afghanistan, and Nigeria are the last three countries on Earth where polio still exists. A few weeks ago, in the Congo, in Nigeria, nine workers were killed trying to give vaccinations to children in Nigeria because Islamic leaders in those countries had tried to tell them that in order to reduce the Arab population American donations of polio vaccine would in fact cause them to be impotent when they grew up. That is the farthest thing from the truth, but it is a wives' tale being told to eliminate or keep vaccinations from getting to the people who need them. In the country of Pakistan, since December 12, there have been five attacks on workers distributing vaccines trying to eliminate polio in Pakistan.

So as we celebrate the victories in terms of HIV/AIDS, polio, malaria, and other diseases, we have to also recognize there is still ignorance in some parts of the world that is prohibiting people who will ultimately get sick and die from getting the vaccines necessary to keep from contracting these difficult diseases. So I come to the floor today to recognize the great achievement of the American people in the war against AIDS on the continent of Africa, and the creation of PEPFAR by George W. Bush, but also to send out a warning to those trying to prohibit the vaccinations and the antiretrovirals from getting to the people who need them in Nigeria, Pakistan, and Afghanistan. Because one day we want a generation free of HIV/AIDS and disease not just on the continent of North America or the continent of Africa but around the world.

It is a tribute to the American medical community, the researchers and developers, the American people, and this Congress that the war on AIDS is still being engaged, and we are declaring victory after victory on the battlefield. One day we hope we will have a generation free of AIDS not just in America but around the world.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, what is the pending business before the Senate?

The PRESIDING OFFICER. The Senate is considering the Hagel nomination.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that I may speak as if in morning business for approximately 10 minutes.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

The Senator from Maryland.

SEQUESTRATION

Ms. MIKULSKI. Mr. President, I was so excited when I came in because I have a new desk in the Senate. With seniority, I have now moved to the row where giants in our institution once stood. This is the particular seat which just a few weeks ago was held by John Kerry.

Although my desk location is new, I come to the floor with what seems to be a persistent pattern in the Senate and in the Congress, which is that when faced with big problems that affect the fate of the Nation, let's delay, let's blame, and let's not get to the work the American people elected us to do.

I rise today to speak about sequester—something that was never, ever meant to happen. It came out of the dark days of the debt ceiling debacle in the summer of 2011 when we were facing a downgrade of the U.S. economy and a dysfunction of the Congress. In order to get us to the table, we came up with an agreement to have a supercommittee that would meet on both sides of the dome to come up with how we could begin to solve the serious fiscal issues facing the United States of America.

There was an insistence, yes, by one side of the aisle that we have a trigger. And, yes, the President looked back on history.

What we have now is a situation where we said what we would propose as a trigger if we didn't get our act together, which we have not. We would put into place something so serious, so Draconian, so unthinkable, so unworkable that we would solve the problems through regular order and find that sensible center Colin Powell has so often talked about. Well, the supercommittee collapsed—not because there weren't the great efforts of people such as Senators MURRAY and DURBIN and Members over at the House, such as Maryland's very own CHRIS VAN HOLLEN.

Then we were faced with New Year's Eve. We had put it off to New Year's Eve and after the election, and here we were—while people were wearing funny

hats all over America, we were doing funny things. And what did we do again? We put off sequester for 2 months—again not solving the problem.

Well, now we have a rendezvous. On March 1, sequester will happen.

I am opposed to sequester. I think it is bad policy for our country. It will hurt our economy. It will exacerbate the fragile job situation we have. It will affect not only government employees but those who work in private sector jobs because of the Federal Government.

I support what was originally intended: a balanced approach that would look at increased revenues—particularly plugging up tax loopholes, particularly getting rid of tax-break earmarks—along with strategic cuts in spending and a review of mandatory spending to see how else we could get more value for our dollar.

I am going to speak tomorrow about the impact on science, technology, innovation, and jobs. Today I want to speak about my own beloved State of Maryland and the people who work there.

Maryland is home not only to the Super Bowl champions but to Nobel Prize winners and also people who work every day to help create the jobs today and the jobs tomorrow.

I have the honor of representing 130,000 Federal employees.

They say: Wow, how many of them can we get rid of?

Well, why would we want to get rid of the people who work at the Social Security Administration? These are the people who calculate the eligibility for the benefits in regular Social Security and in disability.

Why would we want to get rid of anybody who works for the Food and Drug Administration, people who every day are analyzing clinical trials to see if they can be moved to pharmaceutical or biotech or medical device production, ensuring that when they come out into clinical practice, they are safe, they have efficacy, they can be taken by the American people, and we can export them around the world? Why would we want to get rid of anybody at FDA who is helping make sure our drug supply is safe?

How about the food inspectors? Right now, one of the turbo engines of my Eastern Shore economy is seafood production and poultry production. You can't have poultry production unless you have food inspectors. When we start laying off or furloughing food inspectors, it is going to affect those private sector jobs. If you don't have an inspector, you are not going to be able to have those companies working with the same level of production.

Hundreds of thousands more work because of the Federal Government, iconic contractors, particularly in defense and also at NASA Goddard, which

is our space science center. Yes, there are 3,000 civil servants, but there are also thousands of contractors. And what are they facing? Layoffs, furloughs, pay cuts, and lousy morale. What are they worried about? Their future. And they wonder whether they should give us another future. Make no mistake; we are not only going to hurt our economy, but there is an anti-incumbent fever developing around the country.

Now, as we look at solving the problems, there are those who want to protect lavish tax breaks or tax earmarks for a few. I want to stand up here for the many, not only the people who are multimillionaires or billionaires who can take a tax deduction on their corporate jets. I am for the people who are working every day right now to find a cure for Alzheimer's, to find a cure for autism, to find a cure for AIDS, to find help a cure for the arthritic, and most recently not only what is done by government but even what is done in private institutions. Within the last few weeks at Johns Hopkins University, under Federal help from the Veterans' Administration, on an American war veteran from Iraq who had lost both arms, Hopkins was able to perform surgery that did the first successful arm transplant. Doesn't that bring tears? That happened because of the genius of the Hopkins personnel, with financial help from the VA to do the kind of research to make sure that not only the surgery was a success but also that the autoimmune suppression was also.

This is what the American people want us to do to not only help that veteran, but what we learn through the VA will also then move into civilian clinical practice.

We have to come up with a solution where government is doing the job to help the American people with compelling human needs or America is doing the job that enables other people to keep their jobs or protect their livelihoods—for example, weather. People watch the Weather Channel and say: Isn't that Cantore great? I love Cantore. We even tweet each other from time to time. But Jim Cantore and the Weather Channel get a lot of their information from the National Oceanic and Atmospheric Administration. That is the agency in Maryland that runs the weather forecast for all of America, predicting hurricanes, tornadoes, and it also ties up with the global weather prediction system that protects our ships at sea—civilian, cargo, military—as well as whether airlines can fly or not.

When we look at our legislation we have to know that there are real consequences to those employees. The numbers sound like a lot, but their contribution to saving lives and saving livelihoods is enormous.

Then we look at compelling human need. Do the American people really

want to protect people not paying taxes on their second million over Head Start? If the sequester goes into effect, we are going to have a terrible effect on special education. Special education teachers would be affected, and it would be an across-the-board cut in education. The same with title I. Maryland would lose over \$14 million.

Federal law enforcement is something I know you are very keenly interested in, Mr. President. If the sequester goes into effect, it is going to affect over 1,000 Federal agents—at the FBI, at the Drug Enforcement Agency, at the Marshals Service. We don't know much about our Marshals Service. They are so quiet and efficient. Do you know what they do? They protect our judges at the Federal courthouses. You remember some got shot or wounded. It also serves warrants for runaway fugitives, and it also enforces the law on sexual predators in our country. Do we really want to furlough these men and women? I don't think so.

Then there is the FBI. The FBI is crucial not only in mortgage fraud, financial fraud, but now the world of cyber. Do you know, last year in America there were 300 bank robberies? That is a terrible number if you are one of those banks. But there were thousands of attacks by cyber on our American financial institutions, of which the FBI was prime time. Do we really want to lay them off? No, I don't think so.

There is another issue of safety, and that goes to aviation safety. I am deeply concerned about the cut in air traffic control with furloughs, layoffs, or asking even fewer to work longer hours. We cannot have it.

When we think about law enforcement, it also cuts Border Patrol. I am for comprehensive immigration reform, but I am also for protecting American borders. We now have 57,000 border control agents, a surprising number. If the sequester goes in, we could be forced to lay off or furlough 5,000 of them. Do you know what a furlough is? It says to someone who is going to be out there in the desert facing those who engage in the illegal traffic of people, guns, or drugs: While you are out there in that hot Sun, you are in harm's way, putting your life in danger, we are going to ask you only to work 4 days a week, and we are going to furlough you one-fifth of the time. To that border control agent being furloughed, that is a 20-percent cut.

I will say this: If the Federal employees are going to take a 20-percent cut and be furloughed, we should take a 20-percent cut. I think I should be treated like my Social Security employees, like my NIH employees working for cures, like FDA, the food inspectors, the people inspecting cargo coming into the Port of Baltimore or looking for illegal cargo coming into our airports. If they take a hit we should take

a hit, and I look forward to moving on that legislation.

I hope we do not get to that point—not for me to protect my pay, but to protect their future; to say, America, we believe in what you are doing, and we want to protect you so you can do your job for America instead of protecting all these breaks for billionaires.

People can say: Didn't we do the tax break thing New Year's Eve with BIDEN and MCCONNELL? Yes. It was a non-payment, but there are lots and lots of very juicy loopholes or tax breaks—tax breaks for sending jobs overseas, tax breaks for reductions on corporate jets.

Do we need those? Those are really earmarks. A tax earmark goes to people in a particular class, and it lasts indefinitely. While we are waiting for comprehensive tax reform, let's go after some of these and come up with a balanced approach for revenue.

Mr. President, I know you were a Governor so you know about bond ratings. In my State of Maryland and my large counties, they are going to be affected by sequester because as the Federal Government goes, Moody's rates our bond rating. Maryland could lose millions of dollars and have to pay high interest rates on bonds.

This is going to have a terrible impact, particularly in the area of school construction. It will cost hundreds if not thousands of jobs in not building schools we need or roads that need repair or water systems that need to be upgraded.

People say: Oh, well, that is government. That is the way it is. Mr. President, I want you to realize if in fact people begin to lose their jobs or get furloughed and lose a big part of their income, they are not going to be spending money in the local economy, the real economy. It also means they will not be giving to their charitable organizations. It is regrettable, but if you have less money to spend and you save it somewhere for your family, you are not going to be giving to the United Way, to that great Federal campaign.

The lab assistant at NIH who is facing losing her job is not going to give to her favorite charity. The customs official at Thurgood Marshall Airport is not going to have the same disposable income to make sure they give again to the United Way.

We have to stop sequester. Thursday I will be joining with my colleagues, my Democratic colleagues. We have a plan. Our plan is simple and straightforward: We come up with \$86 billion. Half of that is in revenue. What does that mean? It means we come up with money for the Buffett rule. It was argued by Warren Buffett when he said he should pay the same rate of taxes as his secretary.

What that means is that on his second million—not his first; we believe in entrepreneurship, the job creators, et

cetera. But on his second million he will pay the same rate as somebody who makes \$55,000 a year.

The other is we want to close a loophole sending jobs overseas. For too long we have rewarded exporting jobs while we should have a Tax Code that rewards export of products, whether it is that great pharmaceutical industry or art, protecting intellectual property, and so on.

We have come up with that, and then we have a cut in the farm subsidy program where we will no longer pay people not to plant. That will be about \$27 billion. Then, yes, we do cut defense, but that doesn't trigger until 2015 when our troops are home from Afghanistan. We never want to, through our budget problems, put our troops into harm's way.

I wanted to share what is going to happen. In my State we represent many great Federal iconic agencies that moved to Maryland in the early 1930s, 1940s, and 1950s when real estate was so high in Washington, DC. I am so proud of them. They win the Nobel prizes. They help us win the markets.

They are coming up with the new jobs, the new ideas for the new jobs for tomorrow. They are out there—for example, the Coast Guard—making sure the Chesapeake Bay is safe or they are dealing with our customs. Money is going to the University of Maryland, to Johns Hopkins, to not only help our veterans get new arms but to get a new life. Isn't that what the people want?

We can be more frugal. We have to be sensible, but let's not do sequester. It is bad money management, and we can do better. What we cannot do is continue to delay and put the entire burden on discretionary spending. Let's stand up, let's be counted, let's have a vote on Thursday. I do hope the Democratic alternative prevails.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, following my remarks I ask unanimous consent that the Senator from Arkansas, Mr. PRYOR, be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, before Senator MIKULSKI, the chair of the Appropriations Committee, leaves the floor, I want to thank her for her very hard work along with several colleagues putting together a plan that is a commonsense plan to avoid this sequester, these automatic, senseless spending cuts. It was not easy to do, but I think they figured out a way to pay for it, as she described, called the Buffett rule, which basically says to a multimillionaire: We think it is only fair that you pay the same effective tax rate as your secretary.

If you were to ask anyone on the street, any party—Republican, Democratic—if they think that is the right

way to go, I am convinced 90 percent of the people would say: Of course. I thank her. I know Senator Inouye is looking down and smiling because his successor, Senator MIKULSKI, is doing such a great job already.

I rise as a Senator from California. Senator FEINSTEIN and I represent 38 million people. Anything that happens around here comes down very hard on our State—or if it is a good thing, it is very good for our State. What we are facing is not a good thing, the sequester. It is a self-inflicted wound that will harm our economy.

I have to say, when I listened to Speaker BOEHNER over there—he is refusing to do anything about it. He says, and I will not quote him because it would be language not acceptable, but he basically said in the press, and it is written there—I urge everyone to see it—that the Senators ought to get off their “blank” and get to work and get something done.

I am proud to say we have an alternative to the sequester. Senator MIKULSKI laid it out. I believe we have a majority vote in this Senate for that plan.

I hope our colleagues will not filibuster. Let's have that up-or-down vote because when you are looking at job losses into the hundreds of thousands—and that is certainly true in my State and the country as a whole—no one should filibuster a plan that would stave off that pain.

How did we get to this place? In 2011 the Republicans decided to hold our country hostage over raising the debt ceiling. We know if we do not pay our bills—which is what the debt ceiling is about—this country is going to face default, and our credit rating is going to be lowered. Even though we finally resolved this thing at the eleventh hour, we still caused the downgrade the time before. This time we averted another downgrade, but it is very important that we remember why we got to this place of facing this sequester. The Republicans played games with the debt ceiling again.

Even though under Ronald Reagan, their hero—and, by the way, I think even Ronald Reagan would have a hard time getting into the Republican Party these days because Ronald Reagan said you should never play games with the debt; even talking about the debt is a problem. We raised the debt when Ronald Reagan was President; 18 times we raised the debt ceiling. But all of a sudden, when there is a Democratic President, they are playing games. That is wrong. Obviously, we didn't want to see another downgrade. We had already seen a delay the last time, which cost us \$1.3 billion, in borrowing costs alone.

In order to avert this, on August 2, 2011, we enacted the Budget Control Act. When it became law, we were within hours of defaulting on our

debts. The Budget Control Act allowed us to raise the debt ceiling, but on the condition that a “supercommittee” find \$1.2 trillion in cuts or force a trigger of across-the-board cuts known as sequestration.

Straight from my heart, I say this: No one thought the sequester would go forward. Everyone thought the pain to the economy would be so great that everybody would sit down and resolve it. But here is what is going on right now. Democrats say the way to resolve it and avert the sequester is to have dollar-for-dollar spending cuts and increases in revenues. Republicans say 100-percent spending cuts and they would prefer to do no defense cuts and have it all come out of education, transportation, medical research, law enforcement, the environment. That is what their plan was last year. So let's face it. No one thought we would get to this point, but we are at this point.

What is the choice? I think it is pretty clear what the choice is. It is the Democratic plan, which is a growing economy, versus the Republican plan, which is a sequester, which is a slowing economy. When I say that, I mean it.

Mark Zandi, who is one of the leading economists in the country, said if sequestration goes forward, it would cut a half of a point off our economic growth. What does that mean? It means jobs lost. I have to say, when I look at my State, this is not a pretty picture.

The Los Angeles Times, in an article by Ricardo Lopez and Richard Simon today, says: “California braces for impending cuts from Federal sequestration.” I ask unanimous consent this article be printed in the RECORD.

[From the Los Angeles Times, Feb. 25, 2013]

CALIFORNIA BRACES FOR IMPENDING CUTS FROM FEDERAL SEQUESTRATION

(By Ricardo Lopez and Richard Simon)

California's defense industry is bracing for a \$3.2-billion hit with the federal budget cuts that are expected to take effect Friday.

But myriad other federally funded programs also are threatened, and the combined effect is expected to slow the momentum that California's economy has been building over the last year.

As the state braces for pain from so-called sequestration, there are warnings of long delays at airport security checkpoints, potential slowdowns in cargo movement at harbors and cutbacks to programs, including meals for seniors and projects to combat neighborhood blight.

Despite the grim scenarios from local and state officials, economists say the cuts' overall blow to the economy would be modest, felt more acutely in regions such as defense-heavy San Diego and by Californians dependent on federal programs, such as college students who rely on work-study jobs to pay for school.

Critics say the cuts come at an inopportune time because the economic recovery in the U.S. and California is still weak.

“We need stimulus, not premature austerity,” Gov. Jerry Brown said during a break at the National Governors Assn. meeting in Washington.

Rep. John Campbell (R-Irvine) contends that critics of the cuts are exaggerating the effects.

"If we can't do this, what can we do" to reduce Washington's red ink, he asked. "We ought to be panicked about the day when people won't buy our debt anymore because we borrowed too much."

If automatic spending cuts occur as planned, the growth in the country's gross domestic product is likely to slow by 0.4 percentage points this year, from about 2% to 1.6%, economists said.

California's GDP would see a similar slowdown. The state stands to lose as much as \$10 billion in federal funding this year, according to Stephen Levy, director of the Center for Continuing Study of the California Economy in Palo Alto.

Levy said the more than \$1 trillion in cuts planned over the next decade include "items in the federal budget that invest for the future," such as support for research and clean energy, that particularly affect California because of its "innovation economy."

The ripple effects the cuts might have on business and consumer confidence—which would further dampen economic activity—remain to be seen, said Jason Sisney, a deputy at the state's nonpartisan Legislative Analyst's Office.

"We're at a point where gains in housing and construction markets have begun to take hold," Sisney said. "A slowdown from sequestration would come at just the moment that the economy was beginning to right itself."

Jerry Nickelsburg, a UCLA economist who writes a quarterly economic forecast on the Golden State, said the state's recent economic gains would provide a buffer against sequestration.

"California can absorb it," Nickelsburg said. "Will it slow economic growth? The answer is yes. Will it result in negative economic growth? I think the answer is no."

Los Angeles officials project that the city would lose more than \$100 million at a time when they're struggling to close a hole in the city's budget.

Douglas Guthrie, chief executive of the Los Angeles city housing authority, said Monday that rent subsidies to as many as 15,000 low-income families would be cut an average \$200 a month, forcing many families to search for less expensive housing. His agency also might face as many as 80 layoffs in an already reduced workforce.

But Guthrie said in a letter to the Los Angeles City Council that the housing authority must plan for the "painful consequences" of the federal budget cuts and is preparing to send warning notices to participants in the housing assistance program "as soon as we see that the cuts are made and there are no immediate prospects to resolve the budget crisis."

At Yosemite National Park, snow plowing of a key route over the Sierra would be delayed, ranger-led programs are likely to be reduced and the park would face "less frequent trash pickup, loss of campground staff, and reduced focus on food storage violations, all of which contribute to visitor safety concerns and increased bear mortality rates," according to the National Park Service.

Some programs, such as Social Security, would be spared from the \$85 billion in cuts nationwide due to kick in Friday. But defense programs are expected to be cut by about 13% for the remainder of the fiscal year and domestic spending by about 9%, according to the White House budget office.

The Obama administration sought Monday to highlight the effects close to home in an

effort to step up the pressure on Congress to replace across-the-board cuts with more targeted reductions and new tax revenue collected from taxpayers earning more than \$1 million a year.

The Los Angeles Unified School District is bracing for a loss of \$37 million a year in federal funding. Supt. John Deasy said Monday that he is sending a letter to the California congressional delegation warning about the "potential very grave impact" of the cuts on Los Angeles schools.

Rachelle Pastor Arizmendi, director of early childhood education at the Pacific Asian Consortium for Employment in Los Angeles, said she anticipated that the cuts would cost her agency \$980,000 in federal Head Start funding. That would force PACE to eliminate preschool for about 120 children ages 3 to 5.

"It's not just a number," she said. "This is closing down classrooms. This is putting our children behind when they're going to kindergarten."

The nonprofit serves about 2,000 children, providing most of them two meals a day in addition to preschool education. The cuts would mean PACE would have to lay off four of its 20 teachers, forcing the closure of eight Head Start classrooms, Arizmendi said.

Mrs. BOXER. Our Governor makes the point—he has a way of getting to the point: "We need stimulus, not premature austerity," said Gov. Jerry Brown.

The Republicans have become the austerity party and the Democrats have become the jobs party. I think people want jobs. There are still too many long-term unemployed. We have a stubbornly high unemployment rate. There is no question about it.

Jerry Nickelsburg, a UCLA economist who writes a quarterly economic forecast on the Golden State—my State—said: The State's recent economic gains would provide a buffer against sequestration, but would it slow economic growth? Yes. Why would we do something like this, a self-inflicted wound, when there is an easy way to get out of it, which is to put into place a rule that says on a person's second million dollars, once they get to that point, they are going to pay an effective tax rate equal to their secretary? Give me a break. This is the greatest country on Earth, and the people I know who live in California, for the most part, in the wealthy brackets are very happy to pay their fair share. They want to pay their fair share. They want to give back. They love this country. It gave them everything. A lot of them started with nothing.

So we have the two plans. The Democratic plan was outlined by Senator MIKULSKI and we are going to vote on it on Thursday. I pray to God it is not filibustered and a majority will rule and we will get it done. It will create a growing economy because it is a balanced plan with half cuts, half revenues.

Then there is a Republican plan which we don't know yet, but the one they passed in the House doubled down on the cuts to education, the environ-

ment, transportation, and left defense alone. That is not fair, and that is a sure way we are going to lose hundreds of thousands of jobs.

I wish to share a picture with my colleagues. I don't know if people can see this, but it is on the front page of the Washington Post and it is a picture of a shipyard worker. The look on his face I can only describe as frightened. As a matter of fact, when I saw the photo, without seeing what the story was about, I thought, This man is expecting some terrible gloom and doom to occur. And, yes, it is his fear that he will be laid off. He said his wife is pregnant and he doesn't have a second source of income in the family and he is desperate.

We just went through that. Why would we ever do it again? And people say to me, What is going to happen? How will I feel it back home? Will I have a longer wait at the airport? Yes, you might. Will I go to the National Park Service and it may be closed down? Yes. Will job training centers, some of them, shut down? Yes. There is a list of what will happen.

I ask unanimous consent to have printed in the RECORD a list of the consequences of the sequester cuts nationwide.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CONSEQUENCES OF SEQUESTER CUTS

TO EDUCATION

70,000 Children From Head Start
10,000 Teacher Jobs
7,200 Special Education Teachers
2,700 Schools From Receiving Title 1 Funds, Cutting Support for 1.2 Million Students

TO PUBLIC HEALTH

424,000 HIV Tests Conducted by CDC
25,000 Breast and Cervical Cancer Screenings
804,000 Outpatient Visits to Indian Health Service Hospitals and Clinics
2,100 Food Inspections
4 Million Meals Served to Seniors Through Programs Like Meals on Wheels
600,000 Women and Children From Receiving Nutrition Assistance
1,000 NSF Grants—Impacting 12,000 Scientists and Students
\$902 Million From SBA Loan Guarantees for Small Businesses

TO SECURITY AND SAFETY

1,000 FBI Agents and Other Law Enforcement Personnel
1,000 Criminal Cases From Being Prosecuted by U.S. Attorneys

Mrs. BOXER. We are looking at 70,000 children not being able to go to Head Start. We are looking at 10,000 teacher jobs. We are looking at 7,200 special ed teachers—we know those special ed teachers; they are angels from heaven who work with kids who can't even sometimes manage to get dressed in the morning by themselves.

Then: 2,700 schools won't receive title I funds, cutting support for 1.2 million children who need help learning to

read. Tell me, does this make sense, when all we have to do is ask someone earning a second million dollars to pay the same effective rate as a secretary? I don't get it.

How about 424,000 HIV tests conducted by the CDC won't happen, so someone is going to sneak through and give HIV to someone else? Really, that is not a smart thing. Twenty-five thousand breast and cervical cancer screenings will not take place, and some poor woman who might have had a chance to catch breast cancer at an early stage is thrown overboard. Eight hundred thousand outpatient visits to Indian hospitals and clinics. Food inspections. Just the time to cut back on food inspections. How about 4 million meals will be cut that would have been served to seniors through programs such as Meals-on-Wheels. Four million seniors won't get that. And what if they don't have a loving child to take care of them or what if they don't have a neighbor to take care of them? Six hundred thousand women and children won't receive nutrition assistance, and we have a lot of hungry people in this great country of ours; scientific grants to find cures for the diseases that plague our families, whether they are rich or poor or anywhere in the middle, to find the cures for Alzheimer's, to find the cures for diabetes. Small businesses that do so well when they get that little seed money—\$902 million cut from there.

Then, 1,000 FBI agents and other law enforcement personnel, and that is because we are just so safe in our communities. I have gone around my State and not one person ever came up to me and said, I want less enforcement in my neighborhood. It is just too much. It is too safe. Not one person ever told me, oh, don't bother checking my air or my water quality; I am just fine.

So if we take these cuts and we apply them to our States, we will find out what happens and it is not a pretty picture. Los Angeles alone could lose as much as \$115 million in Federal grants, just in the first 6 months of 2013. Community development, public safety, I have been through it.

We don't have to inflict this pain on the American people. Everything I said relates to jobs. All of those cuts, what do they mean? Real people who do real things in the community such as law enforcement, teaching our kids, et cetera, will lose their jobs, not to mention people in the Defense Department who are making sure we are always safe and ready. That is why we see the look on his face, because he is potentially one of those people.

In closing, I want to thank those who have put together a package for us, and I have a plea to my Republican friends: Do not filibuster this. Too many lives are at stake. Too many jobs are at stake. Put your plan forward, get a vote on it if you have a plan or if your

plan is to let sequester go through, let's see that vote again, and let us have our vote on our plan to avoid this pain and suffering people are going to feel.

I actually have one more point to make and then I will turn to my friend from Arkansas. We hear a lot of posturing from my Republican friends about how the Democrats are such big spenders and all they want to do is spend and tax and tax and spend. What party led the way to the first balanced budget in almost 30 years? I will give my colleagues a clue: It was not the Republican Party. It was the Democratic Party. When Bill Clinton was President, we not only balanced the budget but we left George W. Bush a surplus of \$281 billion.

By the way, I happened to be here when we voted on the budget plan and we did not have one vote to spare. We did it ourselves.

What did George W. Bush do with this huge surplus? He squandered it. He put two wars on the credit card, never paid for them; gave tax breaks to people who didn't need them, and handed President Obama a \$1.2 trillion deficit, which is now projected to be \$850 billion for 2013. It is going in the right direction under a Democratic President. We want to get that down and we can get that down, and we can work together to get that down, but we do not have to do this sequester. History has shown us the balanced approach we used when Bill Clinton was President of smart investments in things that help our people such as job training and education and lifting up our children, and making sure they don't go hungry—those kinds of investments pay off in a society.

We have 23 million jobs. Under George W. Bush, we lost jobs: George W. Bush, we lost jobs. And this President, our President who just got re-elected, is following the model of Bill Clinton: a balanced approach to deficit reduction, investments in things we need, cutting things we don't need, and working together.

I say if we don't learn from history, we are doomed to repeat it. We are coming out of the greatest recession since the Great Depression, and we cannot afford to have this sequester. We need to avert it, come together with a balanced plan of cuts and revenues, not just the cuts-only approach, the austerity approach of the Republicans.

I hope they don't filibuster our approach and let us have an up-or-down vote and pass this with a majority.

I thank my colleagues very much, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I thank my Senate colleague from California for her remarks and also want to finish one point she was making there at the

end. But before I do, Mr. President, I ask unanimous consent that the final 20 minutes prior to the vote be equally divided and controlled between Senators LEVIN and INHOFE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. I want to thank Senator BOXER for her comments on balancing the budget. One of the things we need to understand is that we can do this. It was not that long ago when President Clinton was elected and he focused on balancing the budget. He made it a priority of his administration. He made it a Democratic priority for the Democratic Party. They passed the Balanced Budget Act of 1993. It passed without one Republican vote in this Chamber and without one Republican vote in the House Chamber. But nonetheless it did pass. It probably caused some people some elections a couple years later, but nonetheless it was the right thing to do. It got us on the course to fiscal stability. It took 4 years, but we did balance the budget.

But there is one thing we also need to mention as we talk about that. One advantage Bill Clinton had that we have not had in the last few years is a robust, vibrant, and growing economy. He had the longest economic expansion in U.S. history. That did not happen by accident. That took a lot of work. It took a lot of bipartisan effort here in the U.S. Senate, there in the U.S. House of Representatives, and down at 1600 Pennsylvania Avenue. It had Governors working together. It had all of us working together to try to make sure we got the economy back on track because if the economy is growing, the revenues improve, and also your safety net programs are not hit nearly as hard.

So one of the things we need to focus on as a Congress—certainly as a Senate—is we need to focus on growing the U.S. economy. That brings me to my discussion today about sequestration.

When we look at the analysis on what sequestration could do to the U.S. economy, there could be 750,000 jobs lost in this economy. That is a .6 percent shrinkage of the economy by the end of this year. We are not talking about somewhere way down the road, out in the outyears. We are talking about at the end of this year it will have a negative impact on the U.S. economy. That is going to continue to hurt our debt and deficit problem. We need to do all we can to avoid this and to grow the U.S. economy. We need a growing U.S. economy. There should not be government policies that are shrinking the economy. We should be growing the economy.

I wish to say, if you look at the numbers for government employees—and I think a lot of the news media has focused on government employees. There has been a lot of discussion in the press conferences and there is all the blame

game that has been going on, and I want to talk about that in a few moments. But if you look at the numbers in the public sector—the Federal employees who will either be laid off or furloughed or for whatever reason will not be able to function—those are big numbers. But that only tells part of the story. In fact, that only tells a small part of the story because this sequester is going to harm the private sector much more than it harms the public sector.

This is something we should understand, that the American people should understand. I would hope the American people would insist we work together to get something done here in the next few days if possible, certainly in the next few weeks to avoid this sequester.

In my State of Arkansas, there are 91 poultry and meat processing facilities that will have to close their doors at least at some point because they do not have meat inspectors and food inspectors on site. That is 91 facilities. That is a lot of employees. We have employees at 52 Arkansas FSA offices. These are Department of Ag offices that are out around the counties to help people in the farming industry, to give them some government resources, advice, et cetera. Fifty-two of those offices are not going to close their doors, but they are going to have to furlough their employees. There is no doubt they will be at partial strength instead of full strength at a very critical time for farmers all over the State of Arkansas.

Also, we have an FDA facility there, the National Center for Toxicological Research, and it is going to be cut by an estimated \$3 million. Well, that facility is a nice little economic engine for that part of the State. That means when they cut it, it is going to have a negative ripple effect, an adverse ripple effect in that part of our State's economy.

I know in this Chamber and in this town there is a lot of discussion about making the government small and how we should cut the government and how the government should be lean and all that. Do you know what. A lot of that I do not disagree with. But I do think it is important for all of us, as responsible policymakers, to understand the reality that whether we like it or not—and many of us have philosophical disagreements on this; and I am not trying to get into that, but whether we like it or not, our government is very intertwined in the U.S. economy, our government is a critical part of the U.S. economy.

So you take something like the food industry—and I am chairman of the Appropriations Subcommittee on Agriculture—if you take something as basic as agriculture—something that may not be very sexy, that does not get a lot of headlines, that people do not think a lot about because we take it for granted in this country that we are

going to have a good, healthy, robust food supply, but that does not have to be the case. It certainly is not the case in most countries around the world. We are very spoiled. We are very fortunate in this country to have that. But the agricultural sector cannot function without the government.

Again, we have a safe food supply. We need inspectors out there to make sure that meat and other foods that are being processed get that USDA seal of approval—grade A, whatever it is. That means something. If we cannot know our food is safe, then we have diminished what it means to live in this country. We do not want to get into that. Let's avoid that. This is avoidable.

I know a lot of Arkansans, when I talk to them, say: Can't you all do something? Can't you work together? The answer is yes, we can work together. It is just a matter of political will. We have to make up our minds that is what we are going to do, that we are going to work together.

In 2011, we passed the Budget Control Act. Here again, I think the news media has not covered this a lot, has not explained this very well to most Americans. But one of the things the Budget Control Act of 2011 did, among other things, is it set spending caps for the Federal Government. So as back in the 1980s, when people worried about \$180 billion deficits—now we have much larger deficits than that, but back then in the 1980s, we put on the Gramm-Rudman spending caps and things such as that—Gramm-Rudman-Hollings—and there were other efforts over the years.

Well, that is what we have done with the Budget Control Act. We have spending caps for the next 10 years—now it is for the next 9 years when it comes to Federal spending. I think people do not always appreciate that because what they hear out of Washington—instead of people explaining what is going on and trying to help the American people understand what they get from Washington—is blame, blame, blame. I cannot count the number of press conferences we have had where one side has come out to blame the other side. I know some of the House Members just came out and blamed the Senate. Democrats are blaming Republicans. Republicans are blaming the President. The President is blaming the Congress. It goes on and on and on. It never stops. It is a dead-end street.

The truth is we voted for sequester. I do not care who came up with the idea, we voted for it. As we have talked about many times on this floor, the reason we put sequester in in the first place was because it was such a bad idea; it will be so hard to do; it does not make a lot of sense. But, nonetheless, it was to try to force our folks to get to a budget deal. It did not happen. But I think the important thing is, all Americans need to know everybody in

Washington owns this. You can blame all you want. You can have as many press conferences as you want, but everybody in Washington owns this. We need to own up to our responsibility as Congressmen and Senators and as the President and do what we can to not hurt this country.

Let me talk for a few more moments because I see one of my colleagues has arrived here. Let me say the sequestration, again, was an idea that was put together because they wanted it to be so painful that we would never get here. These are arbitrary cuts. You do not take into account the efficiency of programs, the effectiveness of programs. You do not take into account the merits of programs. You just cut across the board.

I think we probably will do some more cuts. We probably should do some more cuts. I think if you look at the Simpson-Bowles blueprint—that proposal a lot of us have talked about over the last couple years—they would probably look at that and look at the numbers and say we still need to do some cutting. But we also need some revenue. We still need to do that. But our cuts should be smart and they should be deliberate and they should increase the bang that the taxpayer gets for their buck. That is not what sequestration does. It does not achieve any of those goals.

One thing about the Department of Agriculture—here again, people need to understand this; we talk about this here in our committee rooms and whatnot, but I think a lot of times the message does not get out—agriculture funding has already been cut by 15 percent. There has already been a 15-percent cut to agriculture, starting in 2010 to today: 15 percent. I think it is unwise for us to cut an industry which is one of the core strengths of the U.S. economy.

If we look at the U.S. economy, there are a lot of things we do well. But there is no doubt at all we do agriculture better than anyone else in the world. There is not even a close second place. You innovate when it comes to agriculture. This is where you maximize crops. The United States of America is the gold standard for agricultural productivity and new technology and innovation and all these great things to make this country the breadbasket that it is. So why in the world are we going to cut, cut, cut agriculture? It does not make any sense.

Of course, rural America is struggling disproportionately. With the recession and all that has hit rural America, it is tough out there. Let me tell you, I come from a very rural State. It is tough. These cuts are going to harm rural America much more than they will harm urban America and suburban America. It is a fact of life. Again, that is another reason why we need to avoid this.

So in closing—I know I have one of my colleagues here who wishes to speak—let me get back to the meat inspectors. The Department of Agriculture says they may have to be furloughed for up to 15 days. That means you are going to have to temporarily close—maybe for a day at a time—6,000 processing plants nationwide. There are over 90 of those in Arkansas. Just in my State, that is going to have an impact on not those few government jobs, it is going to have an impact on 40,000 jobs in the private sector—40,000 jobs in the private sector—because of this.

It also is going to disrupt the efficiencies we have in the protein markets in this country. What that means is, prices are going to go up, people are going to pay more for their meat products at the grocery store and at the restaurant. This is not going to be a win for anybody. And I think you are going to see about \$400 million in industry wages that could be lost as a result. That is not going to help the U.S. economy.

Then you expand what the U.S. Department of Agriculture does beyond row crop and livestock-type agriculture. They do a lot in the area of clean water, fire and rescue vehicles in rural communities. They do community building in rural America—things such as hospitals, school construction. They do rental assistance programs, and a lot of these are for the poorest of the poor out there around our country. Again, it is going to disproportionately hurt these people who can least afford it.

I mentioned the U.S. Department of Agriculture, but also at the FDA, it seems to me almost every one of their employees around the country could be subject to these furloughs and these cuts and will be adversely affected.

Do we want to interrupt the gold standard we have with food and drugs in this country through the FDA? I would say no.

I think it is time for us to come together, to work together, to find a solution. I think one of the bits of good news we see in Washington is there is nothing wrong here that we cannot fix with some political will. I think that is what this is all about. It is a little bit of a test of wills right now, but I think there is no doubt we can fix this with some political will.

Mr. President, with that, I will yield the floor.

I see my colleague from Vermont is in the Chamber.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I thank my colleague from Arkansas for yielding.

When we talk about sequestration, when we talk about deficit reduction, it is important to put that discussion in a broader context. The broader con-

text needs to be, No. 1, what is the fairest way to move toward deficit reduction and what is the best approach in terms of economic policy making our country strong and creating jobs.

I fear very much the debate we are currently having has very little to do with financial issues. I believe it has a lot to do with ideology. It is all about economic winners and losers in our country. It is all about the power of big money. It is all about the soul of what America is supposed to be.

You may have noticed there was a poll done. I can't remember who did it, but it was consistent with all the other polls I have seen. They asked the American people: Are you concerned about deficit reduction? Do you think we should cut Social Security and Medicare? Overwhelmingly, Democrats said no, Republicans said no.

Yet here in the Congress, surrounded by lobbyists and campaign contributors who are very wealthy, that is where we are heading. We are heading toward a so-called chained CPI, which very few people outside the beltway understand. This will mean cuts, significant cuts in Social Security and in benefits for disabled veterans.

The American people say we think the wealthiest people in this country should help us with deficit reduction, protect the safety net.

In Congress, there is a fierce attack by the Republicans and some Democrats on the safety net. To a large degree, we are allowing large corporations, that are enjoying very low effective tax rates, to get away with what they are doing.

When we talk about who should help us with deficit reduction, we need to look at what is going on economically in the United States of America. We don't discuss this issue enough. We need more people coming down to the floor to talk about it. We have the most unequal distribution of wealth and income of any major country on Earth, and the gap between the very wealthy and everyone else is growing wider.

Today, the wealthiest 400 individuals in this country own more wealth than the bottom half of American people, 150 million people. You have 150 million here, you have 400 over there. Who do you think should pick up the burden of deficit reduction?

Should we go after children who are having a hard time getting the nutrition they need or seniors who can't afford prescription drugs? Yes, we could do that.

Is that a moral thing to do? No. Is that good economics? No.

Today, one family, the Walton family of Walmart, is probably the most major welfare beneficiary in America. So many of their low-paid employees are on Medicaid, food stamps or other Federal programs. This one family owns more wealth than the bottom 40 percent of the American people.

Do you know what we did a couple months ago? We gave the Walton family a tax break by expanding the estate tax.

Today, the top 1 percent owns 38 percent of all financial wealth—1 percent owns 38 percent. The bottom 60 percent owns less than 3 percent of all wealth.

What do we think? Do we want to go after the bottom 60 percent, families who are making \$25,000, \$30,000 a year, falling further and further behind? Do we want to take away the educational opportunities and the nutrition their kids can get? Yes, we may do it that way. Maybe it makes more sense to go after the top 1 percent who are doing phenomenally well.

Do you know what. The vast majority of Americans agree with that, but this Congress does not reflect the interests of the vast majority of the American people. It is not the American people who are funding the campaigns for Members of the Senate and the House. It is not the average American who has well-paid lobbyists all over this place.

As Warren Buffett has pointed out, the 400 richest Americans are now worth a record-breaking \$1.7 trillion, more than 5 times what they were worth two decades ago.

While the wealthiest people are becoming even richer, the Federal Reserve reported last year that median net worth for middle-class families dropped by nearly 40 percent from 2007 to 2010, dropped by 40 percent. That is the equivalent of wiping out 18 years of savings for the average middle-class family.

Whom do we go after? Do we think it makes any economic or moral sense to go after a middle class which is disappearing or maybe do we ask the wealthiest people in this country—who are doing phenomenally well—to help us with deficit reduction?

As bad as wealth inequality is, the distribution of income, what people make every year is even worse. It is an amazing statistic, and I hope everybody pays attention to this.

The last study on the subject of income distribution showed that from 2009 to 2011, the last study we have, 100 percent of all new income went to the top 1 percent, while the bottom 99 percent actually saw a loss in their income. In a sense it doesn't matter, given that incredible imbalance in income, what kind of economic growth we have. All the gains are going to go to the top 1 percent.

I have some friends over in the House, our Republican friends, who are saying: No, no, no. We can't ask these people to help us more with deficit reduction. I think that is very wrong.

When we are talking about how to reduce the deficit—and we all want to do that—we need to understand we can't get blood out of a stone. We can't ask people who are earning less and in

many cases working longer hours. We can't ask the 14 percent of Americans who are unemployed. If we add people who have given up looking for work and people who are working part-time, we cannot get blood out of a stone. As Willy Sutton the bank robber reminded us, you go where the money is. In this case, all the money and all the income gains are with the top 1 percent.

The other point that needs to be made is we need to ask the question of how we reached the place we are right now. No. 1, we need to ask who is best able to help us with deficit reduction. It is surely not the struggling middle class. It is surely not the disabled veterans and their families. It is surely not elderly people who can't afford prescription drugs. It is surely not kids who don't have enough to eat.

The second question we need to ask is how did we get to where we are today. Did this deficit just arrive yesterday?

I think we all remember that in the last year of the Clinton administration this country had a \$236 billion surplus, a surplus. The economists were projecting that the surplus would expand, expand, and expand.

What happened from the year 2000 to 2013 so that we went from a very significant surplus to a very serious deficit? That needs to be understood when we talk about sequestration and deficit reduction. The answer is, as everybody knows, we went to war in Iraq and Afghanistan. A strange thing happened. We forgot to pay for those two wars. When we go into two wars and we are taking care of all those veterans who have been hurt, that adds up to something like \$3 trillion by the time we take care of the last veteran, as we must.

During the Bush administration, we gave huge tax breaks to the wealthiest people in this country, didn't offset it. That adds up. We passed the Medicare Part D prescription drug program, didn't pay for that. That adds up.

Most important, because of the greed, recklessness, and illegal behavior on Wall Street, we were plunged into a major recession, high unemployment, businesses going under, less tax revenue coming into the Federal coffers.

I know my Republican friends say cut, cut, cut, cut benefits for disabled vets, cut Social Security, cut Medicaid, cut nutrition, cut Head Start. We could do it that way, but we should also understand that at 15.8 percent as compared to GDP, the percentage of GDP, our revenue is almost the lowest it has been in 60 years.

Yes, in the middle of a recession we are spending a lot of money making sure people don't go hungry, making sure people who lost their jobs have unemployment benefits, making sure people have affordable housing. It is true. What is also true is that at 15.8 per-

cent, as a percentage of GDP, our revenue is less, almost less than it has been in 60 years.

Today, not only are we seeing a growing gap between the very wealthy and everybody else, it is important to take a look at large corporations. When we do, we find that corporate profits are at an alltime high, while corporate income tax revenue as a percentage of GDP is near a record low. Profits are soaring, and the effective tax rate is near a record low.

In 2011, corporate revenue as a percentage of GDP was just 1.2 percent lower than any other major country in the OECD, including Great Britain, Germany, France, Japan, Canada, et cetera. Corporate revenue as a percentage of GDP is 1.2 percent lower than any other major country in the OECD. In 2011, corporations paid 12 percent of their profits in taxes, the lowest since 1972.

We have a choice. Do we go after the elderly? Do we go after the sick? Do we go after the children? Do we go after the poor or maybe do we say that when corporate profits are at a record level and their effective tax rate is the lowest since 1972, maybe we say to corporate America, hey, help us with deficit reduction.

The last figures we have seen on this issue is that in 2005, one out of four major corporations paid no income tax at all while they collected over \$1 trillion of revenue over that 1-year period.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SANDERS. Let me conclude by simply saying we are losing \$100 billion a year from tax havens in the Cayman Islands and elsewhere. There are ways to do deficit reduction without hurting the most vulnerable people in this society.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Before Senator SANDERS leaves, let me commend him. I didn't hear all his remarks, but I know the subject of his address, his remarks, was the fact corporations now contribute about 10 percent of the total revenue which comes into Uncle Sam. Years ago, it was about 50 percent, and then gradually it has come down to about where it is now.

The reason for that, mainly, is that there are a whole bunch of gimmicks and loopholes which have been inserted into our tax laws which need to be closed. If they can be closed, we would be able to avoid sequestration. That is how big the loopholes are.

I am not talking about deductions, which most people would say serve a useful purpose. Whether people agree with that purpose, at least deductions, as we generally understand deductions, serve some kind of a productive purpose. For instance, corporations get accelerated depreciation when they buy

equipment. That serves a very important purpose. It gives an incentive to buy equipment.

Even the oil and gas credit, which I don't support, nonetheless, the purpose of it is to give an incentive to explore and drill for oil and gas. Whether one agrees with that purpose, at least it is a purpose. When it comes to these loopholes and gimmicks which are used to shift revenues to tax havens, there is no useful purpose. The only purpose is taxable. Those are the loopholes which we can close, and those are the loopholes which it seems to me there ought to be broad bipartisan support to close. If we can close them, we can avoid sequestration. Again, that is how big these loopholes are.

I very much appreciate the reference by the Senator from Vermont to our Permanent Subcommittee on Investigations and the work we have been doing, and I very much appreciate the energy he brings to this effort. It ought to be bipartisan. Again, these kinds of loopholes are not what most people consider to be legitimate deductions but are a kind of tax-avoidance scheme that should not be in the law even if we had no deficit. I guess one of the critical differences between these kinds of tax-avoidance gimmicks and the ordinary deductions corporations take is the fact that the use of these and the abuse of these should be eliminated on a bipartisan basis.

So I would like to thank my friend. I wish I had caught the early part of his remarks, but that was not to be.

Ms. COLLINS. Mr. President, I rise today to discuss the President's nomination of former Senator Chuck Hagel to be Secretary of Defense.

I know Senator Chuck Hagel well from having served with him for many years in the Senate. We were sworn in as Senators on the same day and traveled to Iraq together in 2003 as part of the first Senate delegation there after the war began.

Senator Hagel's courageous military service deserves our praise and gratitude, and I know he cares deeply about our servicemembers. His experience as a soldier during the war in Vietnam is significant as the Senate considers his nomination to be Secretary of Defense, but, of course, it is but one factor that we must weigh in our consideration of him for this critical Cabinet post. Senator Hagel and I spent 90 minutes in my office discussing a wide range of issues, which I appreciated, and I reviewed carefully the lengthy Senate Armed Services Committee hearing on his nomination.

The next Secretary of Defense will be responsible for managing a massive bureaucracy, the defense budget, threats emanating from Iran, North Korea, and Islamist extremism, the withdrawal of

United States combat forces from Afghanistan, and an increasingly provocative Chinese military as well as personnel issues affecting those serving in uniform.

With regard to our servicemembers, I am confident that Senator Hagel would devote the necessary attention to address the horrendous rate of sexual assault in the military and would work to reduce the unacceptable, record high number of suicides among our troops.

As the coauthor with former Senator Joe Lieberman of the law that repealed the military's "Don't Ask, Don't Tell" policy that barred openly gay people from serving in the military, I am now satisfied that Senator Hagel is committed to implementing this law fully.

We also discussed the specter of sequestration, which would lead to irresponsible cuts that would cripple our readiness and capability to project power on land, air, and sea. Senator Hagel reiterated Secretary Leon Panetta's position that such meat-ax cuts would be disastrous and catastrophic to our national security and economy.

In addition, I understand Senator Hagel's overall philosophy on the need to exercise caution before deploying military forces. Such restraint, at times, can provide a valuable voice of caution to temper the impulse to exercise America's significant military edge.

Nevertheless, several critical issues loom large as I contemplate the threats facing our national security and consider Senator Hagel's nomination. These issues include the proliferation of terrorism, the threat of a nuclear-armed Iran and the reality of a nuclear-armed North Korea, an increasingly dangerous and unstable Middle East that threatens our national interests and our ally Israel, and the possibility of deep and indiscriminate cuts in the defense budget that would undermine America's strength and security.

While Osama bin Laden is dead and al-Qaida has suffered significant losses in Afghanistan and Pakistan, violent Islamist extremism has metastasized to other regions around the world, particularly to the countries in North Africa. The terrorist attack in Benghazi left four Americans dead, including Ambassador Chris Stevens, and an attack killed three Americans at an Algerian gas facility. AQAP's top bombmaker is still at large, and Hezbollah and Hamas continue to rearm in Lebanon and Gaza. Hundreds of rockets have been fired from Gaza into Israel, the vast majority fortunately stopped by the highly effective Iron Dome.

Senator Hagel's views on these critical threats are unsettling to me. For example, with regard to Hezbollah, Senator Hagel was unwilling to ask the European Union to designate Hezbollah as a terrorist organization in 2006. While 88 other Senators, including

then-Senators Obama and Clinton, supported this reasonable request, Senator Hagel did not. Hezbollah has the blood of more Americans on its hands than any other terrorist organization besides al-Qaida, yet Senator Hagel refused to urge the EU to call Hezbollah what it is—a terrorist organization.

Senator Hagel has explained to me that he had a principle of not sending correspondence to foreign leaders because he believes the President, not Congress, conducts foreign policy. Indeed, in January 2009, former Senator Hagel did sign an ill-advised letter counseling Barack Obama to spearhead direct, unconditional talks with Hamas—a position that President Obama wisely chose to disregard.

Senator Hagel's general principle of abstaining from sending letters to foreign leaders on policy matters did not, however, preclude him from signing a 2007 letter to the Prime Minister of Vietnam to encourage efforts to bring the Peace Corps to that country. If expanding the Peace Corps' presence warrants an exception to Senator Hagel's policy of not sending letters to foreign leaders, I cannot fathom why a matter as grave and as clear as a request to the EU to name Hezbollah a terrorist group would not warrant a similar exception.

When it comes to the prospect of a nuclear-armed Iran, the American people have been told for several years that Iran is 18 to 24 months away from having the capability to build a nuclear weapon. I fear that we are truly within that time window as I speak today. A nuclear-armed Iran would have grave consequences for the United States and would pose an existential threat to the State of Israel. The prospect of a nuclear-armed Iran could also fuel the most significant proliferation of nuclear weapons in the Middle East since the dawn of the nuclear age. Thus, Senator Hagel's votes, statements, and views on this grave threat matter a great deal.

What concerns me as much as his repeated reluctance previously to leave all options on the table is his past hesitancy to exercise all of the non-military options, such as unilateral sanctions, that are the primary peaceful means of inducing Iran to cease its nuclear weapons program and allow for International Atomic Energy Agency inspections.

Senator Hagel supports multi-lateral sanctions contending that they work better and has opposed unilateral sanctions. Certainly, in an ideal world, multi-lateral sanctions can be more effective, and I welcome other countries that wish to join the United States in adopting sanctions. But the United States' imposition of sanctions—even if we were to act virtually alone—not only helps to disrupt Iran's nuclear program but also demonstrates moral leadership.

In the last Congress, I introduced legislation to make shipping classification societies choose between doing business with Iran or with the United States Coast Guard. It was a unilateral effort. I did not have the authority to make this change at the U.N. Initially, these organizations thought it would be business as usual. As the bill moved through Congress and now that the bill is law, none of them continues to work with Iran. That's just one example of an effective unilateral action.

Particularly concerning to me is a press report that Senator Hagel thwarted an effort in 2008 to pass sanctions against Iran that was supported by more than 70 Senators. The Department of Defense contends that Senator Hagel joined other Republican Senators in holding the Iran Sanctions bill due to concerns they and the Bush administration had on how to impose the most effective sanctions on Iran. According to the Department, his disagreement was not with the objectives of the bill, but was a vote based on its effectiveness at that time.

I am not, however, aware of any other Republican Senator blocking that bill. Furthermore, it does not matter who else may have been involved because no one but Senator Hagel is the President's nominee to be the Secretary of Defense.

We are at a moment in history when there can be no reservation, hesitancy, or opposition to enact any and all sanctions that could change Iran's calculus regarding its pursuit of nuclear weapons.

We are seeing a major transformation in the Middle East. The United States' interests in this region are vital: trade through the Suez Canal, the availability of energy resources, the security of Israel, the prevention of Iran developing a nuclear weapon, and the future of Syria which has the potential to destabilize the region.

Will we be resolute and stand by our friends and allies, even during this tumultuous time? In our partnership with Israel, there is an opportunity for the United States to demonstrate that we stand by our allies even when the neighborhood looks more dangerous than it has in decades.

Unfortunately, I am concerned that Senator Hagel's nomination would send the wrong message at the wrong time to our allies and adversaries around the world about the resolve of the United States. It is telling and disturbing that when I asked Senator Hagel what he believed were the greatest threats facing our country, he identified the resource shortage that could result from the addition of two billion more people during the next couple decades as near the top of his list. While there no doubt will be tremendous challenges associated with this development, his response concerned

me when I consider all of the enormous near-term threats facing our country.

In my judgment, Islamist terrorism, a nuclear-armed North Korea and potentially a nuclear-armed Iran, an unstable and chaotic Middle East, cyber attacks, Chinese provocations, and budget constraints will likely consume the attention of our country's national security leaders during the next 4 years. I believe a vote in favor of Senator Hagel would send the wrong signal to our military, the American people, and to the world about America's resolve regarding the most important national security challenges of our era.

I am unable to support Senator Hagel to be the next Secretary of Defense because I do not believe his past positions, votes, and statements match the challenges of our time, and his presentations at his hearing did nothing to ease my doubts. I regret having to reach that conclusion given our personal relationship and my admiration for Senator Hagel's military service. But I have concluded that he is not well-suited for the tremendous challenges our country faces during this dangerous era in our history.

As I announce my decision to cast my vote in opposition to Senator Hagel's nomination, let me address one final question: Should this nomination, which causes me such great concern, be filibustered? As a general rule, I believe a President has the right to choose the members of his Cabinet, and only in extraordinary circumstances should such a nomination be filibustered. I oppose Senator Hagel's nomination, but I cannot join in a filibuster to block each Senator's right to vote for or against him.

I wish that President Obama had made a different choice for this critical position, but he is entitled to have this nominee receive a direct vote on the Senate floor. And I, for one, will vote against the nomination of Chuck Hagel to be Secretary of Defense.

Mr. COCHRAN. Mr. President, I support the confirmation of our former colleague and my friend, Chuck Hagel, to serve as Secretary of Defense.

Providing advice and consent on a nomination for the President's Cabinet is one of the Senate's most significant constitutional responsibilities, particularly in the case of the Secretary of Defense. It is a very serious responsibility because no duty is more important than preserving the safety and security of our Nation and its people.

I believe this nominee has the knowledge and ability to carry out the duties of this important office. Chuck Hagel feels strongly that the United States should be the most capable military power in the world. He also believes the United States must continue to be committed to Israel's security and its ability to defend its borders.

At a time when our adversaries continue to increase their arsenals of

rockets and missiles and to develop medium- and long-range ballistic missiles that threaten our security, the security of our deployed forces, and the security of our friends and allies, it is imperative that we continue to develop, field, and maintain a robust missile defense capability. I know Senator Hagel is supportive of these efforts, and I will be pleased to join with him in further advancing these priorities.

Senator Hagel is a decorated Vietnam veteran, a successful entrepreneur, Deputy Administrator of the Veterans' Administration, President and CEO of the USO, and a two-term United States Senator. Throughout his distinguished career in public service, Senator Hagel has proven himself to be a fair, intelligent and courageous leader of good character and integrity.

I am confident that Senator Hagel will serve with distinction as Secretary of Defense.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the nomination of former Senator Chuck Hagel to be our next Secretary of Defense. He is eminently qualified for the position and possesses an exemplary record of service to this country. I strongly believe that a President is entitled to his cabinet selections unless there is something in an individual's record or background that is disqualifying. And there is nothing in Senator Hagel's background that is disqualifying. He is a veteran, he has been a successful CEO, and he has served at highest levels of the legislative and executive branches.

I served with Senator Hagel during his two terms in the U.S. Senate—including his service on the Senate Intelligence Committee from 2003–2008. I found him to be a knowledgeable and independent voice with a strong grasp of the pressing national security issues facing our country. Those of us who served with him know Senator Hagel's story well. His career began as a sergeant in the U.S. Army in Vietnam where he served with distinction and earned two Purple Hearts. Indeed, as an enlisted man, he has seen the true costs of war. He understands that the use of military force should always be a last resort and should only be undertaken with a clear strategy, clear mission and the resources to get the job done. He understands that we have a solemn obligation to take care of our returning veterans and the families and loved ones of those who gave the ultimate sacrifice. As we emerge from over 10 years of war in Iraq and Afghanistan that is the kind of leadership we need at the Department of Defense and, more importantly, that is the kind of leadership the men and women in uniform deserve. They will take pride in the fact that Senator Hagel will be the first enlisted man and the first Vietnam veteran to head the Department.

Chuck also served as President and Chief Executive Officer of the USO and as the Deputy Administrator of the Veterans Administration during the Reagan administration, where he fought to ensure that our veterans received the benefits they earned, including assistance for those suffering from Agent Orange. He then went on to the private sector where he co-founded VANGUARD Cellular Systems, a leading cellular carrier in the U.S. Most recently, he co-chaired the President's Intelligence Advisory Board.

Now, it is no secret that Senator Hagel has his critics, but let us take a closer look at who has endorsed his nomination.

A bi-partisan group of 13 former Secretaries of State, Secretaries of Defense, and National Security Advisors from the Reagan, George H.W. Bush, Clinton, and George W. Bush administrations sent a letter to the Senate expressing their support for Senator Hagel to be the next Secretary of Defense arguing that he is "uniquely qualified to meet the challenges facing the Department of Defense and our men and women in uniform." They continued:

Our extensive experience working with Senator Hagel over the years has left us confident that he has the necessary background to succeed in the job of leading the largest federal agency.

He has also received endorsements from 11 senior retired military leaders, over fifty Ambassadors and statesmen, and numerous veterans' organizations. A group of ten former U.S. Ambassadors—including four former Ambassadors to Israel—argued that:

We can think of few more qualified, more non-partisan, more courageous or better equipped to head the Department of Defense at this critical moment in strengthening America's role in the world.

The group of retired Generals and Admirals from the Army, Air Force, Marines, and Navy—including General Anthony Zinni, General Brent Scowcroft, and Admiral William Fallon—went even further. In an open letter, they argued that Senator Hagel "would be a strong leader" as the next Pentagon chief and that he's "eminently qualified for the job." But, more importantly, they believe that he understands the challenges that our warfighters face and is the person who can best lead the Pentagon.

And, even with all the accusations about Senator Hagel's views on Israel, Israeli Foreign Minister Danny Ayalon said that "[Senator Hagel] certainly regards Israel as a true and natural U.S. ally."

Clearly, those of us here in the Senate who support Senator Hagel's nomination are not alone in believing he will make a fine Secretary of Defense and will serve our nation, once again, with distinction.

Make no mistake, difficult challenges lie ahead. We are transitioning

out of Afghanistan, but its future remains uncertain, and the threat of global terror endures, particularly in North Africa. We are on the verge of seeing massive cuts to the Pentagon's budget due to sequestration, which will negatively impact readiness and the defense industrial base. The nuclear programs of Iran and North Korea move forward, and new tests and provocations continue, including in areas such as cybersecurity.

In my view, Senator Hagel has the insight, experience, and know-how to take on this daunting agenda and help protect American lives and U.S. national security interests. I look forward to supporting his nomination as the next Secretary of Defense, and I urge my colleagues to do the same.

Mr. LEVIN. Mr. President, is the remainder of the time reserved for the Hagel nomination or is it just open?

The PRESIDING OFFICER. It is. There is 20 minutes, with 10 minutes on each side.

Mr. LEVIN. And the vote is to take place at 4:30?

The PRESIDING OFFICER. Yes.

Mr. LEVIN. And the time is evenly divided?

The PRESIDING OFFICER. I think it is safe to say that is accurate.

Mr. LEVIN. Mr. President, 5 weeks ago Senator Hagel was warmly introduced at his nomination hearing by two former chairmen of the Senate Armed Services Committee, Senator Sam Nunn and Senator John Warner, who represent the best bipartisan tradition of the Senate and our committee. As a matter of fact, the Presiding Officer, Senator MANCHIN, was present at the time when that presentation was made by Senators Nunn and Warner, and he was a witness to how powerful their testimony in support of Senator Hagel was.

Senator Nunn told the committee:

I believe that our Nation is fortunate to have a nominee for Secretary of Defense with the character, the experience, the courage, and the leadership that Chuck Hagel would bring to this position.

He said:

There are many essential characteristics and values that a Secretary of Defense should possess in our dangerous and challenging world.

And he named a few of them, including someone who sets aside fixed ideology and biases to evaluate all options and then provides his or her candid judgment to the President and to the Congress. He also named this characteristic: someone who pays attention to people with the best ideas regardless of their party affiliation.

And then Senator Warner said:

Folks, there is an old saying in the combat Army infantry and Marine Corps. "Certain men are asked to take the point," which means to get out and lead in the face of the enemy. Chuck Hagel did that as a sergeant in Vietnam. If confirmed, Chuck Hagel will do it again, this time not before a platoon,

but before every man and woman and their families in the Armed Services.

Facing Senator Hagel, he said this:

You will lead them. And they will know in their hearts we have one of our own.

Earlier today the Senate acted in a bipartisan fashion in voting to end the filibuster of this nomination by a very substantial vote.

If confirmed, Senator Hagel would be the first former enlisted man and the first veteran of the Vietnam war to serve as Secretary of Defense. This background gives Senator Hagel an invaluable perspective not only with respect to the difficult decisions and recommendations a Secretary of Defense must make regarding the use of force and the commitment of U.S. troops overseas but also with respect to the day-to-day decisions a Secretary must make to ensure that our men and women in uniform and their families receive the support and assistance they need and deserve.

Our country faces major challenges. Abroad, we face challenges from Afghanistan, where the Department of Defense faces key decisions about the pace of the drawdown between now and the end of 2014, decisions about the size and the composition of a residual force, and decisions about the terms and conditions for our ongoing presence in Afghanistan after 2014.

Elsewhere overseas, we face the ongoing threat of Iran's nuclear weapons program, the destruction and instability caused by Syria's civil war, and the outgrowth of al-Qaida affiliates in ungoverned regions, including Yemen, Somalia, and north Africa.

We also face extremely difficult issues here at home. We have been warned that sequestration and a year-long continuing resolution risk creating a hollow force and could confront our military leaders with the untenable choice between sending troops into harm's way without adequate training and equipment or being unable to take on certain missions at all. The Chairman of the Joint Chiefs of Staff has described the impact of this budget crisis on the Department of Defense as a 10 on a scale of 1 to 10.

Now as much as anytime in the recent past, our men and women in uniform need a Secretary of Defense to guide them through difficult situations around the world and to defend their interests here at home. The President needs a Secretary of Defense in whom he has trust, who will give him unvarnished advice, a person of integrity and one who has a personal understanding of the consequences of decisions relative to the use of military force.

It is time to end the uncertainty relative to the leadership at the Pentagon. The time has come to now confirm Chuck Hagel as our next Secretary of Defense, and I hope the Senate will, on a bipartisan basis, soon do exactly that.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the Senate advise and consent to the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Ms. WARREN). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 24 Ex.]

YEAS—58

Baldwin	Harkin	Paul
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johanns	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Shelby
Casey	Leahy	Stabenow
Cochran	Levin	Tester
Coons	Manchin	Udall (CO)
Cowan	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	
Hagan	Nelson	

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Collins	Isakson	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

NOT VOTING—1

Lautenberg

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Washington.

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

SEQUESTRATION

Mrs. MURRAY. Madam President, one of my colleagues recently said something that, after a week at home with my constituents, I am sure we are all feeling. Referring to the across-the-board cuts from sequestration that are just days from going into effect, he said: "When it's in your State or your backyard, it's devastating." I think that is exactly right. They would be devastating for our families, our national defense, and our economy.

But these cuts can be avoided if Congress comes together on a balanced replacement. We should replace the sequestration in a balanced way, and then we should move forward on a fair, comprehensive budget deal that provides certainty for our families and businesses.

I know my constituents in Washington State want to see a deal because if we are unable to find a fair replacement for sequestration, everything, from our military bases to our schools, is going to be affected. Twenty-nine thousand local civilian defense employees could be furloughed. Thousands of Washington students could lose access to Head Start services and basic education resources. One thousand workers cleaning up dangerous nuclear material at the Hanford nuclear site could be furloughed for weeks. And Washington State's military bases could face hundreds of millions in cuts to crucial areas such as new aircraft acquisition, research and development, flying hours, and ship operations.

We are days away from allowing these kinds of impacts to begin in every one of our home States. We never should have reached this point, but there is no denying that we have. We are days away from sequestration because my Republican colleagues continue to insist that while it is fine to cut programs that families and communities depend on, the wealthiest Americans shouldn't have to make any further contributions to deficit reduction.

The last few years have been very difficult ones for bipartisanship, but I truly believe all of us know there is a smarter way to reduce our debt and

deficit. We can do better than throwing up our hands and permitting these across-the-board cuts to go into effect. And we know the American people deserve better.

That is exactly why Democrats have put forward a credible, responsible plan to replace sequestration. Our legislation builds on the precedent set in the yearend deal, and it is in line with the balanced approach the American people favor. It would replace half of the first year of sequestration with responsible spending cuts and half of it with revenue from those who can afford it the most. Our bill calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as our middle-income families pay, and it would eliminate needless tax breaks for oil and gas companies and companies shipping jobs overseas. At the same time, our replacement package would make responsible cuts. Our bill would eliminate direct payments to farmers which have been paid out even during good times and for crops farmers weren't even growing. As the drawdown from Afghanistan is completed, our bill will make adjustments to our military that are in line with a strong 21st-century strategy.

Our legislation meets the Republicans halfway. It will protect families and communities we represent from slower economic growth, fewer jobs, and weakened national defense. It would allow us to move past sequestration toward working on a fair, comprehensive budget deal that provides certainty for American businesses and families.

My Republican colleagues will say that the yearend deal closed the door on using revenue to bring down the deficit. They will say that all we need is spending cuts. That is not how the American people see it. More than a month after the yearend deal, 76 percent of Americans and 56 percent of Republicans favored a combination of spending cuts and revenue increases to reduce our deficit. House Republicans have put forward a plan that does the exact opposite. They passed a bill—last Congress, I might add—that would replace only the automatic defense cuts. It would force struggling, hard-working families and seniors to bear the burden of deficit reduction. Their bill didn't even include a penny of new revenue, and it is unclear if it would even be able to pass the House this Congress if they brought it up for a vote.

What the House Republicans offered, in other words, was more of the same extreme and partisan approach that has led American families and our economy from one crisis to another crisis to another. It is what we saw actually when Republicans held up funding for the Federal Aviation Administration, stalling airport construction projects and putting tens of thousands of workers' jobs at risk. It is what we

saw during the debt ceiling debate when tea party Republicans held our economy hostage, fighting for fiscal policies that economists across the spectrum said were hugely irresponsible. It is what we saw less than 2 months ago when Republicans waited until the very last minute to protect 98 percent of Americans from income tax hikes.

This strategy, which puts a wrong-headed ideology above American families and our economy, just doesn't work. And Republicans' latest strategy—to just let sequester happen—is even worse. In fact, as tea party Republicans in the House cheer on the sequester, here is what is being produced by companies in States all across the country. This is called a "warn notice," but that is just Washington-talk for what it really is. It is a layoff notice or a furlough notice. If Republicans choose to block a balanced approach to replace the sequester, this is what is going to begin arriving in a matter of days at the doorsteps of workers in our country. This piece of paper, which looks like this, is going to spell serious economic setbacks for our families, for their ability to send their kids to college, and for the economy of their communities. This will be the consequence of Republicans' complete unwillingness today to compromise.

I think we can all agree our workers should not have to worry about political posturing, putting their jobs at risk. Businesses should not have to think about elected officials holding the economy hostage to advance extreme ideology. And families should not have to wonder one month what their paychecks will look like the next month, just because of a debate here in Washington, DC.

So I wish to ask my Republican colleagues to seriously—seriously—consider our proposal. Replacing the sequester with evenly divided spending cuts and revenues—a balanced approach that Americans support—would put us on a path to end this pattern of governing by crisis for all our constituents. That will allow us to get to work on a long-term budget agreement that is fair to the middle class, that gets our debt and deficit under control, and reflects the values and priorities of the American people.

The American people want a balanced deal. They want us to manage our finances. They want us to put together a budget and move forward. We want to do that. We want to get out of this "crisis by crisis." The program we are offering to replace the sequester for this year will allow us to get back to that process and begin to manage our country in a better way.

So I hope our Republican colleagues join us in this and help us move to a place where we can assure the American public that we do care about their future and their finances and the fragile economy we are now facing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

TRIBUTE TO RAMONA LESSEN

Mr. CORKER. Madam President, I came to the U.S. Senate in 2006, and I was the only new Republican elected to the Senate that year. Many people considered that a great accomplishment. But my greatest accomplishment of 2006 was convincing Ramona Lessen—who is sitting with us today—to put off retirement for a few more years and stay on as my scheduler and executive assistant. And after 6 years in Washington, I know without a doubt that the biggest success of my first term is that Ramona did not fire me—until now.

Ramona is retiring this week after 34 years. I am told that she violated child labor laws by starting work when she was 5 years old.

Ramona came to the Senate in 1979 to work for Senator Larry Pressler from her native South Dakota. She worked for Senator Pressler for 16 years, plus 2 more when he was in the House.

When Ramona began working in the Senate in 1979, Jimmy Carter was President, Robert Byrd was the majority leader, and Howard Baker was the Republican leader. And probably most relevant to Ramona, ESPN started broadcasting, Post-It notes were invented, and one of the most popular songs was Gloria Gaynor's "I Will Survive." She has not only survived but thrived in the U.S. Senate for more than three decades.

In 1994, she took another new Tennessee Senator named Bill Frist under her wing. She worked for Senator Frist for 12 years. And then, in 2006, I convinced her to work in our office for just 1 year. That year has turned into 6.

In that time, Ramona has learned a lot about me, but I have learned a whole lot about her. I have learned that Ramona loves music. In fact, her first job was as a high school band director. She is a great piano player. She has played the piano in my home and at staff gatherings. She plays for her church. Ramona loves country music, and I think that is a big reason she has adopted Tennessee as her second home State.

I have learned that it is not too hard to know where you stand with Ramona. Occasionally, I will make a request or a suggestion, and Ramona responds with a certain expression—it is a polite term for a look of disapproval. I know exactly where I stand and sometimes—candidly, often—I recalibrate my position or request.

I have learned that Ramona is a huge sports fan. If the Masters or the U.S. Open is on, I am not going to interrupt her. She also loves football, and that is appropriate because I have also learned that she is a master of the audible.

In 2008, I was heavily involved in an effort to bring Volkswagen's U.S. production facility to Chattanooga. Just before one of the final meetings in Tennessee, a plane full of decisionmakers was stuck on the tarmac in Germany without clearance to land in the United States—some kind of paperwork issue. Anybody who has been involved in a major recruitment effort knows that in something like this, even a small glitch can be a major setback. The Volkswagen folks called me. I talked with Ramona. I am not entirely sure what she did, but I know it was all totally legal and aboveboard. At one point, she was sitting there jockeying several phone calls on the switchboard and literally talking the plane off the runway in Germany. What I do know for sure is that the Volkswagen executives landed in the United States highly impressed with Ramona Lessen. And shortly thereafter they chose Chattanooga for their U.S. production facility.

That was a home run, no doubt. But I think Ramona's greatest contribution is her ability to make a staff a family and an office a home. Ramona makes sure we are celebrating each other—babies being born, people getting married, and life in general. At Christmas-time, she makes sure the office is decorated and filled with Christmas music. Her favorite moments in the office are when someone brings in a baby or a child. That child learns quickly, as we all do, that Ramona keeps a basket of candy on her desk. And there is a good chance that child's picture is on Ramona's cherished bulletin board. Her loud, infectious laugh is a staple at staff gatherings. It will be sorely missed.

There is a memorable scene in the movie "The Queen" where Queen Elizabeth tells Prime Minister Tony Blair: "You are my tenth Prime Minister, Mr. Blair." I am proud to have been Ramona Lessen's third Senator. Senators come and go, but for 34 years Ramona Lessen has been a constant in the Senate. The Senate is better for it. Our country and Tennessee are better for it. I know Senator Pressler and Senator Frist are better for it. Our staffs are better for it. And I am better for it.

Ramona, I thank you for taking pity on a new Senator and for showing me the ropes over the past 6 years. I thank you for your friendship. I wish you and Joe the very best in the years to come. I know when the time comes, Tennessee, your second home State, will welcome you to retirement with open arms.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BLACK HISTORY MONTH

Mr. BROWN. Throughout this month, students across my State, across Ohio, are reciting speeches by Sojourner Truth, Frederick Douglass, and Dr. Martin Luther King, Jr., to commemorate Black History Month.

Dr. Carter Woodson started what was originally called Negro History Week in February between the birthdays of President Abraham Lincoln and Frederick Douglass. Dr. Woodson initiated the weeklong tribute to incorporate the legacies, images, and historical contributions of African Americans into the greater American story.

Today, people throughout the United States celebrate African-American History Month to ensure all American stories are recognized. Ohio has been the scene for which many of these chapters were written.

In Mount Pleasant, OH, the first antislavery gazette newspaper in the United States, the Philanthropist, was published in 1817. The Ohio Anti-Slavery Society was founded in Zanesville in 1835. My home State has played a rich role in American history, as have so many Ohioans.

Every new U.S. passport includes the words of a formerly enslaved Oberlin College graduate Dr. Anna Julia Cooper. If you have a passport, you will see her words:

The cause of freedom is not the cause of a race or a sect, a party or a class—it is the cause of humankind, the very birthright of humanity.

In Yellow Springs, OH, a young music student at Antioch College, Coretta Scott, would later work alongside her husband, Dr. Martin Luther King, for social and economic justice in our country.

Former Wilberforce University student Bayard Rustin was the lead strategist of the 1963 March on Washington for Jobs and Freedom.

The only living American with a Nobel Prize in Literature, Toni Morrison, was born and raised in Lorain, OH.

Akronite Rita Dove served as the Poet Laureate of the United States.

Today, in classrooms and communities across the State—and across the Nation—the next generation of Ohioans is starting to make its mark on American history.

ELIMINATING OLYMPIC WRESTLING

Mr. BROWN. Madam President, I rise in support of a great sport with a great tradition in our Nation, especially in Ohio. Unfortunately, the sport of wrestling may be put on the sidelines at the Olympic games.

Citing "an effort to ensure the Olympic games remain relevant to sports

fans of all generations," the International Olympic Committee—the organization that controls the Olympics—voted to eliminate wrestling from the summer games after the 2016 Olympics. They want to end wrestling, one of the original Olympic games, while keeping other games that, frankly, lack the central role wrestling has played in its accessibility to all athletes wherever they live.

Many of these are young people who lack access. Many of them want and do compete in wrestling at the high school level, the intercollegiate level or perhaps at the Olympic level but lack access to fancy equipment or specialized training. They simply want to compete at a sport perhaps almost as old as humanity.

Wrestling has opened doors for working and middle-class youngsters from Ohio and around the country. That is why I recently introduced a Senate resolution opposing the elimination of wrestling from the Olympics beginning in 2020. On behalf of thousands of high school students and two 2012 Olympians with Ohio connections, I am asking the Olympics committee to reconsider putting a stranglehold on one of the original Olympic sports.

Wrestling has been a sport far longer than the International Olympic Committee has been in existence. In addition to the ancient Egyptians and Greeks and Romans, our Nation has a long history with wrestling. President Lincoln was a wrestler, and two Ohio-born Presidents, Ulysses S. Grant and William Howard Taft, were wrestlers. One of our former colleagues—beloved in many ways—my friend Paul Wellstone of Minnesota was inducted into the National Wrestling Hall of Fame in 2000.

At the time of his induction, he said:

Wrestling has always been a big thing for me. I've had a love affair with the sport for most of my life. It helped me as a kid. I got in some trouble, then I found a sport I was good at, and that transferred to better things in other areas.

The same is true for some 11,000 high school wrestlers and students at 4 universities with 17 NCAA wrestling programs in my home State. From youth wrestling camps to high school meets such as the renowned J.C. Gorman Invitational in my hometown of Mansfield, to the NCAA tournaments, students from Ohio learn the strength, the discipline, and focus that allow grapplers to exceed both on the mat and beyond.

Wrestling is accessible for working-class athletes, unlike some of the sports protected in the IOC's decision. Wrestling has a proud tradition in my State, in the United States, and has a proud tradition around the world. The IOC should not ratify this preliminary decision by its executive board. It should continue its efforts to remain relevant for all athletes and communities around the world.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 388—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 18, S. 388.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 18, S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 18, S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

Harry Reid, Barbara A. Mikulski, Patty Murray, Sheldon Whitehouse, Mark Begich, Kirsten E. Gillibrand, Jack Reed, Sherrod Brown, Patrick J. Leahy, Robert P. Casey, Jr., Richard J. Durbin, Jeanne Shaheen, Richard Blumenthal, Benjamin L. Cardin, Charles E. Schumer, Barbara Boxer, Debbie Stabenow.

Mr. REID. I ask that the quorum call under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

RULES OF PROCEDURE

Mr. LEVIN. Madam President, pursuant to the requirements of paragraph 2 of Rule XXVI of the Standing Rules of the Senate, I ask unanimous consent to have printed in the RECORD the rules of the Committee on Armed Services.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE COMMITTEE ON ARMED SERVICES

1. REGULAR MEETING DAY—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. ADDITIONAL MEETINGS—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. SPECIAL MEETINGS—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. OPEN MEETINGS—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. PRESIDING OFFICER—The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. QUORUM—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. PROXY VOTING—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. ANNOUNCEMENT OF VOTES—The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. SUBPOENAS—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. HEARINGS—(a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee.

All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. NOMINATIONS—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. REAL PROPERTY TRANSACTIONS—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than \$50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. LEGISLATIVE CALENDAR—(a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. POWERS AND DUTIES OF SUBCOMMITTEES—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous

scheduling of full Committee and subcommittee meetings or hearings whenever possible.

SELECT COMMITTEE ON INTELLIGENCE

RULES OF PROCEDURE

Mrs. FEINSTEIN. Madam President, the Select Committee on Intelligence has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SAXBY CHAMBLISS, I ask unanimous consent that a copy of the Committee Rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE SELECT COMMITTEE ON INTELLIGENCE

RULE 1. CONVENING OF MEETINGS

1.1. The regular meeting day of the Select Committee on Intelligence for the transaction of Committee business shall be every other Tuesday of each month, unless otherwise directed by the Chairman.

1.2. The Chairman shall have authority, upon notice, to call such additional meetings of the Committee as the Chairman may deem necessary and may delegate such authority to any other member of the Committee.

1.3. A special meeting of the Committee may be called at any time upon the written request of five or more members of the Committee filed with the Clerk of the Committee.

1.4. In the case of any meeting of the Committee, other than a regularly scheduled meeting, the Clerk of the Committee shall notify every member of the Committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, D.C. and at least 48 hours in the case of any meeting held outside Washington, D.C.

1.5. If five members of the Committee have made a request in writing to the Chairman to call a meeting of the Committee, and the Chairman fails to call such a meeting within seven calendar days thereafter, including the day on which the written notice is submitted, these members may call a meeting by filing a written notice with the Clerk of the Committee who shall promptly notify each member of the Committee in writing of the date and time of the meeting.

RULE 2. MEETING PROCEDURES

2.1. Meetings of the Committee shall be open to the public except as provided in paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

2.2. It shall be the duty of the Staff Director to keep or cause to be kept a record of all Committee proceedings.

2.3. The Chairman of the Committee, or if the Chairman is not present the Vice Chairman, shall preside over all meetings of the Committee. In the absence of the Chairman and the Vice Chairman at any meeting, the ranking majority member, or if no majority member is present the ranking minority member present, shall preside.

2.4. Except as otherwise provided in these Rules, decisions of the Committee shall be

by a majority vote of the members present and voting. A quorum for the transaction of Committee business, including the conduct of executive sessions, shall consist of no less than one third of the Committee members, except that for the purpose of hearing witnesses, taking sworn testimony, and receiving evidence under oath, a quorum may consist of one Senator.

2.5. A vote by any member of the Committee with respect to any measure or matter being considered by the Committee may be cast by proxy if the proxy authorization (1) is in writing; (2) designates the member of the Committee who is to exercise the proxy; and (3) is limited to a specific measure or matter and any amendments pertaining thereto. Proxies shall not be considered for the establishment of a quorum.

2.6. Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the Committee.

RULE 3. SUBCOMMITTEES

Creation of subcommittees shall be by majority vote of the Committee. Subcommittees shall deal with such legislation and oversight of programs and policies as the Committee may direct. The subcommittees shall be governed by the Rules of the Committee and by such other rules they may adopt which are consistent with the Rules of the Committee. Each subcommittee created shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman, respectively.

RULE 4. REPORTING OF MEASURES OR RECOMMENDATIONS

4.1. No measures or recommendations shall be reported, favorably or unfavorably, from the Committee unless a majority of the Committee is actually present and a majority concur.

4.2. In any case in which the Committee is unable to reach a unanimous decision, separate views or reports may be presented by any member or members of the Committee.

4.3. A member of the Committee who gives notice of intention to file supplemental, minority, or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than three working days in which to file such views, in writing with the Clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report.

4.4. Routine, non-legislative actions required of the Committee may be taken in accordance with procedures that have been approved by the Committee pursuant to these Committee Rules.

RULE 5. NOMINATIONS

5.1. Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least 14 days before being voted on by the Committee.

5.2. Each member of the Committee shall be promptly furnished a copy of all nominations referred to the Committee.

5.3. Nominees who are invited to appear before the Committee shall be heard in public session, except as provided in Rule 2.1.

5.4. No confirmation hearing shall be held sooner than seven days after receipt of the background and financial disclosure statement unless the time limit is waived by a majority vote of the Committee.

5.5. The Committee vote on the confirmation shall not be sooner than 48 hours after the Committee has received transcripts of the confirmation hearing unless the time limit is waived by unanimous consent of the Committee.

5.6. No nomination shall be reported to the Senate unless the nominee has filed a background and financial disclosure statement with the Committee.

RULE 6. INVESTIGATIONS

No investigation shall be initiated by the Committee unless at least five members of the Committee have specifically requested the Chairman or the Vice Chairman to authorize such an investigation. Authorized investigations may be conducted by members of the Committee and/or designated Committee staff members.

RULE 7. SUBPOENAS

Subpoenas authorized by the Committee for the attendance of witnesses or the production of memoranda, documents, records, or any other material may be issued by the Chairman, the Vice Chairman, or any member of the Committee designated by the Chairman, and may be served by any person designated by the Chairman, Vice Chairman or member issuing the subpoenas. Each subpoena shall have attached thereto a copy of S. Res. 400 of the 94th Congress, and a copy of these rules.

RULE 8. PROCEDURES RELATED TO THE TAKING OF TESTIMONY

8.1. NOTICE.—Witnesses required to appear before the Committee shall be given reasonable notice and all witnesses shall be furnished a copy of these Rules.

8.2. OATH OR AFFIRMATION.—At the direction of the Chairman or Vice Chairman, testimony of witnesses shall be given under oath or affirmation which may be administered by any member of the Committee.

8.3. INTERROGATION.—Committee interrogation shall be conducted by members of the Committee and such Committee staff as are authorized by the Chairman, Vice Chairman, or the presiding member.

8.4. COUNSEL FOR THE WITNESS.—(a) Any witness may be accompanied by counsel. A witness who is unable to obtain counsel may inform the Committee of such fact. If the witness informs the Committee of this fact at least 24 hours prior to his or her appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain such counsel will not excuse the witness from appearing and testifying.

(b) Counsel shall conduct themselves in an ethical and professional manner. Failure to do so shall, upon a finding to that effect by a majority of the members present, subject such counsel to disciplinary action which may include warning, censure, removal, or a recommendation of contempt proceedings.

(c) There shall be no direct or cross-examination by counsel. However, counsel may submit any question in writing to the Committee and request the Committee to propound such question to the counsel's client or to any other witness. The counsel also may suggest the presentation of other evidence or the calling of other witnesses. The Committee may use or dispose of such questions or suggestions as it deems appropriate.

8.5. STATEMENTS BY WITNESSES.—Witnesses may make brief and relevant statements at the beginning and conclusion of their testimony. Such statements shall not exceed a reasonable period of time as determined by the Chairman, or other presiding members. Any witness required or desiring to make a

prepared or written statement for the record of the proceedings shall file a paper and electronic copy with the Clerk of the Committee, and insofar as practicable and consistent with the notice given, shall do so at least 48 hours in advance of his or her appearance before the Committee.

8.6. OBJECTIONS AND RULINGS.—Any objection raised by a witness or counsel shall be ruled upon by the Chairman or other presiding member, and such ruling shall be the ruling of the Committee unless a majority of the Committee present overrules the ruling of the chair.

8.7. INSPECTION AND CORRECTION.—All witnesses testifying before the Committee shall be given a reasonable opportunity to inspect, in the office of the Committee, the transcript of their testimony to determine whether such testimony was correctly transcribed. The witness may be accompanied by counsel. Any corrections the witness desires to make in the transcript shall be submitted in writing to the Committee within five days from the date when the transcript was made available to the witness. Corrections shall be limited to grammar and minor editing, and may not be made to change the substance of the testimony. Any questions arising with respect to such corrections shall be decided by the Chairman. Upon request, the Committee may provide to a witness those parts of testimony given by that witness in executive session which are subsequently quoted or made part of a public record, at the expense of the witness.

8.8. REQUESTS TO TESTIFY.—The Committee will consider requests to testify on any matter or measure pending before the Committee. A person who believes that testimony or other evidence presented at a public hearing, or any comment made by a Committee member or a member of the Committee staff, may tend to affect adversely that person's reputation, may request to appear personally before the Committee to testify or may file a sworn statement of facts relevant to the testimony, evidence, or comment, or may submit to the Chairman proposed questions in writing for the cross-examination of other witnesses. The Committee shall take such action as it deems appropriate.

8.9. CONTEMPT PROCEDURES.—No recommendation that a person be cited for contempt of Congress or that a subpoena be otherwise enforced shall be forwarded to the Senate unless and until the Committee has, upon notice to all its members, met and considered the recommendation, afforded the person an opportunity to oppose such contempt or subpoena enforcement proceeding either in writing or in person, and agreed by majority vote of the Committee to forward such recommendation to the Senate.

8.10. RELEASE OF NAME OF WITNESS.—Unless authorized by the Chairman, the name of any witness scheduled to be heard by the Committee shall not be released prior to, or after, appearing before the Committee. Upon authorization by the Chairman to release the name of a witness under this paragraph, the Vice Chairman shall be notified of such authorization as soon as practicable thereafter. No name of any witness shall be released if such release would disclose classified information, unless authorized under Section 8 of S. Res. 400 of the 94th Congress or Rule 9.7.

RULE 9. PROCEDURES FOR HANDLING CLASSIFIED OR COMMITTEE SENSITIVE MATERIAL

9.1. Committee staff offices shall operate under strict precautions. At least one United States Capitol Police Officer shall be on duty at all times at the entrance of the Committee to control entry. Before entering the

Committee office space all persons shall identify themselves and provide identification as requested.

9.2. Classified documents and material shall be stored in authorized security containers located within the Committee's Sensitive Compartmented Information Facility (SCIF). Copying, duplicating, or removing from the Committee offices of such documents and other materials is prohibited except as is necessary for the conduct of Committee business, and in conformity with Rule 10.3 hereof. All classified documents or materials removed from the Committee offices for such authorized purposes must be returned to the Committee's SCIF for overnight storage.

9.3. "Committee sensitive" means information or material that pertains to the confidential business or proceedings of the Select Committee on Intelligence, within the meaning of paragraph 5 of Rule XXIX of the Standing Rules of the Senate, and is: (1) in the possession or under the control of the Committee; (2) discussed or presented in an executive session of the Committee; (3) the work product of a Committee member or staff member; (4) properly identified or marked by a Committee member or staff member who authored the document; or (5) designated as such by the Chairman and Vice Chairman (or by the Staff Director and Minority Staff Director acting on their behalf). Committee sensitive documents and materials that are classified shall be handled in the same manner as classified documents and material in Rule 9.2. Unclassified committee sensitive documents and materials shall be stored in a manner to protect against unauthorized disclosure.

9.4. Each member of the Committee shall at all times have access to all papers and other material received from any source. The Staff Director shall be responsible for the maintenance, under appropriate security procedures, of a document control and accountability registry which will number and identify all classified papers and other classified materials in the possession of the Committee, and such registry shall be available to any member of the Committee.

9.5. Whenever the Select Committee on Intelligence makes classified material available to any other committee of the Senate or to any member of the Senate not a member of the Committee, such material shall be accompanied by a verbal or written notice to the recipients advising of their responsibility to protect such materials pursuant to section 8 of S. Res. 400 of the 94th Congress. The Security Director of the Committee shall ensure that such notice is provided and shall maintain a written record identifying the particular information transmitted and the committee or members of the Senate receiving such information.

9.6. Access to classified information supplied to the Committee shall be limited to those Committee staff members with appropriate security clearance and a need-to-know, as determined by the Committee, and, under the Committee's direction, the Staff Director and Minority Staff Director.

9.7. No member of the Committee or of the Committee staff shall disclose, in whole or in part or by way of summary, the contents of any classified or committee sensitive papers, materials, briefings, testimony, or other information in the possession of the Committee to any other person, except as specified in this rule. Committee members and staff do not need prior approval to disclose classified or committee sensitive information to persons in the Executive branch, the

members and staff of the House Permanent Select Committee on Intelligence, and the members and staff of the Senate, provided that the following conditions are met: (1) for classified information, the recipients of the information must possess appropriate security clearances (or have access to the information by virtue of their office); (2) for all information, the recipients of the information must have a need-to-know such information for an official governmental purpose; and (3) for all information, the Committee members and staff who provide the information must be engaged in the routine performance of Committee legislative or oversight duties. Otherwise, classified and committee sensitive information may only be disclosed to persons outside the Committee (to include any congressional committee, Member of Congress, congressional staff, or specified non-governmental persons who support intelligence activities) with the prior approval of the Chairman and Vice Chairman of the Committee, or the Staff Director and Minority Staff Director acting on their behalf, consistent with the requirements that classified information may only be disclosed to persons with appropriate security clearances and a need-to-know such information for an official governmental purpose. Public disclosure of classified information in the possession of the Committee may only be authorized in accordance with Section 8 of S. Res. 400 of the 94th Congress.

9.8. Failure to abide by Rule 9.7 shall constitute grounds for referral to the Select Committee on Ethics pursuant to Section 8 of S. Res. 400 of the 94th Congress. Prior to a referral to the Select Committee on Ethics pursuant to Section 8 of S. Res. 400, the Chairman and Vice Chairman shall notify the Majority Leader and Minority Leader.

9.9. Before the Committee makes any decision regarding the disposition of any testimony, papers, or other materials presented to it, the Committee members shall have a reasonable opportunity to examine all pertinent testimony, papers, and other materials that have been obtained by the members of the Committee or the Committee staff.

9.10. Attendance of persons outside the Committee at closed meetings of the Committee shall be kept at a minimum and shall be limited to persons with appropriate security clearance and a need-to-know the information under consideration for the execution of their official duties. The Security Director of the Committee may require that notes taken at such meetings by any person in attendance shall be returned to the secure storage area in the Committee's offices at the conclusion of such meetings, and may be made available to the department, agency, office, committee, or entity concerned only in accordance with the security procedures of the Committee.

RULE 10. STAFF

10.1. For purposes of these rules, Committee staff includes employees of the Committee, consultants to the Committee, or any other person engaged by contract or otherwise to perform services for or at the request of the Committee. To the maximum extent practicable, the Committee shall rely on its full-time employees to perform all staff functions. No individual may be retained as staff of the Committee or to perform services for the Committee unless that individual holds appropriate security clearances.

10.2. The appointment of Committee staff shall be approved by the Chairman and Vice Chairman, acting jointly, or, at the initiative of both or either be confirmed by a ma-

jority vote of the Committee. After approval or confirmation, the Chairman shall certify Committee staff appointments to the Financial Clerk of the Senate in writing. No Committee staff shall be given access to any classified information or regular access to the Committee offices until such Committee staff has received an appropriate security clearance as described in Section 6 of S. Res. 400 of the 94th Congress.

10.3. The Committee staff works for the Committee as a whole, under the supervision of the Chairman and Vice Chairman of the Committee. The duties of the Committee staff shall be performed, and Committee staff personnel affairs and day-to-day operations, including security and control of classified documents and material, shall be administered under the direct supervision and control of the Staff Director. All Committee staff shall work exclusively on intelligence oversight issues for the Committee. The Minority Staff Director and the Minority Counsel shall be kept fully informed regarding all matters and shall have access to all material in the files of the Committee.

10.4. The Committee staff shall assist the minority as fully as the majority in the expression of minority views, including assistance in the preparation and filing of additional, separate, and minority views, to the end that all points of view may be fully considered by the Committee and the Senate.

10.5. The members of the Committee staff shall not discuss either the substance or procedure of the work of the Committee with any person not a member of the Committee or the Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, either during their tenure as a member of the Committee staff or at any time thereafter, except as directed by the Committee in accordance with Section 8 of S. Res. 400 of the 94th Congress and the provisions of these rules, or in the event of the termination of the Committee, in such a manner as may be determined by the Senate. The Chairman may authorize the Staff Director and the Staff Director's designee, and the Vice Chairman may authorize the Minority Staff Director and the Minority Staff Director's designee, to communicate with the media in a manner that does not divulge classified or committee sensitive information.

10.6. No member of the Committee staff shall be employed by the Committee unless and until such a member of the Committee staff agrees in writing, as a condition of employment, to abide by the conditions of the nondisclosure agreement promulgated by the Select Committee on Intelligence, pursuant to Section 6 of S. Res. 400 of the 94th Congress, and to abide by the Committee's code of conduct.

10.7. As a precondition for employment on the Committee staff, each member of the Committee staff must agree in writing to notify the Committee of any request for testimony, either during service as a member of the Committee staff or at any time thereafter with respect to information obtained by virtue of employment as a member of the Committee staff. Such information shall not be disclosed in response to such requests except as directed by the Committee in accordance with Section 8 of S. Res. 400 of the 94th Congress and the provisions of these rules or, in the event of the termination of the Committee, in such manner as may be determined by the Senate.

10.8. The Committee shall immediately consider action to be taken in the case of any member of the Committee staff who fails

to conform to any of these Rules. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff.

10.9. Within the Committee staff shall be an element with the capability to perform audits of programs and activities undertaken by departments and agencies with intelligence functions. The audit element shall conduct audits and oversight projects that have been specifically authorized by the Chairman and Vice Chairman of the Committee, acting jointly through the Staff Director and Minority Staff Director. Staff shall be assigned to such element jointly by the Chairman and Vice Chairman, and staff with the principal responsibility for the conduct of an audit shall be qualified by training or experience in accordance with accepted auditing standards.

10.10. The workplace of the Committee shall be free from illegal use, possession, sale, or distribution of controlled substances by its employees. Any violation of such policy by any member of the Committee staff shall be grounds for termination of employment. Further, any illegal use of controlled substances by a member of the Committee staff, within the workplace or otherwise, shall result in reconsideration of the security clearance of any such staff member and may constitute grounds for termination of employment with the Committee.

10.11. All personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, handicap, or disability.

RULE 11. PREPARATION FOR COMMITTEE MEETINGS

11.1. Under direction of the Chairman and the Vice Chairman designated Committee staff members shall brief members of the Committee at a time sufficiently prior to any Committee meeting to assist the Committee members in preparation for such meeting and to determine any matter which the Committee member might wish considered during the meeting. Such briefing shall, at the request of a member, include a list of all pertinent papers and other materials that have been obtained by the Committee that bear on matters to be considered at the meeting.

11.2. The Staff Director and/or Minority Staff Director shall recommend to the Chairman and the Vice Chairman the testimony, papers, and other materials to be presented to the Committee at any meeting. The determination whether such testimony, papers, and other materials shall be presented in open or executive session shall be made pursuant to the Rules of the Senate and Rules of the Committee.

11.3. The Staff Director shall ensure that covert action programs of the U.S. Government receive appropriate consideration by the Committee no less frequently than once a quarter.

RULE 12. LEGISLATIVE CALENDAR

12.1. The Clerk of the Committee shall maintain a printed calendar for the information of each Committee member showing the measures introduced and referred to the Committee and the status of such measures; nominations referred to the Committee and their status; and such other matters as the Committee determines shall be included. The Calendar shall be revised from time to time to show pertinent changes. A copy of each such revision shall be furnished to each member of the Committee.

12.2. Measures referred to the Committee may be referred by the Chairman and/or Vice

Chairman to the appropriate department or agency of the Government for reports thereon.

RULE 13. COMMITTEE TRAVEL

13.1. No member of the Committee or Committee Staff shall travel abroad on Committee business unless specifically authorized by the Chairman and Vice Chairman. Requests for authorization of such travel shall state the purpose and extent of the trip. A full report shall be filed with the Committee when travel is completed.

13.2. No member of the Committee staff shall travel within this country on Committee business unless specifically authorized by the Chairman and Vice Chairman.

RULE 14. CHANGES IN RULES

These Rules may be modified, amended, or repealed by the Committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken.

APPENDIX A

S. RES. 400, 94TH CONG., 2D SESS. (1976)

Resolved, That it is the purpose of this resolution to establish a new select committee of the Senate, to be known as the Select Committee on Intelligence, to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs. In carrying out this purpose, the Select Committee on Intelligence shall make every effort to assure that the appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interests of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2. (a)(1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of not to exceed fifteen Members appointed as follows:

- (A) two members from the Committee on Appropriations;
- (B) two members from the Committee on Armed Services;
- (C) two members from the Committee on Foreign Relations;
- (D) two members from the Committee on the Judiciary; and
- (E) not to exceed seven members to be appointed from the Senate at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the President pro tempore of the Senate upon the recommendations of the majority and minority leaders of the Senate. Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.

(3)(A) The majority leader of the Senate and the minority leader of the Senate shall be ex officio members of the select committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(b) At the beginning of each Congress, the Majority Leader of the Senate shall select a chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time serve as chairman or ranking minority member of any other committee referred to in paragraph 4(e)(1) of rule XXV of the Standing Rules of the Senate.

(c) The select Committee may be organized into subcommittees. Each subcommittee shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.

SEC. 3. (a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) Intelligence activities of all other departments and agencies of the Government, including, but not limited to, the intelligence activities of the Defense Intelligence Agency, the National Security Agency, and other agencies of the Department of Defense; the Department of State; the Department of Justice; and the Department of the Treasury.

(4) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence activities.

(5) Authorizations for appropriations, both direct and indirect, for the following:

(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(C) The Defense Intelligence Agency.

(D) The National Security Agency.

(E) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(F) The intelligence activities of the Department of State.

(G) The intelligence activities of the Federal Bureau of Investigation.

(H) Any department, agency, or subdivision which is the successor to any agency named in clause (A), (B), (C) or (D); and the activities of any department, agency, or subdivision which is the successor to any department, agency, bureau, or subdivision named in clause (E), (F), or (G) to the extent that the activities of such successor department, agency, or subdivision are activities described in clause (E), (F), or (G).

(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1), (2), (5)(A), or (5)(B) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter

and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consideration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be automatically discharged from further consideration of such proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation was sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from further consideration of such proposed legislation unless the Senate provides otherwise.

(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not in session.

(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accordance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.

(c) Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this resolution shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the Senate to obtain full and prompt access to the product of the intelligence activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

SEC. 4. (a) The select committee, for the purposes of accountability to the Senate, shall make regular and periodic, but not less than quarterly, reports to the Senate on the nature and extent of the intelligence activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the Senate or to any other appropriate committee or committees of the Senate any matters requiring the attention of the Senate or such other committee or committees. In making such report, the select committee shall proceed in a manner consistent with section 8(c)(2) to protect national security.

(b) The select committee shall obtain an annual report from the Director of National Intelligence, the Director of the Central In-

telligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence activities of the agency or department concerned and the intelligence activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence activities.

(c) On or before March 15 of each year, the select committee shall submit to the Committee on the Budget of the Senate the views and estimates described in section 301(c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

SEC. 5. (a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make investigations into any matter within its jurisdiction, (2) to make expenditures from the contingent fund of the Senate, (3) to employ personnel, (4) to hold hearings, (5) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (6) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (7) to take depositions and other testimony, (8) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (9) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) Subpoenas authorized by the select committee may be issued over the signature of the chairman, the vice chairman or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or any member signing the subpoenas.

SEC. 6. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the Senate (including the jurisdiction of the Select Committee on Ethics) and of such committee as to the security of such information during and after the period of his employment or contractual agreement with such committee; and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of National Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of National Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 7. The select committee shall formulate and carry out such rules and procedures

as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 8. (a) The select committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section.

(b)(1) In any case in which the select committee votes to disclose publicly any information which has been classified under established security procedures, which has been submitted to it by the Executive branch, and which the Executive branch requests be kept secret, such committee shall—

(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the Majority Leader and the Minority Leader and the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the committee that he objects to the disclosure of such information, provides his reasons therefore, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or the select Committee, by majority vote, may refer the question of the disclosure of such information to the Senate for consideration.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the Senate under paragraph (3), the Chairman shall not later than the first day on which the Senate is in session following the day on which the vote occurs, report the matter to the Senate for its consideration.

(5) One hour after the Senate convenes on the fourth day on which the Senate is in session following the day on which any such matter is reported to the Senate, or at such earlier time as the majority leader and the minority leader of the Senate jointly agree upon in accordance with paragraph 5 of rule

XVII of the Standing Rules of the Senate, the Senate shall go into closed session and the matter shall be the pending business. In considering the matter in closed session the Senate may—

(A) approve the public disclosure of all or any portion of the information in question, in which case the committee shall publicly disclose the information ordered to be disclosed,

(B) disapprove the public disclosure of all or any portion of the information in question, in which case the committee shall not publicly disclose the information ordered not to be disclosed, or

(C) refer all or any portion of the matter back to the committee, in which case the committee shall make the final determination with respect to the public disclosure of the information in question.

Upon conclusion of the consideration of such matter in closed session, which may not extend beyond the close of the ninth day on which the Senate is in session following the day on which such matter was reported to the Senate, or the close of the fifth day following the day agreed upon jointly by the majority and minority leaders in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate (whichever the case may be), the Senate shall immediately vote on the disposition of such matter in open session, without debate, and without divulging the information with respect to which the vote is being taken. The Senate shall vote to dispose of such matter by one or more of the means specified in clauses (A), (B), and (C) of the second sentence of this paragraph. Any vote of the Senate to disclose any information pursuant to this paragraph shall be subject to the right of a Member of the Senate to move for reconsideration of the vote within the time and pursuant to the procedures specified in rule XIII of the Standing Rules of the Senate, and the disclosure of such information shall be made consistent with that right.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Ethics to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select

Committee on Ethics shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Ethics determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 9. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 10. Upon expiration of the Select Committee on Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress, all records, files, documents, and other materials in the possession, custody, or control of such committee, under appropriate conditions established by it, shall be transferred to the select committee.

SEC. 11. (a) It is the sense of the Senate that the head of each department and agency of the United States should keep the select committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of or engaged in by such department or agency: *Provided*, That this does not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

(b) It is the sense of the Senate that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the Senate that each department and agency of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive orders, Presidential directives, or departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

SEC. 12. Subject to the Standing Rules of the Senate, no funds shall be appropriated for any fiscal year beginning after September 30, 1976, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the Senate during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) The activities of the Defense Intelligence Agency.

(4) The activities of the National Security Agency.

(5) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(6) The intelligence activities of the Department of State.

(7) The intelligence activities of the Federal Bureau of Investigation.

SEC. 13. (a) The select committee shall make a study with respect to the following matters, taking into consideration with respect to each such matter, all relevant aspects of the effectiveness of planning, gathering, use, security, and dissemination of intelligence:

(1) the quality of the analytical capabilities of United States foreign intelligence agencies and means for integrating more closely analytical intelligence and policy formulation;

(2) the extent and nature of the authority of the departments and agencies of the Executive branch to engage in intelligence activities and the desirability of developing charters for each intelligence agency or department;

(3) the organization of intelligence activities in the Executive branch to maximize the effectiveness of the conduct, oversight, and accountability of intelligence activities; to reduce duplication or overlap; and to improve the morale of the personnel of the foreign intelligence agencies;

(4) the conduct of covert and clandestine activities and the procedures by which Congress is informed of such activities;

(5) the desirability of changing any law, Senate rule or procedure, or any Executive order, rule, or regulation to improve the protection of intelligence secrets and provide for disclosure of information for which there is no compelling reason for secrecy;

(6) the desirability of establishing a standing committee of the Senate on intelligence activities;

(7) the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities in lieu of having separate committees in each House of Congress, or of establishing procedures under which separate committees on intelligence activities of the two Houses of Congress would receive joint briefings from the intelligence agencies and coordinate their policies with respect to the safeguarding of sensitive intelligence information;

(8) the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amounts of such funds is in the public interest; and

(9) the development of a uniform set of definitions for terms to be used in policies or guidelines which may be adopted by the executive or legislative branches to govern, clarify, and strengthen the operation of intelligence activities.

(b) The select committee may, in its discretion, omit from the special study required by this section any matter it determines has been adequately studied by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations for legislative or other actions it deems appropriate, no later than July 1, 1977, and from time to time thereafter as it deems appropriate.

SEC. 14. (a) As used in this resolution, the term "intelligence activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons. Such term does not include tactical foreign military intelligence serving no national policymaking function.

(b) As used in this resolution, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this resolution, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence activities now conducted by the department, agency, bureau, or subdivision referred to in this resolution.

SEC. 15. (a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member's designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determined by the Chairman and Vice Chairman.

(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

(d) Of the funds made available to the select Committee for personnel—

(1) not more than 60 percent shall be under the control of the Chairman; and

(2) not less than 40 percent shall be under the control of the Vice Chairman.

SEC. 16. Nothing in this resolution shall be construed as constituting acquiescence by

the Senate in any practice, or in the conduct of any activity, not otherwise authorized by law.

SEC. 17. (a)(1) Except as otherwise provided in subsection (b), the select Committee shall have jurisdiction for reviewing, holding hearings, and reporting the nominations of civilian persons nominated by the President to fill all positions within the intelligence community requiring the advice and consent of the Senate.

(2) Other committees with jurisdiction over the nominees' executive branch department may hold hearings and interviews with such persons, but only the select Committee shall report such nominations.

(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

(2) If, upon the expiration of the period described in paragraph (1), the select Committee has not reported the nomination, such nomination shall be automatically discharged from the select Committee and placed on the Executive Calendar.

APPENDIX B

INTELLIGENCE PROVISIONS IN S. RES. 445, 108TH CONG., 2D SESS. (2004) WHICH WERE NOT INCORPORATED IN S. RES. 400, 94TH CONG., 2D SESS. (1976)

TITLE III—COMMITTEE STATUS

* * * * *

SEC. 301(b) INTELLIGENCE.—The Select Committee on Intelligence shall be treated as a committee listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

TITLE IV—INTELLIGENCE-RELATED SUBCOMMITTEES

SEC. 401. SUBCOMMITTEE RELATED TO INTELLIGENCE OVERSIGHT.

(a) ESTABLISHMENT.—There is established in the Select Committee on Intelligence a Subcommittee on Oversight which shall be in addition to any other subcommittee established by the select Committee.

(b) RESPONSIBILITY.—The Subcommittee on Oversight shall be responsible for ongoing oversight of intelligence activities.

SEC. 402. SUBCOMMITTEE RELATED TO INTELLIGENCE APPROPRIATIONS.

(a) ESTABLISHMENT.—There is established in the Committee on Appropriations a Subcommittee on Intelligence. The Committee on Appropriations shall reorganize into 13 subcommittees as soon as possible after the convening of the 109th Congress.

(b) JURISDICTION.—The Subcommittee on Intelligence of the Committee on Appropriations shall have jurisdiction over funding for intelligence matters, as determined by the Senate Committee on Appropriations.

APPENDIX C

RULE 26.5(B) OF THE STANDING RULES OF THE SENATE (REFERRED TO IN COMMITTEE RULE 2.1)

Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings

by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

COMMITTEE ON RULES AND ADMINISTRATION

RULES OF PROCEDURE

Mr. SCHUMER. Madam President, the Committee on Rules and Administration has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator ROBERTS, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON RULES AND ADMINISTRATION UNITED STATES SENATE

MEETINGS OF THE COMMITTEE

Rule 1. The regular meeting dates of the Committee shall be the second and fourth Wednesdays of each month, at 10:00 a.m. in room SR-301, Russell Senate Office Building. Additional meetings of the Committee may be called by the Chairman as he may deem necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

Rule 2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (a) through (f) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the Members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if:

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under the provisions of law or Government regulations. (Paragraph 5(b) of rule XXVI of the Standing Rules.)

Rule 3. Written notices of committee meetings will normally be sent by the committee's staff director to all Members of the committee at least a week in advance. In addition, the committee staff will telephone or e-mail reminders of committee meetings to all Members of the committee or to the appropriate assistants in their offices.

Rule 4. A copy of the committee's intended agenda enumerating separate items of legislative business and committee business will normally be sent to all Members of the committee and released to the public at least 1 day in advance of all meetings. This does not preclude any Member of the committee from discussing appropriate non-agenda topics.

Rule 5. After the Chairman and the Ranking Minority Member, speaking order shall be based on order of arrival, alternating between Majority and Minority Members, unless otherwise directed by the Chairman.

Rule 6. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the Chairman and the Ranking Minority Member waive such requirement for good cause.

Rule 7. In general, testimony will be restricted to 5 minutes for each witness. The time may be extended by the Chairman, upon the Chair's own direction or at the request of a Member. Each round of questions by Members will also be limited to 5 minutes.

QUORUMS

Rule 8. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, a majority of the Members of the committee shall constitute a quorum for the reporting of legislative measures.

Rule 9. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, one-third of the Members of the committee shall constitute a quorum for the transaction of business, including action on amendments to measures prior to voting to report the measure to the Senate.

Rule 10. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 Members of the committee shall constitute a quorum for the purpose of taking testimony under oath and 1 Member of the committee shall constitute a quorum for the purpose of taking testimony not under oath; provided, however, that in either instance, once a quorum is established, any one Member can continue to take such testimony.

Rule 11. Under no circumstances may proxies be considered for the establishment of a quorum.

VOTING

Rule 12. Voting in the committee on any issue will normally be by voice vote.

Rule 13. If a third of the Members present so demand a rollcall vote instead of a voice vote, a record vote will be taken on any question by roll call.

Rule 14. The results of rollcall votes taken in any meeting upon any measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each Member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

Rule 15. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matter shall require the concurrence of a majority of the Members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a Member's position on the question and then only in those instances when the absentee committee Member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

AMENDMENTS

Rule 16. Provided at least five business days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least five business days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

Rule 17. In the event the Chairman introduces a substitute amendment or a Chairman's mark, the requirements set forth in

Rule 16 shall be considered waived unless such substitute amendment or Chairman's mark has been made available at least five business days in advance of the scheduled meeting.

Rule 18. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

Rule 19. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN

Rule 20. The Chairman is authorized to sign himself or by delegation all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf all routine business.

Rule 21. The Chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

Rule 22. The Chairman is authorized to issue, in behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN AND RANKING MINORITY MEMBER

Rule 23. The Chairman and Ranking Minority Member, acting jointly, are authorized to approve on behalf of the committee any rule or regulation for which the committee's approval is required, provided advance notice of their intention to do so is given to Members of the committee.

COMMITTEE ON FINANCE

RULES OF PROCEDURE

Mr. BAUCUS. Madam President, the Committee on Finance has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Senate Committee on Finance be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON FINANCE

I. RULES OF PROCEDURE

Rule 1. *Regular Meeting Days.*—The regular meeting day of the committee shall be the second and fourth Tuesday of each month, except that if there be no business before the committee the regular meeting shall be omitted.

Rule 2. *Committee Meetings.*—(a) Except as provided by paragraph 3 of Rule XXVI of the Standing Rules of the Senate (relating to special meetings called by a majority of the committee) and subsection (b) of this rule, committee meetings, for the conduct of business, for the purpose of holding hearings, or for any other purpose, shall be called by the chairman after consultation with the ranking minority member. Members will be notified of committee meetings at least 48 hours in advance, unless the chairman determines that an emergency situation requires a meeting on shorter notice. The notification will include a written agenda together with materials prepared by the staff relating to that agenda. After the agenda for a committee meeting is published and distributed,

no nongermane items may be brought up during that meeting unless at least two-thirds of the members present agree to consider those items.

(b) In the absence of the chairman, meetings of the committee may be called by the ranking majority member of the committee who is present, provided authority to call meetings has been delegated to such member by the chairman.

Rule 3. *Presiding Officer*.—(a) The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member who is present at the meeting shall preside.

(b) Notwithstanding the rule prescribed by subsection (a) any member of the committee may preside over the conduct of a hearing.

Rule 4. *Quorums*.—(a) Except as provided in subsection (b) one-third of the membership of the committee, including not less than one member of the majority party and one member of the minority party, shall constitute a quorum for the conduct of business.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constitute a quorum for the purpose of conducting a hearing.

Rule 5. *Reporting of Measures or Recommendations*.—No measure or recommendation shall be reported from the committee unless a majority of the committee is actually present and a majority of those present concur.

Rule 6. *Proxy Voting; Polling*.—(a) Except as provided by paragraph 7(a)(3) of Rule XXVI of the Standing Rules of the Senate (relating to limitation on use of proxy voting to report a measure or matter), members who are unable to be present may have their vote recorded by proxy.

(b) At the discretion of the committee, members who are unable to be present and whose vote has not been cast by proxy may be polled for the purpose of recording their vote on any rollcall taken by the committee.

Rule 7. *Order of Motions*.—When several motions are before the committee dealing with related or overlapping matters, the chairman may specify the order in which the motions shall be voted upon.

Rule 8. *Bringing a Matter to a Vote*.—If the chairman determines that a motion or amendment has been adequately debated, he may call for a vote on such motion or amendment, and the vote shall then be taken, unless the committee votes to continue debate on such motion or amendment, as the case may be. The vote on a motion to continue debate on any motion or amendment shall be taken without debate.

Rule 9. *Public Announcement of Committee Votes*.—Pursuant to paragraph 7(b) of Rule XXVI of the Standing Rules of the Senate (relating to public announcement of votes), the results of rollcall votes taken by the committee on any measure (or amendment thereto) or matter shall be announced publicly not later than the day on which such measure or matter is ordered reported from the committee.

Rule 10. *Subpoenas*.—Witnesses and memoranda, documents, and records may be subpoenaed by the chairman of the committee with the agreement of the ranking minority member or by a majority vote of the committee. Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Rule 11. *Nominations*.—In considering a nomination, the Committee may conduct an investigation or review of the nominee's ex-

perience, qualifications, and suitability, to serve in the position to which he or she has been nominated. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis. Witnesses called to testify on the nomination may be required to testify under oath.

Rule 12. *Open Committee Hearings*.—To the extent required by paragraph 5 of Rule XXVI of the Standing Rules of the Senate (relating to limitations on open hearings), each hearing conducted by the committee shall be open to the public.

Rule 13. *Announcement of Hearings*.—The committee shall undertake consistent with the provisions of paragraph 4(a) of Rule XXVI of the Standing Rules of the Senate (relating to public notice of committee hearings) to issue public announcements of hearings it intends to hold at least one week prior to the commencement of such hearings.

Rule 14. *Witnesses at Hearings*.—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony to the staff director not later than noon of the business day immediately before the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the witness shall be allowed not more than ten minutes for oral presentation of his statement.

(b) Witnesses may not read their entire written testimony, but must confine their oral presentation to a summarization of their arguments.

(c) Witnesses shall observe proper standards of dignity, decorum, and propriety while presenting their views to the committee. Any witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

(d) In scheduling witnesses for hearings, the staff shall attempt to schedule witnesses so as to attain a balance of views early in the hearings. Every member of the committee may designate witnesses who will appear before the committee to testify. To the extent that a witness designated by a member cannot be scheduled to testify during the time set aside for the hearing, a special time will be set aside for the witness to testify if the member designating that witness is available at that time to chair the hearing.

Rule 15. *Audiences*.—Persons admitted into the audience for open hearings of the committee shall conduct themselves with the dignity, decorum, courtesy, and propriety traditionally observed by the Senate. Demonstrations of approval or disapproval of any statement or act by any member or witness are not allowed. Persons creating confusion or distractions or otherwise disrupting the orderly proceeding of the hearing shall be expelled from the hearing.

Rule 16. *Broadcasting of Hearings*.—(a) Broadcasting of open hearings by television or radio coverage shall be allowed upon approval by the chairman of a request filed with the staff director not later than noon of the day before the day on which such coverage is desired.

(b) If such approval is granted, broadcasting coverage of the hearing shall be conducted unobtrusively and in accordance with the standards of dignity, propriety, courtesy,

and decorum traditionally observed by the Senate.

(c) Equipment necessary for coverage by television and radio media shall not be installed in, or removed from, the hearing room while the committee is in session.

(d) Additional lighting may be installed in the hearing room by the media in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any members of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

Rule 17. *Subcommittees*.—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. The ranking minority member shall recommend to the chairman appointment of minority members to the subcommittees. All legislation shall be kept on the full committee calendar unless a majority of the members present and voting agree to refer specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be 6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

(c) All decisions of the chairman are subject to approval or modification by a majority vote of the committee.

(d) The full committee may at any time by majority vote of those members present discharge a subcommittee from further consideration of a specific piece of legislation.

(e) The chairman and ranking minority members shall serve as nonvoting *ex officio* members of the subcommittees on which they do not serve as voting members.

(f) Any member of the committee may attend hearings held by any subcommittee and question witnesses testifying before that subcommittee.

(g) Subcommittee meeting times shall be coordinated by the staff director to insure that—

(1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;

(2) no more than one subcommittee will meet when the full committee is holding hearings; and

(3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full committee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

(h) All nominations shall be considered by the full committee.

(i) The chairman will attempt to schedule reasonably frequent meetings of the full committee to permit consideration of legislation reported favorably to the committee by the subcommittees.

Rule 18. *Transcripts of Committee Meetings*.—An accurate record shall be kept of all mark-ups of the committee, whether they be open or closed to the public. A transcript, marked as "uncorrected," shall be available for inspection by Members of the Senate, or members of the committee together with their

staffs, at any time. Not later than 21 business days after the meeting occurs, the committee shall make publicly available through the Internet—

(a) a video recording;

(b) an audio recording; or

(c) after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements, a corrected transcript; and such record shall remain available until the end of the Congress following the date of the meeting.

Notwithstanding the above, in the case of the record of an executive session of the committee that is closed to the public pursuant to Rule XXVI of the Standing Rules of the Senate, the record shall not be published or made public in any way except by majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

Rule 19. *Amendment of Rules.*—The foregoing rules may be added to, modified, amended, or suspended at any time.

II. EXCERPTS FROM THE STANDING RULES OF THE SENATE RELATING TO STANDING COMMITTEES

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * *

(i) Committee on Finance, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Bonded debt of the United States, except as provided in the Congressional Budget Act of 1974.

2. Customs, collection districts, and ports of entry and delivery.

3. Deposit of public moneys.

4. General revenue sharing.

5. Health programs under the Social Security Act and health programs financed by a specific tax or trust fund.

6. National social security.

7. Reciprocal trade agreements.

8. Revenue measures generally, except as provided in the Congressional Budget Act of 1974.

9. Revenue measures relating to the insular possessions.

10. Tariffs and import quotas, and matters related thereto.

11. Transportation of dutiable goods.

* * *

RULE XXVI

COMMITTEE PROCEDURE

* * *

2. Each committee shall adopt rules (not inconsistent with the Rules of the Senate) governing the procedure of such committee. The rules of each committee shall be published in the Congressional Record not later than March 1 of the first year of each Congress, except that if any such committee is established on or after February 1 of a year, the rules of that committee during the year of establishment shall be published in the Congressional Record not later than sixty days after such establishment. Any amendment to the rules of a committee shall not

take effect until the amendment is published in the Congressional Record.

* * *

5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock post meridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

RULES OF PROCEDURE

Mr. JOHNSON of South Dakota. Madam President, today the Committee on Banking, Housing, and Urban Affairs adopted Rules of Procedure for the 113th Congress.

I ask unanimous consent that the Rules of Procedure be printed in the RECORD.

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

RULE 1.—REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in Session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2.—COMMITTEE

[a] Investigations.—No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings.—No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses.—Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions.—No session of the Committee or a Subcommittee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has

been notified in writing via electronic mail or paper mail of the date, time, and place of such session and has been furnished a copy of the measure to be considered, in a searchable electronic format, at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments.—It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee shall not be amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member. This subsection shall apply only when the conditions of subsection [e][1] have been met.

[g] Cordon rule.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration in hearings through final consideration, the Clerk shall place before each member of the Committee or Subcommittee a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint resolution under consideration, those amendments shall be presented to the Committee or Subcommittee in a like form, showing by typographical devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee Chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 3.—SUBCOMMITTEES

[a] Authorization for.—A Subcommittee of the Committee may be authorized only by the action of a majority of the Committee.

[b] Membership.—No member may be a member of more than three Subcommittees and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

[c] Investigations.—No investigation shall be initiated by a Subcommittee unless the Senate or the full Committee has specifically authorized such investigation.

[d] Hearings.—No hearing of a Subcommittee shall be scheduled outside the District of Columbia without prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the Ranking Member of the Subcommittee or by a majority vote of the Subcommittee.

[e] Confidential testimony.—No confidential testimony taken or confidential mate-

rial presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Subcommittee and the Ranking Member of the Subcommittee, or by a majority vote of the Subcommittee.

[f] Interrogation of witnesses.—Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the Ranking Member of the Subcommittee.

[g] Special meetings.—If at least three members of a Subcommittee desire that a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the Subcommittee may file in the offices of the Committee their written notice that a special meeting of the Subcommittee will be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee that such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular or special meeting of the Subcommittee, the Ranking Member of the majority party on the Subcommittee who is present shall preside at that meeting.

[h] Voting.—No measure or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee to recommend a measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee matters other than a vote to recommend a measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee is actually present. Any absent member of a Subcommittee may affirmatively request that his or her vote to recommend a measure or matter to the Committee or his vote on any such other matters on which a record vote is taken, be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter and to inform the Subcommittee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman of the Subcommittee any time before the record vote on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

RULE 4.—WITNESSES

[a] Filing of statements.—Any witness appearing before the Committee or Subcommittee [including any witness representing a Government agency] must file with the Committee or Subcommittee [24 hours preceding his or her appearance] 75 copies of his or her statement to the Committee or Subcommittee, and the statement

must include a brief summary of the testimony. In the event that the witness fails to file a written statement and brief summary in accordance with this rule, the Chairman of the Committee or Subcommittee has the discretion to deny the witness the privilege of testifying before the Committee or Subcommittee until the witness has properly complied with the rule.

[b] Length of statements.—Written statements properly filed with the Committee or Subcommittee may be as lengthy as the witness desires and may contain such documents or other addenda as the witness feels is necessary to present properly his or her views to the Committee or Subcommittee. The brief summary included in the statement must be no more than 3 pages long. It shall be left to the discretion of the Chairman of the Committee or Subcommittee as to what portion of the documents presented to the Committee or Subcommittee shall be published in the printed transcript of the hearings.

[c] Ten-minute duration.—Oral statements of witnesses shall be based upon their filed statements but shall be limited to 10 minutes duration. This period may be limited or extended at the discretion of the Chairman presiding at the hearings.

[d] Subpoena of witnesses.—Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the Ranking Member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.

[e] Counsel permitted.—Any witness subpoenaed by the Committee or Subcommittee to a public or executive hearing may be accompanied by counsel of his or her own choosing who shall be permitted, while the witness is testifying, to advise him or her of his or her legal rights.

[f] Expenses of witnesses.—No witness shall be reimbursed for his or her appearance at a public or executive hearing before the Committee or Subcommittee unless such reimbursement is agreed to by the Chairman and Ranking Member of the Committee.

[g] Limits of questions.—Questioning of a witness by members shall be limited to 5 minutes duration when 5 or more members are present and 10 minutes duration when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questions of the witness after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 5 minutes until all members have been given the opportunity of questioning the witness for a second time. This 5-minute period per member will be continued until all members have exhausted their questions of the witness.

RULE 5.—VOTING

[a] Vote to report a measure or matter.—No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his or her vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member

may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

[b] Vote on matters other than to report a measure or matter.—On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his or her vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

RULE 6.—QUORUM

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

RULE 7.—STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him or her during such public or executive hearing on the dais. If a member desires a second staff person to accompany him or her on the dais he or she must make a request to the Chairman for that purpose.

RULE 8.—COINAGE LEGISLATION

At least 67 Senators must cosponsor any gold medal or commemorative coin bill or resolution before consideration by the Committee.

EXTRACTS FROM THE STANDING RULES OF THE SENATE

RULE XXV, STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

[d][1] Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banks, banking, and financial institutions.
2. Control of prices of commodities, rents, and services.
3. Deposit insurance.
4. Economic stabilization and defense production.
5. Export and foreign trade promotion.
6. Export controls.
7. Federal monetary policy, including Federal Reserve System.
8. Financial aid to commerce and industry.
9. Issuance and redemption of notes.
10. Money and credit, including currency and coinage.
11. Nursing home construction.

12. Public and private housing [including veterans' housing].

13. Renegotiation of Government contracts.

14. Urban development and urban mass transit.

[2] Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic growth, urban affairs, and credit, and report thereon from time to time.

COMMITTEE PROCEDURES FOR PRESIDENTIAL NOMINEES

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1981, establish a uniform questionnaire for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

[1] A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

[2] The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

[3] All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.

COMMITTEE ON THE BUDGET

RULES OF PROCEDURE

Mrs. MURRAY. Madam President, I ask unanimous consent that the Rules of the Committee on the Budget for the 113th Congress be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON THE BUDGET ONE-HUNDRED-THIRTEENTH CONGRESS I. MEETINGS

(1) The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Each meeting of the committee, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure

the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 48 hours prior to such meeting or markup.

II. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4)(a) The committee may poll—

(i) internal committee matters including those concerning the committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other committee business that the committee has designated for polling at a meeting, except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for completion of the poll. If any member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those enumerated in rule 1(2)(a)–(e), then the record of the poll shall be confidential. Any member may move at the committee meeting following a poll for a vote on the polled decision.

III. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend

the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on Budget Resolutions.

IV. HEARINGS AND HEARING PROCEDURES

(1) The committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) In the event that the membership of the Senate is equally divided between the two parties, the ranking member is authorized to call witnesses to testify at any hearing in an amount equal to the number called by the chair. The previous sentence shall not apply in the case of a hearing at which the committee intends to call an official of the Federal government as the sole witness.

(3) A witness appearing before the committee shall file a written statement of proposed testimony at least 1 calendar day prior to appearance, unless the requirement is waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

V. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

VI. USE OF DISPLAY MATERIALS IN COMMITTEE

Graphic displays used during any meetings or hearings of the committee are limited to the following:

Charts, photographs, or renderings:

Size: no larger than 36 inches by 48 inches.

Where: on an easel stand next to the member's seat or at the rear of the committee room.

When: only at the time the member is speaking.

Number: no more than two may be displayed at a time.

VII. CONFIRMATION STANDARDS AND PROCEDURES

(1) Standards. In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The committee shall recommend confirmation if it finds that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

(2) Information Concerning the Nominee. Each nominee shall submit the following information to the committee:

(a) A detailed biographical resume which contains information concerning education,

employment, and background which generally relates to the position to which the individual is nominated, and which is to be made public;

(b) Information concerning financial and other background of the nominee which is to be made public; provided, that financial information that does not relate to the nominee's qualifications to hold the position to which the individual is nominated, tax returns or reports prepared by federal agencies that may be submitted by the nominee shall, after review by the chair, ranking member, or any other member of the committee upon request, be maintained in a manner to ensure confidentiality; and,

(c) Copies of other relevant documents and responses to questions as the committee may so request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office.

(3) Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee may be prepared by the committee staff for the chair, the ranking member and, upon request, for any other member of the committee. The report shall summarize the steps taken and the results of the committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

(4) Hearings. The committee shall conduct a hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she would pursue while in that position. No hearing or meeting to consider the confirmation shall be held until at least 72 hours after the following events have occurred: the nominee has responded to the requirements set forth in subsection (2), and, if a report described in subsection (3) has been prepared, it has been presented to the chairman and ranking member, and is available to other members of the committee, upon request.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

RULES OF PROCEDURE

Mr. CARPER. Madam President, rule XXVI, paragraph 2, of the Standing Rules of the Senate requires each committee to adopt rules to govern the procedure of the Committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. Today, the Committee on Homeland Security and Governmental Affairs adopted Committee Rules of Procedure.

Consistent with Standing Rule XXVI, I ask unanimous consent to have a copy of the Rules of Procedure of the Committee on Homeland Security and Governmental Affairs printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

PURSUANT TO RULE XXVI, SEC. 2, STANDING RULES OF THE SENATE

RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. Meeting dates. The Committee shall hold its regular meetings on the first Wednesday of each month, when the Congress is in session, or at such other times as the Chairman shall determine. Additional meetings may be called by the Chairman as he/she deems necessary to expedite Committee business. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

B. Calling special Committee meetings. If at least three Members of the Committee desire the Chairman to call a special meeting, they may file in the offices of the Committee a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Committee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the offices of the Committee their written notice that a special Committee meeting will be held, specifying the date and hour thereof, and the Committee shall meet on that date and hour. Immediately upon the filing of such notice, the Committee chief clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

C. Meeting notices and agenda. Written notices of Committee meetings, accompanied by an agenda, enumerating the items of business to be considered, shall be sent to all Committee Members at least 5 days in advance of such meetings, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. The written notices required by this Rule may be provided by electronic mail. In the event that unforeseen requirements or Committee business prevent a 5-day notice of either the meeting or agenda, the Committee staff shall communicate such notice and agenda, or any revisions to the agenda, as soon as practicable by telephone or otherwise to Members or appropriate staff assistants in their offices.

D. Open business meetings. Meetings for the transaction of Committee or Subcommittee business shall be conducted in open session, except that a meeting or series of meetings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly

unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.) Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he/she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

E. Prior notice of first degree amendments. It shall not be in order for the Committee, or a Subcommittee thereof, to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless a written copy of such amendment has been delivered to each Member of the Committee or Subcommittee, as the case may be, and to the office of the Committee or Subcommittee, by no later than 5:00 p.m. two days before the meeting of the Committee or Subcommittee at which the amendment is to be proposed. The written copy of amendments in the first degree required by this Rule may be provided by electronic mail. This subsection may be waived by a majority of the Members present, or by consent of the Chairman and Ranking Minority Member of the Committee or Subcommittee. This subsection shall apply only when at least 72 hours written notice of a session to mark-up a measure is provided to the Committee or Subcommittee.

F. Meeting transcript. The Committee or Subcommittee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting whether or not such meeting or any part thereof is closed to the public, unless a majority of the Committee or Subcommittee Members vote to forgo such a record. (Rule XXVI, Sec. 5(e), Standing Rules of the Senate.)

RULE 2. QUORUMS

A. Reporting measures and matters. A majority of the Members of the Committee shall constitute a quorum for reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

B. Transaction of routine business. One-third of the membership of the Committee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Committee other than reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

C. Taking testimony. One Member of the Committee shall constitute a quorum for taking sworn or unsworn testimony. (Rule XXVI, Sec. 7(a)(2) and 7(c)(2), Standing Rules of the Senate.)

D. Subcommittee quorums. Subject to the provisions of sections 7(a)(1) and (2) of Rule XXVI of the Standing Rules of the Senate, the Subcommittees of this Committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

E. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

RULE 3. VOTING

A. Quorum required. Subject to the provisions of subsection (E), no vote may be taken by the Committee, or any Subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. Reporting measures and matters. No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee Members are actually present, and the vote of the Committee to report a measure or matter shall require the concurrence of a majority of those Members who are actually present at the time the vote is taken. (Rule XXVI, Sec. 7(a)(1) and (3), Standing Rules of the Senate.)

C. Proxy voting. Proxy voting shall be allowed on all measures and matters before the Committee, or any Subcommittee thereof, except that, when the Committee, or any Subcommittee thereof, is voting to report a measure or matter, proxy votes shall be allowed solely for the purposes of recording a Member's position on the pending question. Proxy voting shall be allowed only if the absent Committee or Subcommittee Member has been informed of the matter on which he or she is being recorded and has affirmatively requested that he or she be so recorded. All proxies shall be filed with the chief clerk of the Committee or Subcommittee thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as is necessary to identify it and to inform the Committee or Subcommittee as to how the Member establishes his or her vote to be recorded thereon. (Rule XXVI, Sec. 7(a)(3) and 7(c)(1), Standing Rules of the Senate.)

D. Announcement of vote. (1) Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such a measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each Member of the Committee. (Rule XXVI, Sec. 7(c), Standing Rules of the Senate.)

(2) Whenever the Committee by roll call vote acts upon any measure or amendment thereto, other than reporting a measure or matter, the results thereof shall be announced in the Committee report on that measure unless previously announced by the Committee, and such announcement shall include a tabulation of the votes cast in favor

of and the votes cast in opposition to each such measure and amendment thereto by each Member of the Committee who was present at the meeting. (Rule XXVI, Sec. 7(b), Standing Rules of the Senate.)

(3) In any case in which a roll call vote is announced, the tabulation of votes shall state separately the proxy vote recorded in favor of and in opposition to that measure, amendment thereto, or matter. (Rule XXVI, Sec. 7(b) and (c), Standing Rules of the Senate.)

E. Polling. (1) The Committee, or any Subcommittee thereof, may poll (a) internal Committee or Subcommittee matters including the Committee's or Subcommittee's staff, records and budget; (b) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and (c) other Committee or Subcommittee business other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public.

(2) Only the Chairman, or a Committee Member or staff officer designated by him/her, may undertake any poll of the Members of the Committee. If any Member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the Committee shall keep a record of polls; if a majority of the Members of the Committee determine that the polled matter is in one of the areas enumerated in subsection (D) of Rule 1, the record of the poll shall be confidential. Any Committee Member may move at the Committee meeting following the poll for a vote on the polled decision, such motion and vote to be subject to the provisions of subsection (D) of Rule 1, where applicable.

F. Naming postal facilities. The Committee will not consider any legislation that would name a postal facility for a living person with the exception of bills naming facilities after former Presidents and Vice Presidents of the United States, former Members of Congress over 70 years of age, former State or local elected officials over 70 years of age, former judges over 70 years of age, or wounded veterans.

RULE 4. CHAIRMANSHIP OF MEETINGS AND HEARINGS

The Chairman shall preside at all Committee meetings and hearings except that he or she shall designate a temporary Chairman to act in his or her place if he or she is unable to be present at a scheduled meeting or hearing. If the Chairman (or his or her designee) is absent 10 minutes after the scheduled time set for a meeting or hearing, the Ranking Majority Member present shall preside until the Chairman's arrival. If there is no Member of the Majority present, the Ranking Minority Member present, with the prior approval of the Chairman, may open and conduct the meeting or hearing until such time as a Member of the Majority arrives.

RULE 5. HEARINGS AND HEARING PROCEDURES

A. Announcement of hearings. The Committee, or any Subcommittee thereof, shall make public announcement of the date, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the Committee, or Subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Rule XXVI, Sec. 4(a), Standing Rules of the Senate.)

B. Open hearings. Each hearing conducted by the Committee, or any Subcommittee

thereof, shall be open to the public, except that a hearing or series of hearings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the hearing to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such hearing or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.)

Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he or she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

C. Full Committee subpoenas. The Chairman, with the approval of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses at a hearing or deposition or the production of memoranda, documents, records, or any other materials, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 72 hours, excluding Saturdays and Sun-

days, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided in this subsection, the subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman.

D. Witness counsel. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the Government, or of a corporation or association, the Committee Chairman may rule that representation by counsel from the Government, corporation, or association or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the Government, corporation, or association or by personal counsel not representing other witnesses. This subsection shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such manner so as to prevent, impede, disrupt, obstruct or interfere with the orderly administration of the hearings; nor shall this subsection be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

E. Witness transcripts. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her testimony whether in public or executive session shall be made available for inspection by the witness or his or her counsel under Committee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be provided to any witness at his or her expense if he or she so requests. Upon inspecting his or her transcript, within a time limit set by the chief clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors; the Chairman or a staff officer designated by him/her shall rule on such requests.

F. Impugned persons. Any person whose name is mentioned or is specifically identified, and who believes that evidence presented, or comment made by a Member of the Committee or staff officer, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) File a sworn statement of facts relevant to the evidence or comment, which statement shall be considered for placement in the hearing record by the Committee;

(b) Request the opportunity to appear personally before the Committee to testify in his or her own behalf, which request shall be considered by the Committee; and

(c) Submit questions in writing which he or she requests be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee.

G. Radio, television, and photography. The Committee, or any Subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the Committee, or Subcommittee, may impose. (Rule XXVI, Sec. 5(c), Standing Rules of the Senate.)

H. Advance statements of witnesses. A witness appearing before the Committee, or any Subcommittee thereof, shall provide electronically a written statement of his or her proposed testimony at least 48 hours prior to his or her appearance. This requirement may be waived by the Chairman and the Ranking Minority Member following their determination that there is good cause for failure of compliance. (Rule XXVI, Sec. 4(b), Standing Rules of the Senate.)

I. Minority witnesses. In any hearings conducted by the Committee, or any Subcommittee thereof, the Minority Members of the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of the Minority Members, to call witnesses of their selection during at least 1 day of such hearings. (Rule XXVI, Sec. 4(d), Standing Rules of the Senate.)

J. Full Committee depositions. Depositions may be taken prior to or after a hearing as provided in this subsection.

(1) Notices for the taking of depositions shall be authorized and issued by the Chairman, with the approval of the Ranking Minority Member of the Committee, provided that the Chairman may initiate depositions without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the deposition within 72 hours, excluding Saturdays and Sundays, of being notified of the deposition notice. If a deposition notice is disapproved by the Ranking Minority Member as provided in this subsection, the deposition notice may be authorized by a vote of the Members of the Committee. Committee deposition notices shall specify a time and place for examination, and the name of the Committee Member or Members or staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear or produce unless the deposition notice was accompanied by a Committee subpoena.

(2) Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 5D.

(3) Oaths at depositions may be administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by a Committee Member or Members or staff. If a witness objects to a question and refuses to testify, the objection shall be noted for the record and the Committee Member or Members or staff may proceed with the remainder of the deposition.

(4) The Committee shall see that the testimony is transcribed or electronically recorded (which may include audio or audio/video recordings). If it is transcribed, the transcript shall be made available for inspection by the witness or his or her counsel under Committee supervision. The witness shall sign a copy of the transcript and may request changes to it, which shall be handled in accordance with the procedure set forth in

subsection (E). If the witness fails to sign a copy, the staff shall note that fact on the transcript. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the chief clerk of the Committee. The Chairman or a staff officer designated by him/her may stipulate with the witness to changes in the procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

RULE 6. COMMITTEE REPORTING PROCEDURES

A. Timely filing. When the Committee has ordered a measure or matter reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time. (Rule XXVI, Sec. 10(b), Standing Rules of the Senate.)

B. Supplemental, Minority, and additional views. A Member of the Committee who gives notice of his or her intention to file supplemental, Minority, or additional views at the time of final Committee approval of a measure or matter shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views. (Rule XXVI, Sec. 10(c), Standing Rules of the Senate.)

C. Notice by Subcommittee Chairmen. The Chairman of each Subcommittee shall notify the Chairman in writing whenever any measure has been ordered reported by such Subcommittee and is ready for consideration by the full Committee.

D. Draft reports of Subcommittees. All draft reports prepared by Subcommittees of this Committee on any measure or matter referred to it by the Chairman shall be in the form, style, and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the Committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the Committee at the earliest practicable time.

E. Impact statements in reports. All Committee reports, accompanying a bill or joint resolution of a public character reported by the Committee, shall contain (1) an estimate, made by the Committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next 5 years thereafter (or for the authorized duration of the proposed legislation, if less than 5 years); and (2) a comparison of such cost estimates with any made by a Federal agency; or (3) in lieu of such estimate or comparison, or both, a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(a), Standing Rules of the Senate.)

Each such report shall also contain an evaluation, made by the Committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (a) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals

and businesses, (b) a determination of the economic impact of such regulation on the individuals, consumers, and businesses affected, (c) a determination of the impact on the personal privacy of the individuals affected, and (d) a determination of the amount of paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the recordkeeping requirements that may be associated with the bill or joint resolution. Or, in lieu of the foregoing evaluation, the report shall include a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(b), Standing Rules of the Senate.)

RULE 7. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. Regularly established Subcommittees. The Committee shall have four regularly established Subcommittees. The Subcommittees are as follows:

Permanent Subcommittee on Investigations

Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce

Subcommittee on Financial and Contracting Oversight

Subcommittee on Emergency Management, Intergovernmental Relations and the District of Columbia

B. Ad hoc Subcommittees. Following consultation with the Ranking Minority Member, the Chairman shall, from time to time, establish such ad hoc Subcommittees as he/she deems necessary to expedite Committee business.

C. Subcommittee membership. Following consultation with the Majority Members, and the Ranking Minority Member of the Committee, the Chairman shall announce selections for membership on the Subcommittees referred to in paragraphs A and B, above.

D. Subcommittee meetings and hearings. Each Subcommittee of this Committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the Committee except as provided in Rules 2(D) and 7(E).

E. Subcommittee subpoenas. Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee; provided, however, that in the event the Subcommittee authorizes the issuance of a subpoena pursuant to its own rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

F. Subcommittee budgets. During the first year of a new Congress, each Subcommittee that requires authorization for the expendi-

ture of funds for the conduct of inquiries and investigations, shall file with the chief clerk of the Committee, by a date and time prescribed by the Chairman, its request for funds for the two (2) 12-month periods beginning on March 1 and extending through and including the last day of February of the 2 following years, which years comprise that Congress. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification addressed to the Chairman of the Committee, which shall include (1) a statement of the Subcommittee's area of activities, (2) its accomplishments during the preceding Congress detailed year by year, and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding Congress detailed year by year, (b) the funds actually expended during that Congress detailed year by year, (c) the amount requested for each year of the Congress, and (d) the number of professional and clerical staff members and consultants employed by the Subcommittee during the preceding Congress detailed year by year and the number of such personnel requested for each year of the Congress. The Chairman may request additional reports from the Subcommittees regarding their activities and budgets at any time during a Congress. (Rule XXVI, Sec. 9, Standing Rules of the Senate.)

RULE 8. CONFIRMATION STANDARDS AND PROCEDURES

A. Standards. In considering a nomination, the Committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The Committee shall recommend confirmation, upon finding that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

B. Information concerning the Nominee. Each nominee shall submit the following information to the Committee:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, in such specificity as the Committee deems necessary, including a list of assets and liabilities of the nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office. At the request of the Chairman or the Ranking Minority Member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor. Information received pursuant to this subsection shall be made available for public inspection; provided, however, that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. Procedures for Committee inquiry. The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated. For the purpose of assisting the Committee in the conduct of this inquiry, a Majority investigator or investigators shall be designated by the Chairman and a Minority investigator or investigators shall be designated by the Ranking Minority Member. The Chairman, Ranking Minority Member, other Members of the Committee, and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the Chairman, the Ranking Minority Member, or other Members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the U.S. Government Accountability Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made in the case of judicial nominees and may be made in the case of non-judicial nominees by the designated investigators to the Chairman and the Ranking Minority Member and, upon request, to any other Member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and the results of the Committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

E. Hearings. The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that position. No hearing shall be held until at least 72 hours after the following events have occurred: The nominee has responded to pre-hearing questions submitted by the Committee; and, if applicable, the report described in subsection (D) has been made to the Chairman and Ranking Minority Member, and is available to other Members of the Committee, upon request.

F. Action on confirmation. A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominee's background and the steps taken during the pre-hearing inquiry.

G. Application. The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the Chairman and Ranking Minority Member, those procedures may apply to persons nominated by the President to serve on a part-time basis.

RULE 9. PERSONNEL ACTIONS AFFECTING COMMITTEE STAFF

In accordance with Rule XLII of the Standing Rules of the Senate and the Congressional Accountability Act of 1995 (P.L. 104-1),

all personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

RULE 10. APPRISAL OF COMMITTEE BUSINESS

The Chairman and Ranking Minority Member shall keep each other apprised of hearings, investigations, and other Committee business.

COMMITTEE ON INDIAN AFFAIRS

RULES OF PROCEDURE

Ms. CANTWELL. Madam President, I ask unanimous consent to have printed in the RECORD the Committee on Indian Affairs Rules of Procedure.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON INDIAN AFFAIRS

RULES OF PROCEDURE

Rule 1. The Standing Rules of the Senate, Senate Resolution 4, and the provisions of the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, as supplemented by these rules, are adopted as the rules of the Committee to the extent the provisions of such Rules, Resolution, and Acts are applicable to the Committee on Indian Affairs.

MEETING OF THE COMMITTEE

Rule 2. The Committee shall meet on Wednesday/Thursday while the Congress is in session for the purpose of conducting business, unless for the convenience of the Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he may deem necessary.

OPEN HEARINGS AND MEETINGS

Rule 3(a). Hearings and business meetings of the Committee shall be open to the public except when the Chairman by a majority vote orders a closed hearing or meeting.

(b). Except as otherwise provided in the Rules of the Senate, a transcript or electronic recording shall be kept of each hearing and business meeting of the Committee.

HEARING PROCEDURE

Rule 4(a). Public notice, including notice to Members of the Committee, shall be given of the date, place and subject matter of any hearing to be held by the Committee at least one week in advance of such hearing unless the Chairman of the Committee, with the concurrence of the Vice Chairman, determines that holding the hearing would be non-controversial or that special circumstances require expedited procedures and a majority of the Committee Members attending concurs. In no case shall a hearing be conducted with less than 24 hours' notice.

(b). Each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, at least 48 hours in advance of a hearing, in a format determined by the Committee and sent to an electronic mail address specified by the Committee.

(c). Each Member shall be limited to five (5) minutes of questioning of any witness until such time as all Members attending who so desire have had an opportunity to question the witness unless the Committee shall decide otherwise.

BUSINESS MEETING AGENDA

Rule 5(a). A legislative measure or subject shall be included in the agenda of the next

following business meeting of the Committee if a written request by a Member for consideration of such measure or subject has been filed with the Chairman of the Committee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee to include legislative measures or subjects on the Committee agenda in the absence of such request.

(b). Any bill, resolution, or other matter to be considered by the Committee at a business meeting shall be filed with the Clerk of the Committee. Notice of, and the agenda for, any business meeting of the Committee, and a copy of any bill, resolution, or other matter to be considered at the meeting, shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new items may be added after the agenda is published except by the approval of a majority of the Members of the Committee. The notice and agenda of any business meeting may be provided to the Members by electronic mail, provided that a paper copy will be provided to any Member upon request. The Clerk shall promptly notify absent Members of any action taken by the Committee on matters not included in the published agenda.

(c). Any amendment(s) to any bill or resolution to be considered shall be filed with the Clerk not less than 24 hours in advance. This rule may be waived by the Chairman with the concurrence of the Vice Chairman.

QUORUM

Rule 6(a). Except as provided in subsection (b), a majority of the Members shall constitute a quorum for the transaction of business of the Committee. Except as provided in Senate Rule XXVI 7(a), a quorum is presumed to be present unless the absence of a quorum is noted by a Member.

(b). One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee.

VOTING

Rule 7(a). A recorded vote of the Members shall be taken upon the request of any Member.

(b). A measure may be reported without a recorded vote from the Committee unless an objection is made by a Member, in which case a recorded vote by the Members shall be required. A Member shall have the right to have his or her additional views included in the Committee report in accordance with Senate Rule XXVI 10.

(c). A Committee vote to report a measure to the Senate shall also authorize the staff of the Committee to make necessary technical and conforming changes to the measure.

(d). Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only for the date for which it is given and upon the terms published in the agenda for that date.

SWORN TESTIMONY AND FINANCIAL STATEMENTS

Rule 8(a). Witnesses in Committee hearings may be required to give testimony under oath whenever the Chairman or Vice Chairman of the Committee deems it to be necessary.

(b). At any hearing to confirm a Presidential nomination, the testimony of the nominee, and at the request of any Member, any other witness shall be under oath. Every nominee shall submit a financial statement, on forms to be perfected by the Committee, which shall be sworn to by the nominee as to

its completeness and accuracy. All such statements shall be made public by the Committee unless the Committee, in executive session, determines that special circumstances require a full or partial exception to this rule.

(c). Members of the Committee are urged to make public a complete disclosure of their financial interests on forms to be perfected by the Committee in the manner required in the case of Presidential nominees.

CONFIDENTIAL TESTIMONY

Rule 9. No confidential testimony taken by, or confidential material presented to the Committee or any report of the proceedings of a closed Committee hearing or business meeting shall be made public in whole or in part, or by way of summary, unless authorized by a majority of the Members of the Committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 10. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 11. Any meeting or hearing by the Committee which is open to the public may be covered in whole or in part by television, Internet, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

AUTHORIZING SUBPOENAS

Rule 12. The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.

AMENDING THE RULES

Rule 13. These rules may be amended only by a vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least seven (7) days in advance of such meeting.

MARITIME DEFENSE

Mr. MCCAIN. Mr. President, I ask unanimous consent to have printed in the RECORD the recent testimony of former Secretary of the Navy John Lehman before the Seapower and Projection Forces Subcommittee of House Armed Services Committee. In my view, Secretary Lehman presents important testimony that highlights the need for maintaining a strong maritime defense capability in an increasingly uncertain international security environment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Testimony before the House Seapower and Projection Forces Subcommittee by John Lehman, February 26th, 2013.

Mr. Chairman it is a special honor for me to appear today before this historic committee of Congress. In my six years as SecNav I spent hundreds of hours testifying and consulting with Chairman Charlie Bennett and the bi-partisan membership. They were truly equal partners with the Reagan Administration in building the 600 ship Navy and a rejuvenated Marine Corps.

Perhaps the greatest among its many accomplishments was the role of the Committee (then a full committee titled The Naval Affairs Committee) and its legendary chairman, Carl Vinson, in first persuading and then partnering with President Franklin Roosevelt in urgently rebuilding the US Navy through the shipbuilding acts of 1934, 1936, 1938, and 1940. Those bills authorized every new capital ship that fought to victory in WWII. Without that Robust leadership of this committee, we could not have won the war.

It is with that historic perspective that the Committee should approach its current task.

The current administration has called for a 300-ship Navy, up from the current 286. It is their belief that such a number at half the size of the Reagan Navy, is sufficient for our security on the grounds that newer ships are better than the ones they replace.

While that is true in some cases, such as submarines, it is not true for other ships such as the new LCS (littoral combat ship), which does not have the capability of the older frigates that they replace. Moreover, our potential adversaries, from North Korea to the Iranian Navy, have improved their technology as well.

But most important, numbers still count: The seas are great and our Navy is small. The administrations position that "the United States Navy will be everywhere in the world that it has been, and it will be as much [present] as the 600-ship navy" is not persuasive.

The size of the Navy in the Reagan administration (it reached 594 ships in 1987) reflected a strategy to deter the Soviet Union's world-wide naval force. Today we face no such powerful naval adversary, but the world is just as large, and there is now greater American dependence on global trade and many more disturbers of the peace.

While we do not need 600 ships today, no naval experts believe a 300-ship Navy is large enough to guarantee freedom of the seas for American and allied trade, for supporting threatened allies, for deterring rogue states like Iran from closing vital straits, and for maintaining stability in areas like the western Pacific. For example, the bipartisan Quadrennial Defense Review Independent Panel led by Stephen Hadley and William Perry last year concluded that the Navy should have at least 346 vessels.

The more troubling problem is that the administration goal of 300 is counting ships that won't be built at all. Last year, the president's budget called for cuts of \$487 billion over the next decade. The President's proposal for the sequester would mean an additional half-trillion dollars in mandatory defense reductions over the next decade.

Naval readiness is already highly fragile. In order to meet current operational requirements, the shrunken fleet stays deployed longer and gets repaired less. There is now a serious shortage of Navy combat aircraft, and for the first time since World War II there are essentially no combat attrition reserves. But the biggest effects of budget cuts will be on drastically curtailing naval operations now and naval shipbuilding for the future.

The Navy has cancelled the deployment of one carrier strike group, halving our deterrence in the Mid-East, and the CNO has testified that even more drastic cuts to deployments will immediately result when sequester takes effect. This is the correct policy by Navy leadership. The Navy cannot do more with less, they can only do less with less.

Currently the Navy has 286 ships. In order to pay for even drastically reduced current operations, the Administration will be retiring a score or more of modern combat ships (cruisers and amphibious vessels and frigates) well before their useful life. In order to reach a 350-ship fleet in our lifetime, we would need to increase shipbuilding to an average of 15 ships every year. The latest budget the administration has advanced proposes buying just 41 ships over five years. It is anything but certain that the administration's budgets will sustain even that rate of only eight ships per year, but even if they do, the United States is headed for a Navy of 240-250 ships at best.

So how is the Obama administration getting to a 300-ship Navy? It projects a huge increase in naval shipbuilding beginning years down the road, most of which would come after a second Obama term. In other words, the administration is radically cutting the size and strength of the Navy now, while trying to avoid accountability by assuming that a future president will find the means to fix the problem in the future.

This compromises our national security. The Navy is the foundation of America's economic and political presence in the world. Other nations, like China, Russia, North Korea and Iran, are watching what we do—and on the basis of the evidence, they are undoubtedly concluding that America is declining in power and resolution. Russia and China have each embarked on ambitious and enormously expensive naval buildups with weapons designed specifically against American carriers and submarines.

WHAT SHOULD THE COMMITTEE DO?

I urge the committee to step up to the challenge of the current crisis just as its former leader Carl Vinson did. That does not just mean adding money and ships to the Administration's request. It means instead providing a new framework of debate based on a sound and simple strategy just as Vinson did. It means focusing the Debate on those key issues where legislation can be determinant.

The current fiscal crisis should be harnessed as a catalyst to enable the undertaking of deep changes.

The two highest priorities for the Committee should be fundamentally changing the disastrous systemic dysfunction of the DoD procurement process, and completely re-setting the military compensation system.

PROCUREMENT

The Department of Defense acquisition process is seriously broken. Under the current system, it takes decades, not years, to develop and field weapons systems. Even worse, an increasing number of acquisition programs are plagued by cost over runs, schedule slips and failures to perform. The many horror stories like the F-35, the Air Force tanker scandal, the Navy shipbuilding failures and the Army armor disasters are only the visible tip of an iceberg. The major cause has been unbridled bureaucratic bloat (e.g. 690,000 DoD civilians, 250 uniformed Joint task forces) resulting in complete loss of line authority and accountability. As the House Armed Services Committee formally concluded:

"Simply put, the Department of Defense acquisition process is broken. The ability of the Department to conduct the large scale acquisitions required to ensure our future national security is a concern of the committee. The rising costs and lengthening schedules of major defense acquisition programs lead to more expensive platforms fielded with fewer numbers."

That is, of course, an understatement. We are really engaged in a form of unilateral disarmament through runaway costs. Unless the acquisition system is fixed it will soon be impossible to maintain a military of sufficient size and sophistication with which to secure our liberties and protect the national interest. The solution is clear and achievable.

MILITARY COMPENSATION

Just as entitlements are steadily squeezing out discretionary spending in the Federal budget, personnel costs in the Pentagon are squeezing out operations and modernization. There has not been a comprehensive overhaul of military compensation, retirement, and medical care since the original Gates Commission during the Nixon Administration. It is long overdue. Over the last several years the Pentagon has done the difficult work through the Defense Business Board to establish the hard facts necessary to undertake such an effort. The Independent QDR panel two years ago recommended the establishment of a bi-partisan commission to undertake the task and report to Congress and the President. Now is the time to act on that recommendation.

SUMMARY

This committee has an historic constitutional responsibility, and in the present fiscal crisis a unique opportunity to put our Navy back on the proper course to secure our future security. The Committee can't do everything and must concentrate its efforts on the highest priorities where its unique power can be decisive. I urge you to do so.

NOMINATIONS OBJECTIONS

CHRISTOPHER MEADE

Mr. GRASSLEY. Madam President. I intend to object to proceeding to the nomination of Christopher Meade to be General Counsel to the Treasury Department for the following reason: At his confirmation hearing, I asked Mr. Meade for the Treasury Department's legal basis for not responding to an oversight request I made regarding the Committee on Foreign Investment in the United States. Mr. Meade is currently the Acting General Counsel and his response appeared to indicate that he interpreted a statute which states: "Nothing in this subsection shall be construed to prevent disclosure to either House of Congress or to any duly authorized committee or subcommittee of the Congress" as a limitation on Congress' ability to access information. The plain reading of the statute appears contrary to this interpretation.

In addition, Mr. Meade appeared to interpret a statute which requires CFIUS to brief certain specified Members of Congress as restricting CFIUS' ability to brief anyone except those members. Again, the plain reading of

the statute appears contrary to this interpretation. There is nothing in this statute which restricts Treasury from briefing any other Members of Congress.

In an attempt to give Mr. Meade an opportunity to clarify his statements and explain his legal reasoning I wrote Mr. Meade another letter asking him to explain his logic and legal reasoning. I expect his reply shortly.

The most important role a Department General Counsel plays is in the interpretation of statutes passed by Congress. If Congress cannot be satisfied that Mr. Meade will impartially and accurately interpret statutes, this is a grave concern. The issues I have raised appear uncontroversial. If a statute says that "nothing" in it can be construed to prevent the disclosure of information to Congress, I do not expect it to be interpreted to limit Congress' ability to access information. If a statute does not limit CFIUS' ability to brief Members of Congress, I do not expect it to be interpreted to limit CFIUS' ability to brief Members of Congress.

I strongly believe that Congress' job does not end once it passes a statute. It is our job to ensure that the Executive Branch enforces the statute the way it was written. I will object to proceeding to Mr. Meade's nomination until he demonstrates that he will interpret these statutes consistent with their plain meaning.

BILL SCHULTZ

Madam President, I would also like to express my opposition to moving forward with Bill Schultz as the General Counsel for the Health and Human Services Administration. My objection is due to the agency's refusal to respond to my oversight requests. It is not based on Mr. Shultz's qualifications or ability to do the job. I have met with Mr. Schultz and believe him to be fair and hard working.

However, as I mentioned to him during his nomination hearing and when I met with him personally—I have many unanswered letters and document requests pending with HHS. Specifically: I have received no response to my December 6, 2011, letter eliminating the age restriction on Plan B; I received no response to Chairman Issa and my April 5, 2012, letter to FDA regarding the monitoring of FDA employees; I received no response to my July 16, 2012, letter to FDA regarding the monitoring of FDA employees; I received no response to my July 24, 2012, letter to FDA regarding the monitoring of FDA employees.

This is unacceptable.

FDA intentionally spied on confidential communication with Congress, the Office of Special Counsel, and the whistleblowers private attorneys. Furthermore, in a meeting with my staff you indicated that one month was too long for letters from Congress to go un-

answered. My letters have gone unanswered ranging from 7 months to over a year.

Until I receive answers to my letters and document requests, I am hesitant to agree to any movement on this nomination.

KALMBACH FEEDS 50TH ANNIVERSARY

Mr. PORTMAN. Madam President, today I wish to congratulate Kalmbach Feeds, a family-owned company, on 50 years of serving Ohio farms and agribusiness. Kalmbach Farms was founded in 1963 by Milton and Ruth Kalmbach, and their goal was to "create a new way of doing business." Starting the business with only one truck and one employee, the Kalmbach family opened a mix-and-grind plant in Upper Sandusky, OH. That operation has grown into the large commercial farm it is today.

Kalmbach Farms has been on the forefront of feed production. The farm manufactures and sells nutritional products for all livestock and poultry species and has been devoted to providing customers feed at a fair price. The Kalmbach family has been able to expand its business model to include nutritional products for mink, wildlife, swine, and pets. With branches in both Michigan and Indiana, Kalmbach Farms' products are regional leaders in the animal nutrition industry and are distributed in several States, including Ohio, Indiana, Michigan, Kentucky, West Virginia, Illinois, and New York.

Kalmbach Farms is now run by Milton and Ruth's son, Paul Kalmbach. This proud Ohio company employs over 250 people, and since the business began there has not been a single layoff. Kalmbach Feeds is continuing to look to the future by expanding the business and offering more employment opportunities for individuals interested in agriculture. I would like to congratulate the Kalmbach family on their 50 years of quality service.

ADDITIONAL STATEMENTS

CONGRATULATING THE ROTARY CLUB OF CARSON CITY

• Mr. HELLER. Madam President, today I wish to congratulate one of my home State's finest community organizations, the Rotary Club of Carson City, for its 75 years of service to the Carson City community.

The Rotary Club of Carson City has been committed to their ideal of "He Profits Most Who Serves Best" for three quarters of a century. In 1937, Hans Jepson and Rev. John L. Harvey formed the Carson City Club with 25 members on their chapter roll. Today, the Rotary Club in Carson City has grown to over 90 members who live by

their motto "Service Above Self" while providing vitally important community service to the Carson City area.

In addition, the club has been committed to fostering and promoting the educational pursuits of students in Carson City. Each year, they award a 4-year college scholarship to a non-traditional student, as well as sponsor high school students to participate in an international youth exchange program. The Carson Rotary Club also recognizes excellence in the classroom and academic achievement by honoring a local student of the week and teacher of the month throughout each school year.

The Rotarians are an important example of the kind of dedicated service which makes our communities great. Today, I ask my colleagues to join me in congratulating the Rotary Club of Carson City for 75 years of service to the people of Nevada.●

TRIBUTE TO ARTHUR A. KLEIN

● Mr. TESTER. Mr. President, today I wish to honor Arthur A. Klein, a veteran of World War II and resident of Billings, MT.

It is my honor to share the story of Art's service in World War II, because no story of bravery—and especially not one from our "greatest generation"—should ever be forgotten.

Art was born October 17, 1921, in Killam, Canada, to a large and hard-working prairie family. Hard times forced Art to move to Spokane, WA, to find work, but he soon enlisted in the U.S. Marine Corps in 1939 for a chance to proudly serve the Nation he would eventually adopt as his own.

In August 1941, the Marine Corps assigned Art to the First Marine Defense Battalion on Wake Island: a remote atoll 2,300 miles west of Hawaii where the U.S. Navy was building a military base. Four hundred and forty-nine U.S. marines, 68 U.S. Navy personnel, 6 Army Air Corps soldiers, and 1,221 civilian workers occupied the three islands comprising Wake Atoll.

Because of the International Date Line, the Japanese attack on Pearl Harbor was December 8, 1941, at Wake Island. Wake Islands naval commander received radio reports of the Japanese attack on Pearl Harbor and ordered the island to full alert. Following the attack on Pearl Harbor the Japanese planes attacked Wake Island. While defending the island, Mr. Klein was shot in the leg.

U.S. forces on Wake Island fought for many days without reinforcements or support, but they couldn't hold against overwhelming Japanese forces. To save civilians and military forces, the islands U.S. naval commander was forced to surrender the garrison.

On January 12, 1942, Mr. Klein was placed aboard the Japanese ship Nitta Maru and crowded into the ships cargo

hold. In the ships cargo hold, Mr. Klein endured 7 days before docking in Japan.

For the next 4 years, Mr. Klein worked in Japanese coal mines and crude steel mills. Once, a guard clubbed Mr. Klein into unconsciousness for simply picking a small onion to eat.

Losing weight and in declining health, Mr. Klein never gave up hope. In September 1945, when Allied forces victoriously liberated Mr. Klein and other prisoners in Japan, Mr. Klein weighed 85 pounds.

Returning in triumph to America and freedom, Mr. Klein, now a sergeant in the Marine Corps, spent weeks in a military hospital to recover from his captivity. Art eventually left the Marine Corps, became an American citizen, and began a successful business career.

Art settled in Billings, MT, and has been active in veterans organizations where he continues being a source of inspiration, courage, and patriotism for us all. A fellow veteran recently asked Art what kept him going during his WWII captivity. In response, Mr. Klein, now 91 years of age, struggled to raise a now frail right arm as high as he could, and with a clenched fist and inspiring smile, said, "The USA."

On behalf of a grateful nation, I commend Mr. Klein and his service to America.●

MESSAGE FROM THE HOUSE

At 2:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 667. An act to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 667. An act to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

Under the authority of the order of the Senate of February 14, 2013, the following bill was read the first and second times by unanimous consent, and placed on the calendar:

S. 388. A bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-426. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Horses from Contagious Equine Metritis-Affected Countries" ((RIN0579-AD31) (Docket No. APHIS-2008-0112)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-427. A communication from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Broadband Access Loans and Loan Guarantees" ((RIN0572-AC06) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-428. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "3-decen-2-one; Exemption from the Requirement of a Tolerance" (FRL No. 9378-1) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-429. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate" (Docket No. AMS-FV-12-0035; FV12-987-1 IR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-430. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Apricots Grown in Designated Counties in Washington; Temporary Suspension of Handling Regulations" (Docket No. AMS-FV-12-0028; FV12-922-2 IR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-431. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Periodic Residue Testing" (Docket No. AMS-NOP-10-0102; NOP-10-10FR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-432. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2012-2013 Marketing Year" (Docket No. AMS-FV-11-0088; FV12-985-1A IR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-433. A communication from the Administrator, Agricultural Marketing Service,

Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Avocados Grown in South Florida; Decreased Assessment Rate" (Docket No. AMS-FV-11-0094; FV12-915-1 FIR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-434. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in Designated Area of Southeastern California; Increased Assessment Rate" (Docket No. AMS-FV-11-0090; FV 12-925-1 FR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-435. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Apricots Grown in Designated Counties in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-12-0027; FV12-922-1 IR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-436. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears" (Docket No. AMS-FV-12-0031; FV12-927-2 IR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-437. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Modification of the Handling Regulation for Area No. 2" (Docket No. AMS-FV-12-0043; FV12-948-1 IR) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-438. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Soybean Promotion and Research: Amend the Order To Adjust Representation on the United Soybean Board" (Docket No. AMS-LS-12-0022) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-439. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-440. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report on operations of the National Defense Stockpile (NDS) for fiscal year 2012; to the Committee on Armed Services.

EC-441. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Strategic and Critical Materials 2013 Report on Stockpile Requirements"; to the Committee on Armed Services.

EC-442. A communication from the Surgeon General and Commanding General, US Army Medical Command, Department of the Army, transmitting, pursuant to law, a report entitled "Inspection of Facilities Used to House Warriors in Transition"; to the Committee on Armed Services.

EC-443. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA): Hospital Mortgage Insurance Program—Refinancing Hospital Loans" (RIN2502-A174) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-444. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-445. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-446. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-447. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Israel; to the Committee on Banking, Housing, and Urban Affairs.

EC-448. A communication from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guarantees for Bonds Issued for Community or Economic Development Purposes" (RIN1559-AA01) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-449. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans" (RIN7100-AD90) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-450. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans" ((RIN3170-AA11) (Docket No. CFPB-2012-0031)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-451. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Records and Information" ((RIN3170-AA01) (Docket No. CFPB-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-452. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Ability-to-Repay and Qualified Mortgage Standards under the Truth in Lending Act (Regulation Z)" ((RIN3170-AA17) (Docket No. CFPB-2011-0008, CFPB-2012-0022)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-453. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Mortgage Servicing Rules under the Truth in Lending Act (Regulation Z)" ((RIN3170-AA14) (Docket No. CFPB-2012-0033)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-454. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Mortgage Servicing Rules under the Real Estate Settlement Act (Regulation X)" ((RIN3170-AA14) (Docket No. CFPB-2012-0034)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-455. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Disclosure and Delivery Requirements for Copies of Appraisals and Other Written Valuations under the Equal Credit Opportunity Act (Regulation B)" ((RIN3170-AA26) (Docket No. CFPB-2012-0032)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-456. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Loan Originator Compensation Requirements under the Truth in Lending Act (Regulation Z)" ((RIN3170-AA13) (Docket No. CFPB-2012-0037)) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. Res. 42. An original resolution authorizing expenditures by the Committee on Armed Services.

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 43. An original resolution authorizing expenditures by the Committee on Rules and Administration.

By Mr. JOHNSON, of South Dakota, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 44. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Environment and Public Works of the Senate.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. Res. 46. An original resolution authorizing expenditures by the Committee on the Judiciary.

By Ms. STABENOW, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. Res. 47. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry.

By Mr. SANDERS, from the Committee on Veterans' Affairs, without amendment:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Veterans' Affairs.

By Mr. NELSON, from the Special Committee on Aging, without amendment:

S. Res. 49. An original resolution authorizing expenditures by the Special Committee on Aging.

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. Res. 50. An original resolution authorizing expenditures by the Select Committee on Intelligence.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. Res. 51. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL, from the Committee on Indian Affairs, without amendment:

S. Res. 52. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs.

By Mrs. MURRAY, from the Committee on the Budget, without amendment:

S. Res. 53. An original resolution authorizing expenditures by the Committee on the Budget.

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. Res. 54. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN, from the Committee on Energy and Natural Resources, without amendment:

S. Res. 55. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nominations beginning with Brigadier General Arnold W. Bunch, Jr. and ending with Brigadier General Scott J. Zobrist, which nominations were received by the Senate and appeared in the Congressional Record on January 22, 2013.

Air Force nominations beginning with Colonel Nina M. Armagno and ending with

Colonel John M. Wood, which nominations were received by the Senate and appeared in the Congressional Record on January 22, 2013.

Air Force nomination of Lt. Gen. Robin Rand, to be Lieutenant General.

Army nomination of Lt. Gen. John M. Bednarek, to be Lieutenant General.

Army nomination of General Lloyd J. Austin III, to be General.

Army nomination of Lieutenant General Robert L. Caslen, Jr., to be Lieutenant General.

Army nomination of Lt. Gen. John F. Campbell, to be General.

Army nomination of Lt. Gen. Vincent K. Brooks, to be General.

Army nomination of Gen. David M. Rodriguez, to be General.

Marine Corps nomination of Brig. Gen. Paul W. Brier, to be Major General.

Navy nomination of Rear Admiral William H. Hilarides, to be Vice Admiral.

Navy nomination of Rear Adm. Joseph P. Aucco, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Alan S. Fine and ending with Paul R. Newbold, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Army nomination of Jasmine T. N. Daniels, to be Colonel.

Army nomination of Paul W. Roecker, to be Colonel.

Army nominations beginning with James B. Barkley and ending with Michael E. Spraggins, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Army nomination of Lena M. Fabian, to be Major.

Army nominations beginning with Yiming A. Ching and ending with Joseph F. Goodman, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Army nominations beginning with William C. Alley and ending with D010916, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Army nominations beginning with Alison R. Huppman and ending with Allegra E. Lobell, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Army nominations beginning with Thomas M. Grego and ending with George J. Zeckler, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

Navy nominations beginning with Andrew W. Deley and ending with Gregory E. Ringler, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2013.

By Mr. BAUCUS for the Committee on Finance.

*Christopher J. Meade, of New York, to be General Counsel for the Department of the Treasury.

*William B. Schultz, of the District of Columbia, to be General Counsel of the Department of Health and Human Services.

*Jacob J. Lew, of New York, to be Secretary of the Treasury.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORKER (for himself and Mr. ALEXANDER):

S. 11. A bill to provide a comprehensive deficit reduction plan, and for other purposes; to the Committee on Finance.

By Mr. COATS:

S. 12. A bill to provide for the transfer of naval vessels to certain foreign recipients; to the Committee on Foreign Relations.

By Mr. GRAHAM (for himself, Mr. THUNE, and Mr. COATS):

S. 13. A bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 14. A bill to provide for the partial settlement of certain claims under the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

By Mr. PAUL (for himself, Mr. LEE, Mr. RUBIO, Ms. AYOTTE, Mr. MORAN, Mr. MANCHIN, Mr. GRASSLEY, Mrs. FISCHER, Mr. ROBERTS, Mr. ISAKSON, Mr. ENZI, Mr. VITTER, Mr. PORTMAN, Mr. JOHNSON of Wisconsin, Mr. CORNYN, Mr. CRAPO, Mr. FLAKE, Mr. CHAMBLISS, Mr. BARRASSO, Mr. SESSIONS, and Mr. INHOFE):

S. 15. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself, Ms. AYOTTE, Mr. BLUNT, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. LEE, Mr. MCCAIN, Mr. RISCH, Mr. THUNE, and Mr. VITTER):

S. 379. A bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes; to the Committee on the Budget.

By Mrs. MURRAY:

S. 380. A bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. BOOZMAN, Mr. LAUTENBERG, Mr. BAUCUS,

Mr. TESTER, Mr. NELSON, Ms. CANTWELL, Mr. SCHATZ, and Mrs. MURRAY):

S. 381. A bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 382. A bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs; to the Committee on Finance.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 383. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 384. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

By Mr. BEGICH (for himself, Mr. CRAPO, Ms. MURKOWSKI, Mr. TESTER, and Mr. BAUCUS):

S. 385. A bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely; to the Committee on Indian Affairs.

By Mr. BEGICH:

S. 386. A bill to amend the Consolidated Farm and Rural Development Act to provide and improve housing in the rural areas for educators, public safety officers, and medical providers, and their households, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER (for himself and Mr. LAUTENBERG):

S. 387. A bill to establish the American Infrastructure Investment Fund and other activities to facilitate investments in infrastructure projects that significantly enhance the economic competitiveness of the United States by improving economic output, productivity, or competitive commercial advantage, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for Ms. MIKULSKI (for herself, Mrs. MURRAY, and Mr. REID)):

S. 388. A bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes; placed on the calendar.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 389. A bill to amend title 10, United States Code, to authorize long-term contracts for the procurement of certain liquid transportation fuels for the Department of Defense; to the Committee on Armed Services.

Armed Services; to the Committee on Rules and Administration.

By Mr. SCHUMER:

S. Res. 43. An original resolution authorizing expenditures by the Committee on Rules and Administration; from the Committee on Rules and Administration; placed on the calendar.

By Mr. JOHNSON of South Dakota:

S. Res. 44. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs; from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration.

By Mrs. BOXER:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Environment and Public Works of the Senate; from the Committee on Environment and Public Works; to the Committee on Rules and Administration.

By Mr. LEAHY:

S. Res. 46. An original resolution authorizing expenditures by the Committee on the Judiciary; from the Committee on the Judiciary; to the Committee on Rules and Administration.

By Ms. STABENOW:

S. Res. 47. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition and Forestry; from the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Rules and Administration.

By Mr. SANDERS:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Veterans' Affairs; from the Committee on Veterans' Affairs; to the Committee on Rules and Administration.

By Mr. NELSON:

S. Res. 49. An original resolution authorizing expenditures by the Special Committee on Aging; from the Special Committee on Aging; to the Committee on Rules and Administration.

By Mrs. FEINSTEIN:

S. Res. 50. An original resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER:

S. Res. 51. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation; from the Committee on Commerce, Science, and Transportation; to the Committee on Rules and Administration.

By Ms. CANTWELL:

S. Res. 52. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mrs. MURRAY:

S. Res. 53. An original resolution authorizing expenditures by the Committee on the Budget; from the Committee on the Budget; to the Committee on Rules and Administration.

By Mr. CARPER:

S. Res. 54. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs; from the Committee on Homeland Security and Governmental Affairs; to the Committee on Rules and Administration.

By Mr. WYDEN:

S. Res. 55. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. CARDIN (for himself, Mr. PORTMAN, Ms. MIKULSKI, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. BROWN):

S. Res. 56. A resolution recognizing the significance of the 100th anniversary of the death of Harriet Ross Tubman; considered and agreed to.

By Mr. BROWN (for himself, Mr. BARASSO, Mr. WHITEHOUSE, Mr. PRYOR, and Mrs. HAGAN):

S. Res. 57. A resolution designating February 28, 2013, as "Rare Disease Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 175

At the request of Mr. ROBERTS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 175, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 183

At the request of Mrs. McCASKILL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 210

At the request of Mr. HELLER, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 294

At the request of Mr. TESTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN:

S. Res. 42. An original resolution authorizing expenditures by the Committee on Armed Services; from the Committee on

eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 313

At the request of Mr. CASEY, the names of the Senator from Maine (Ms. COLLINS), the Senator from North Carolina (Mrs. HAGAN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the names of the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Mrs. BOXER), the Senator from Delaware (Mr. COONS), the Senator from North Carolina (Mrs. HAGAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from South Dakota (Mr. JOHNSON), the Senator from Oregon (Mr. MERKLEY), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 357

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Ms. WARREN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 367

At the request of Mr. CARDIN, the names of the Senator from Rhode Is-

land (Mr. REED) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 369

At the request of Mr. RUBIO, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 375

At the request of Mr. TESTER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. RES. 30

At the request of Mr. ROBERTS, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 30, a resolution establishing the Committee to Reduce Government Waste.

S. RES. 37

At the request of Mr. BROWN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 37, a resolution expressing the sense of the Senate in disapproving the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 14. A bill to provide for the partial settlement of certain claims under the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation to provide a small interim conveyance of lands to the Sealaska Native Regional Corporation of Southeast Alaska, a conveyance designed simply to keep Sealaska in business for the next year or so to give this Congress sufficient time to consider a more comprehensive solution to the issue of how to complete the Native corporation's land conveyances authorized 42 years ago.

Several weeks ago I and my colleague Sen. MARK BEGICH reintroduced legislation first proposed in 2007 and 2008 to resolve problems with land conveyances to Southeast Alaska Natives, S. 340, stemming from passage of the Alaska Native Claims Settlement Act of 1971. Back in the 110th Congress there was plenty of time to resolve these land conveyance issues. Unfortunately as we begin the 113th Congress,

the Sealaska Corporation has nearly exhausted its ability to use its lands in Southeast to benefit their shareholders in a socially responsible manner. This bill that we introduce today is a small stop-gap measure to give the corporation a one- or two-year additional supply of accessible lands to guarantee the continued operations of the corporation in order to give us and the House of Representatives additional time to again consider a more comprehensive settlement of Southeast Alaska Native land issues.

Today I am proposing legislation to grant Sealaska quick conveyance of the two smallest parcels of lands under consideration for conveyance to it as part of a broader land settlement revision. The parcels totaling 3,380 acres of the 68,000 acres proposed in the broader bill, include 2,000 acres at North Election Creek on central Prince of Wales Island, lands adjacent to existing Sealaska lands on the island, and 1,380 acres on the west side of the Cleveland Peninsula north of Ketchikan, lands also adjacent to Sealaska's current holdings. I am proposing interim conveyance of just these two tracts within 60 days of the act's passage, because to my knowledge there are few if any environmental concerns that have been raised with resource development on either tract. I am proposing to limit the conveyances to just these two to give Sealaska another year or two of existing operations to give time for the 113th Congress to hold new hearings on the Sealaska lands issue and to finalize and pass legislation. But by limiting the selections to just two small tracts, I am not lessening the urgency of the need for all parties to reach an agreement on the terms of a broader bill within the 113th Congress. If no agreement is reached on a broader bill, Sealaska will again be forced to curtail its operations with likely tragic consequences for Southeast's regional economy long before this Administration ends.

The bill, in an effort not to limit negotiations on a broader land settlement, makes no other changes, except to guarantee that all existing access provisions to lands required by the Alaska Native Claims Settlement Act remain in force on the two parcels proposed for conveyance. This bill is purely intended to give this Congress sufficient time to consider this issue while maintaining the economic status quo in the Panhandle—a fact that is vital for a timber industry, but also in order for the U.S. Forest Service to have the time and related infrastructure needed to implement its proposed young-growth transition strategy in the Tongass National Forest.

My hope is that this bill will promptly be considered and passed by this Congress, to give us all the time needed to reach an equitable solution to land issues in America's largest national forest.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 42—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. LEVIN submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration.

S. RES. 42

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013 under this resolution shall not exceed \$4,179,885, of which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended; and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 43—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 43

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed \$1,619,831, of which amount (1) not to exceed \$43,750 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$7,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 44—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. JOHNSON of South Dakota submitted the following resolution; from the Committee on Banking, Housing, and Urban Affairs; which was referred

to the Committee on Rules and Administration:

S. RES. 44

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed \$3,787,685 of which amount (1) not to exceed \$10,267 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$616 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 45—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE SENATE

Mrs. BOXER submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Rules and Administration:

S. RES. 45

Resolved,
SECTION 1. In carrying out its powers, duties, and functions under the Standing Rules

of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works (in this resolution referred to as the "committee") is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed \$3,178,904, of which amount—

(1) not to exceed \$4,666.67 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$1,166.67 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. (a) Except as provided in subsection (b), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(b) Vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery;

(4) for payments to the Postmaster of the Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 46—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

Mr. LEAHY submitted the following resolution; from the Committee on the Judiciary; which was referred to the Committee on Rules and Administration:

S. RES. 46

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction

under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$5,882,131, of which amount—

(1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

SENATE RESOLUTION 47—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Ms. STABENOW submitted the following resolution; from the Committee on Agriculture, Nutrition, and Forestry; which was referred to the Committee on Rules and Administration:

S. RES. 47

Resolved, That, in carrying out its powers, duties, and functions under the Standing

Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed \$2,464,069 of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$40,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 48—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON VETERANS' AFFAIRS

Mr. SANDERS submitted the following resolution; from the Committee on Veterans' Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 48

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs (in

this resolution referred to as the “committee”) is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

- (1) make expenditures from the contingent fund of the Senate;
- (2) employ personnel; and
- (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$1,409,970, of which amount—

- (1) not to exceed \$30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
- (2) not to exceed \$10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

- (A) the disbursement of salaries of employees paid at an annual rate;
- (B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;
- (C) the payment of stationery supplies purchased through the Keeper of the Stationery;
- (D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate.

“committee”) is authorized from March 1, 2013, through September 30, 2013, in its discretion to—

- (1) make expenditures from the contingent fund of the Senate;
- (2) employ personnel; and
- (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$1,704,661, of which amount, not to exceed \$15,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

- (A) the disbursement of salaries of employees paid at an annual rate;
- (B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;
- (C) the payment of stationery supplies purchased through the Keeper of the Stationery;
- (D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate.

Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Select Committee on Intelligence (in this resolution referred to as the “committee”) is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

- (1) make expenditures from the contingent fund of the Senate;
- (2) employ personnel; and
- (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$3,739,220, of which amount—

- (1) not to exceed \$10,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

- (A) the disbursement of salaries of employees paid at an annual rate;
- (B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;
- (C) the payment of stationery supplies purchased through the Keeper of the Stationery;
- (D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate.

SENATE RESOLUTION 49—AUTHORIZING EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Mr. NELSON submitted the following resolution; from the Special Committee on Aging; which was referred to the Committee on Rules and Administration:

S. RES. 49

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging (in this resolution referred to as the

SENATE RESOLUTION 50—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mrs. FEINSTEIN submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 50

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the

SENATE RESOLUTION 51—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROCKEFELLER submitted the following resolution; from the Committee on Commerce, Science, and Transportation; which was referred to the Committee on Rules and Administration:

S. RES. 51

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction

under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$4,080,061, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

SENATE RESOLUTION 52—AUTHORIZING EXPENDITURES BY THE SENATE COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL submitted the following resolution; from the Committee on Indian Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 52

Resolved, That, in carrying out its powers, duties and functions imposed by section 105

of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or non-reimbursable, basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed \$1,304,696.00, of which amount (1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairwoman of the committee, except that vouchers shall not be required (1) for the disbursement of the salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

SENATE RESOLUTION 53—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE BUDGET

Mrs. MURRAY submitted the following resolution; from the Committee on the Budget; which was referred to the Committee on Rules and Administration:

S. RES. 53

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of

rule XXVI of the Standing Rules of the Senate, the Committee on the Budget (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$3,950,532, of which amount—

(1) not to exceed \$35,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$21,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

SENATE RESOLUTION 54—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARPER submitted the following resolution; from the Committee on Homeland Security and Governmental Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 54

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction

under rule XXV of the Standing Rules of the Senate and S. Res. 445 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

- (1) make expenditures from the contingent fund of the Senate;
- (2) employ personnel; and
- (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$6,074,429, of which amount—

- (1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
- (2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES; AGENCY CONTRIBUTIONS; AND INVESTIGATIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

- (A) the disbursement of salaries of employees paid at an annual rate;
- (B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;
- (C) the payment of stationery supplies purchased through the Keeper of the Stationery;
- (D) payments to the Postmaster of the Senate;
- (E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;
- (F) the payment of Senate Recording and Photographic Services; or
- (G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

(c) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in trans-

actions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

- (i) the collection and dissemination of accurate statistics on fuel demand and supply;
- (ii) the implementation of effective energy conservation measures;
- (iii) the pricing of energy in all forms;
- (iv) coordination of energy programs with State and local government;
- (v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 81, agreed to March 2, 2011 (112th Congress), are authorized to continue.

SENATE RESOLUTION 55—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN submitted the following resolution; from the Committee on Energy and Natural Resources; which was referred to the Committee on Rules and Administration:

S. RES. 55

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources (in this resolution referred to as the "committee") is authorized from March 1, 2013 through September 30, 2013, in its discretion to—

- (1) make expenditures from the contingent fund of the Senate;
- (2) employ personnel; and
- (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.

The expenses of the committee for the period March 1, 2013 through September 30, 2013 under this resolution shall not exceed \$3,453,383.

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.**(a) EXPENSES OF THE COMMITTEE.—**

(1) **IN GENERAL.**—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) **VOUCHERS NOT REQUIRED.**—Vouchers shall not be required for—

- (A) the disbursement of salaries of employees paid at an annual rate;
- (B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;
- (C) the payment of stationery supplies purchased through the Keeper of the Stationery;
- (D) payments to the Postmaster of the Senate;
- (E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;
- (F) the payment of Senate Recording and Photographic Services; or
- (G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) **AGENCY CONTRIBUTIONS.**—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013 through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

SENATE RESOLUTION 56—RECOGNIZING THE SIGNIFICANCE OF THE 100TH ANNIVERSARY OF THE DEATH OF HARRIET ROSS TUBMAN

Mr. CARDIN (for himself, Mr. PORTMAN, Ms. MIKULSKI, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 56

Whereas Harriet Ross Tubman was born into slavery near Buckstown, Maryland, in or around the year 1820, to her parents Benjamin Ross and Harriet Green, and was named Araminta Ross;

Whereas, as a child slave, Tubman checked muskrat traps along the marshes of the

Blackwater River in Dorchester County, Maryland, and later worked in the fields and forests surrounding the Brodess Plantation;

Whereas, as a teenage slave, Tubman worked as a seamstress on the Cook Plantation in Dorchester County, Maryland, and changed her name to Harriet;

Whereas, at the age of 24, Tubman married a free black man named John Tubman, though she remained a slave;

Whereas, in 1849, upon hearing news that she was to be sold to settle the debts of her late master, Tubman escaped from slavery to Philadelphia, Pennsylvania, marking the first of many expeditions to and from the Eastern Shore of Maryland to lead nearly 70 slaves out of slavery;

Whereas, over the course of the next 11 years, from 1849 to 1860, Tubman became a famous conductor of the Underground Railroad, proclaiming in her later years, "I never ran my train off the track and I never lost a passenger.";

Whereas, since the journeys to freedom by Tubman took place over the winter months when the nights were long and dark, her groups made stops along the extensive Underground Railroad, first traveling to the Quaker community of Poplar Neck in Caroline County, Maryland, eventually making stops at the homes of Quaker abolitionist Thomas Garrett in Wilmington, Delaware, and African-American abolitionist and future civil rights activist William Still in Philadelphia, Pennsylvania, before final resettlement in Canada;

Whereas, in the late 1850s, Tubman began to speak before abolitionist audiences to share her dedication and unwavering commitment to the abolitionist cause and the emancipation of slaves;

Whereas Tubman drew admiration from African-American abolitionist Frederick Douglass, a fellow Eastern Shore native of Talbot County, Maryland, who stated, "I know of no one who has willingly encountered more perils and hardships to serve our enslaved people than you have.";

Whereas the National Underground Railroad Freedom Center, located in Cincinnati, Ohio, recognizes Tubman as one the most famous conductors along the Underground Railroad and has dedicated a theater in honor of Tubman;

Whereas, in 1859, Tubman purchased a home and several acres of land in Auburn, New York, from William Henry Seward, then United States Senator from New York and future Secretary of State for President Abraham Lincoln;

Whereas Tubman attended her first Women's Rights Convention in Boston, Massachusetts in 1860, beginning a lifelong commitment to the suffrage movement;

Whereas, at the start of the Civil War in 1861, Tubman believed that a Union victory would be a key stepping stone to the abolition of slavery and vowed to assist the cause, joining abolitionist Bostonians and Philadelphians who traveled to Hilton Head Island, South Carolina to provide aid to the Union war effort;

Whereas Tubman used the skills that she learned evading detection and capture on the Underground Railroad to serve as a spy and scout for the Union camp at Port Royal, South Carolina in addition to providing care to Union forces as a nurse and cook;

Whereas, in 1863, the same year that the Emancipation Proclamation was issued, Tubman became the first woman to lead an armed assault during the Civil War on the Raid on Combahee Ferry;

Whereas Tubman led bands of scouts along the marshes and rivers of Port Royal, simi-

lar to those of her native Dorchester County, to map the unfamiliar territory for Colonel James Montgomery, commander of the 2nd Regiment South Carolina Volunteer Infantry (African Descent);

Whereas, between June 1 and June 2, 1863, Tubman guided Colonel Montgomery and a detachment of 300 men from the 2nd Regiment South Carolina Volunteer Infantry (African Descent) through the mine-laden waters of the Combahee River in Colleton County, South Carolina, where the Union forces liberated nearly 750 slaves;

Whereas Tubman assisted the newly liberated slaves in the years following the raid and tended to wounded soldiers in the Commonwealth of Virginia before returning to Auburn, New York after the conclusion of the Civil War;

Whereas Tubman dedicated the later years of her life to promoting the women's suffrage movement, traveling to New York City, New York, Boston, Massachusetts, and Washington, District of Columbia, to speak before countless women's groups with fellow suffrage movement leaders Susan B. Anthony and Emily Howland;

Whereas, when asked if she believed women deserved the right to vote, Tubman replied, "I suffered enough to believe it.";

Whereas, in 1903, Tubman deeded her property to the African Methodist Episcopal Zion Church of Auburn, New York, to serve as a home for the "aged and indigent colored people", which opened on June 23, 1908, as the Harriet Tubman Home for the Aged; and

Whereas, having lived in the home named after her, Tubman passed away on March 10, 1913, at the age of 93; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of the 100th anniversary of the death of Harriet Tubman, whose dedication and unwavering commitment to serving in any capacity necessary to pursue the promise of American ideals and the principles of humanity continue to inspire all individuals who cherish freedom;

(2) encourages the people of the United States to honor and preserve the legacy of Tubman;

(3) recognizes the significance of the tireless work of Tubman and the other individuals who bravely served to create the Underground Railroad network to achieve freedom for those individuals enslaved during the Antebellum Era of the United States; and

(4) recognizes the dedication and commitment of the Harriet Tubman Organization of Cambridge, Maryland, and the Harriet Tubman Home, Inc. and the Harriet Tubman Boosters Club, both of Auburn, New York, for preserving the heritage of the United States and promoting the rich history of the United States.

SENATE RESOLUTION 57—DESIGNATING FEBRUARY 28, 2013, AS "RARE DISEASE DAY"

Mr. BROWN (for himself, Mr. BARASSO, Mr. WHITEHOUSE, Mr. PRYOR, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 57

Whereas rare diseases and disorders are those that affect a small number of patients, typically less than 200,000 people in the United States;

Whereas, as of the date of approval of this resolution, nearly 7,000 rare diseases affect approximately 30,000,000 people in the United States and their families;

Whereas children with rare genetic diseases account for more than half of the population affected by rare diseases in the United States;

Whereas many rare diseases are serious, life-threatening, and lack an effective treatment;

Whereas rare diseases and conditions include epidermolysis bullosa, progeria, sickle cell anemia, Tay-Sachs, cystic fibrosis, many childhood cancers, and fibrodysplasia ossificans progressiva;

Whereas people with rare diseases experience challenges that include difficulty in obtaining an accurate diagnosis, limited treatment options, and difficulty finding physicians or treatment centers with expertise in their diseases;

Whereas great strides have been made in research and treatment for rare diseases as a result of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049) and amendments made by that Act;

Whereas 2013 marks the 30th anniversary of the Orphan Drug Act and therefore a time to reflect upon the successes of that Act and the challenges to be addressed in the future;

Whereas both the Food and Drug Administration and the National Institutes of Health have established special offices to advocate for rare disease research and treatments;

Whereas the National Organization for Rare Disorders, an organization established in 1983 to provide services to, and advocate on behalf of, patients with rare diseases, was a primary force behind the enactment of the Orphan Drug Act and remains a critical public voice for people with rare diseases;

Whereas the National Organization for Rare Disorders sponsors Rare Disease Day in the United States to increase public awareness of rare diseases;

Whereas Rare Disease Day has become a global event occurring annually on the last day of February and was observed in more than 60 countries in 2012;

Whereas Rare Disease Day was observed in the United States for the first time on February 28, 2009; and

Whereas Rare Disease Day is anticipated to be observed globally for years to come, providing hope and information for rare disease patients around the world; Now, therefore, be it

Resolved, That the Senate—

(1) designates February 28, 2013, as “Rare Disease Day”;

(2) recognizes the importance of improving awareness and encouraging accurate and early diagnosis of rare diseases and disorders; and

(3) supports a national and global commitment to improving access to, and developing new treatments, diagnostics, and cures for, rare diseases and disorders.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on February 26, 2013, at 11:50 a.m. in room S-219 of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 26, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 26, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 26, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 26, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Budget and Economic Outlook: Fiscal Years 2013 to 2023.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “State Leadership and Innovation in Disability Employment” on February 26, 2013, at 2:30 p.m., in room G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 26, 2013, at 3:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on February 26, 2013, in room SD-628 of the Dirksen Senate Office Building, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 26, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on February 26, 2013. The Committee will meet in room 345 of the Cannon House Office Building at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 26, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, February 27, 2013, at 10:00 a.m., to conduct a markup of the Omnibus Budget for Senate Committees.

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee at 202-224-6352.

100TH ANNIVERSARY OF THE DEATH OF HARRIET ROSS TUBMAN

Mr. REID. I ask unanimous consent the Senate proceed to S. Res. 56.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 56) recognizing the significance of the 100th anniversary of the death of Harriet Ross Tubman.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I am going to ask unanimous consent that we pass this. First, I read a year and a half or 2 years ago two books about this woman, Harriet Tubman. Stunning. With all the movies being made about courageous, strong Americans, someone should make a movie about this woman. I mean it is just amazing what she was able to do. One little woman did so much to change what went on in America back at that time.

I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 56) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RARE DISEASE DAY

Mr. REID. I ask unanimous consent the Senate proceed to S. Res. 57.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 57) designating February 28, 2013, as "Rare Disease Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be considered made and laid upon the table, and there be no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 57) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MODIFICATION TO SEQUESTER ORDER

Mr. REID. I ask unanimous consent that the order with respect to seques-

ter legislation be modified to permit the Republican leader to introduce a bill on Wednesday, February 27, which consists of the language which is at the desk and that all the provisions under the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: the Senator from Montana, Mr. BAUCUS, the Senator from West Virginia, Mr. ROCKEFELLER, the Senator from Oregon, Mr. WYDEN, the Senator from Utah, Mr. HATCH, the Senator from Iowa, Mr. GRASSLEY.

ORDERS FOR WEDNESDAY, FEBRUARY 27, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow morning, Wednesday, February 27, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to a period of morning business for 1 hour, with

Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, the Finance Committee reported the nomination of Jack Lew to be Treasury Secretary. We hope to reach an agreement to consider his nomination tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before this body, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:43 p.m., adjourned until Wednesday, February 27, 2013, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 26, 2013:

DEPARTMENT OF DEFENSE

CHARLES TIMOTHY HAGEL, OF NEBRASKA, TO BE SECRETARY OF DEFENSE.

EXTENSIONS OF REMARKS

IN RECOGNITION OF DON EATON

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor former San Carlos Mayor Don Eaton who has been named 2012 San Carlos Citizen of the Year. It is only fitting that Don is recognized for his public service over 36 years.

His dedication to our community is described perfectly in his own words: "I believe that it is our duty to leave this community better than we found it." Don served on the city council for 15 years and has undoubtedly left San Carlos better than he found it. Just to begin the list of his contributions to San Carlos, residents can thank him for a traveling Vietnam Wall, the "Week of the Family," and the successful library bond measure.

Don was instrumental in the Holly Street grade separation project which was completed through the passage of Measure D. He also was a co-negotiator and chief spokesperson for the city in the Harbor Industrial Area annexation and he served as a representative to the Association of Bay Area Governments for San Mateo County cities.

Prior to joining the city council, Don was the chair of the San Carlos Planning Commission. During his council service, he did three additional jobs by also serving on the South County Fire District Commission, the South Bayside Systems Authority and the San Carlos Redevelopment Agency Oversight Board. Of course, he also ran his own business as a banker and thus proved to be one of the most indefatigable persons in San Carlos during that era.

After leaving the council, Don retrieved part of his life for himself and his family, but, never one to avoid an opportunity to serve San Carlos or the region, he is currently on the board of directors of the Hiller Aviation Museum and the Bay Area Council Economic Institute. He also sits on my Financial Services Advisory Committee offering me, along with other distinguished members, his perspective on current economic trends in our region.

Don is a native Californian and earned his Bachelor of Arts and Masters in Business Administration from Brigham Young University. He is a Vietnam veteran.

Don and his wife Glenna live in San Carlos where they raised four children.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Don Eaton upon recognition of the obvious: Don Eaton should be San Carlos Citizen of the Year and perhaps, should they ever create such a title, citizen of the past four decades. I am absolutely certain that Don Eaton will live up to his new title and continue contributing to his beloved community of San Carlos for many years to come.

CELEBRATING CHIEF LOUIS SANTOSUS' 50 YEARS OF DEDICATED SERVICE TO THE MINEOLA VOLUNTEER FIRE DEPARTMENT

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to honor my friend and former classmate, Chief Louis Santosus, on the occasion of the celebration of 50 years of service to the Mineola Volunteer Fire Department.

A life-long Mineola resident, Chief Santosus and I were classmates at Mineola Public Schools. After graduation, Chief Santosus joined the Mineola Junior Fire Department in 1963. In the 50 years since, he has remained an active firefighter committed to serving his neighbors with great selflessness and dedication.

Chief Santosus has served in many capacities including Vice President and President of Company No. 1 of the Mineola Volunteer Fire Department. Throughout his service, he rose through the ranks to serve as Captain, and then as Chief, of the Mineola Fire Department. He was an integral part of building up the Mineola Junior Fire Department into the Junior Fire Department, as it is known today throughout the region. He has been honored as Company No. 1 Firefighter of the Year, Town of North Hempstead Firefighter of the Year, and Firefighter of the Year of the Mineola Fire Department. These great distinctions are just some of the examples of the value Chief Louis Santosus brought to his community and his peers.

In addition to his commitment to the fire department, Chief Louis Santosus has held positions on the Village of Mineola Board for 17 years as Trustee and Deputy Mayor. Presently, he serves as a member of the Fire Council and the Nassau County Critical Incidence Stress Management Team.

Chief Santosus and his wife, Patricia, have four children—Patti, Bonnie, Gary, and Brian—and nine grandchildren. Both Brian and Gary currently are Lieutenants in the FDNY, and Brian is an Ex-Captain of Company No. 1.

Today I join the officers and members of Company No. 1 of the Mineola Volunteer Fire Department in celebrating and honoring my long-time friend Chief Louis Santosus' 50 years of dedication and service to the people and communities of Nassau County, Long Island.

RECOGNIZING THE 45TH ANNIVERSARY OF THE BOB BONDURANT SCHOOL OF HIGH PERFORMANCE DRIVING

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. SALMON. Mr. Speaker, I rise today to congratulate the Bob Bondurant School of High Performance Driving in Phoenix, Arizona on their forty-fifth anniversary.

After racing since a teenager, Bob Bondurant was in a tragic accident during a race flipping his car eight times, injuring his ribs, legs, feet, and back. Determined to help drivers of all levels avoid accidents like his own, Mr. Bondurant took his passion of racing and turned it into an opportunity to advise and instruct others. On February 14, 1968, he opened the Bondurant Driving School with three cars and three students. From this small start, the Bondurant School grew and in 1990 opened their purpose-built driver training facility in Phoenix, Arizona—the Firebird Raceway.

The world-famous Bondurant School established a name for themselves by sticking to their core principle and driving motivation to offer professional and everyday drivers with the best track-intensive training in the world. Throughout their 45 years in operation, the Bondurant School has trained more than four-hundred thousand people to become safe and effective drivers both on and off the racetrack.

This milestone is a shining reminder of how core principles, hard-work, close friends, and a passion for your work produce lasting results. Today, I am pleased to call on my colleagues to join me in congratulating the Bondurant racing family on their impressive accomplishment and core ethos of driver safety.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF ST. MATTHEW CATHOLIC CHURCH

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor the 150th anniversary of St. Matthew Catholic Church in San Mateo, California. Since its founding in 1863 the buildings, parishioners and pastors have changed, but the church has always been a place for comfort, solace, community and friendship for everyone.

A century and a half ago, Archbishop Alemany sent Father Denis Dempsey to San Mateo to establish the first parish in the county. A small wooden-steeple church was built on the corner of Third Avenue and A Street—today Ellsworth Avenue—on a piece of land

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

donated by Charles B. Polhemus, an investor in the San Francisco-San Jose Railroad. Father Dempsey was the pastor for 18 years and earned the admiration and love of his parishioners. It is said that his funeral mass was attended by local officials and dignitaries from throughout the state.

Sadly, the next pastor, Father William Bowman, only had a tenure of seven months before he passed away. He was followed by Father Peter Birmingham who presided for three years until he was transferred to San Francisco. Longevity was the signature of the fourth pastor, Father Timothy Callaghan. He served St. Matthew Church for 53 years. During his tenure, a parish cemetery was established and a new church was built. The congregation was growing and the threat of a fire destroying the old wooden church led to a fire resistant brick church on Ellsworth between Second and Third Avenues. The dedicating mass was held in September of 1900. Father Callaghan was elevated to Right Reverend and witnessed continual growth of the parish.

Father Henry J. Lyne became the fifth pastor and established a parish school in 1931. Seven Sisters of the Holy Cross taught 140 students in the first year. He is credited with starting Catholic formal education in the Archdiocese of San Francisco on the peninsula. In 1947, Pope Pius XII appointed him a Domestic Prelate with the title Monsignor.

Father Edward J. Meagher, the sixth pastor, saw unprecedented growth of the Catholic population after World War II. In 1952, total enrollment from Kindergarten to the 8th grade had grown to 861. Father Meagher raised funds to build an independent parish in Shoreview which was named St. Timothy as a tribute to Monsignor Timothy Callaghan. Soon after that, the Western portion of St. Matthew parish was detached, with the establishment of Bartholomew parish. Father Meagher's successor, Father Bernard C. Cronin, oversaw the building of a new St. Matthew Church and Rectory at Ninth Avenue and El Camino Real which opened in May 1966. The downtown church also remained open. Father Cronin was elevated to Right Reverend Monsignor in 1972.

In 1979, Father James Ward, a graduate of St. Matthew School, class of 1937, became its eighth pastor. Father James Ward was devoted to the school and the students. During his tenure, the downtown church was demolished after suffering seismic damage. He and the archdiocese fought hard, yet unsuccessfully, for the vacated property that was eventually leased to Walgreen Drug. Father Ward died from a leg infection in 1995. Monsignor James McKay succeeded him and oversaw fundamental renovations of the newer church at El Camino Real and Ninth Avenue that are still in place today.

In 2004, the tenth and current pastor replaced Monsignor McKay. Father Anthony McGuire now oversees the St. Matthew parish of 2,500 and is credited with growing the diverse parish and attracting an ever increasing number of Hispanic and Asian families.

Mr. Speaker, I ask the House of Representatives to rise with me to honor the rich history of St. Matthew Church in San Mateo which has been a place of spiritual and social growth for thousands of families for 150 years.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. BILIRAKIS. Mr. Speaker, on Monday, February 25, 2013, I missed rollcall votes 46 and 47 for unavoidable reasons.

Had I been present, I would have voted as follows: rollcall No. 46: "yea" (Approval of the Journal); rollcall No. 47: "yea" (On motion to suspend the rules and pass H.R. 667, to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.)

IN HONOR OF THE HONORABLE MARETTA MITCHELL TAYLOR

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a distinguished public servant, devoted educator and dear friend to my wife, Vivian and me, The Honorable Marett Mitchell Taylor. Sadly, Marett passed away on February 17, 2013 at the age of 78. She leaves behind a legacy of service that will never be forgotten.

Marett was born on January 25, 1935, to the union of the late Mr. and Mrs. Zedic Deaner James. She was a 1953 graduate of William H. Spencer High School, a 1957 graduate of Albany State College (now university) with a Bachelor of Science Degree and later graduated from Indiana University, Bloomington, Indiana with a Master's of Science Degree.

Her life's work always centered on young people and helping them to reach their full potential. She truly understood the saying that, "Education is the passport to the future; it belongs to those who prepare for it today." She touched and enriched the lives of countless young people during her 30 years as a teacher and media specialist. She retired from William H. Spencer High School in 1987. She also served on the Muscogee County Board of Elections and Registration.

Marett was never one to rest on her laurels and she decided to take up another calling as she succeeded me in the Georgia House of Representatives in 1991 following my election to the Georgia Senate. She used this position to continue to advocate for young people and their betterment. When advocating for them, her favorite saying was, "but it is for the children." All of the committees that she served on in the Georgia House were dedicated to the uplift and support of young people.

Marett was more than an educator, she was more than a legislator, she was a servant to all humankind. She gave herself to so many causes and organizations that are too numerous for me to mention. Dr. Maya Angelou once said that, "I've learned that you shouldn't go through life with a catcher's mitt on both

hands; you need to be able to throw something back." Marett threw a prodigious amount of love and service back to the Columbus, Georgia community that she loved so dearly.

Marett married the love of her life, Jesse Taylor in 1974 and they built a life that was based on the love of God, the love of each other, the love of family and the love of people. They knew that the love of these could lead one to a great relationship with God because they are an embodiment of his greatest commandments: to love him with all your "heart, mind and soul" and to "love your neighbor as thyself."

Marett was truly one of a kind who left an incredible legacy on the world through all that she touched. I am proud to have known this very special woman who dedicated her life to uplifting others and I am proud to honor her life and legacy with this statement. To God be the glory for blessing the world with a woman the caliber of Marett Mitchell Taylor. We are all better because she traveled this way.

Vivian and I extend our deepest condolences to her loved ones during this time of bereavement. May they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks and months ahead.

PERSONAL EXPLANATION

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. BOUSTANY. Mr. Speaker, due to inclement weather on the morning of Monday, February 25th, my flight was unable to leave for Washington, DC from Lafayette, Louisiana. Therefore, I was unable to return in time for votes on the day of February 25, 2013. Had I been present to vote, my voting record would reflect the following: Approval of the Journal—"yea", H.R. 667—"yea."

CELEBRATING I.M. TERRELL HIGH SCHOOL

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. VEASEY. Mr. Speaker, I rise during this month of February, also known as Black History Month, to celebrate a piece of African American history in my own hometown of Fort Worth, Texas. I want to acknowledge a legacy that began over 130 years ago, when the Fort Worth School System opened its first public school for Black students, now known as I.M. Terrell High School.

Officially, I.M. Terrell High School was established for the education of African American students in the City of Fort Worth, but the school was much more than that. In a time of formal segregation, the school became a safe haven, a place where the teachers knew all of their students and their parents. It was a community where people cared about and respected each other.

In 1882, a great man named Isaiah Milligan Terrell moved to Fort Worth to serve as Principal and superintendent of Black schools. In 1910, he was appointed principal of the North Side Colored High School and served in this position until 1915.

After his tenure at North Side, Mr. Terrell continued his role as an exceptional administrator. He went on to make significant contributions to Prairie View Normal College, now known as Prairie View A&M University. Mr. Terrell also helped to raise funds for the establishment of Houston Negro Hospital, later known as the Riverside General Hospital in Houston, Texas.

In 1921, North Side High school was renamed a final time, in the namesake of its great principal, I.M. Terrell High School.

I.M. Terrell High School was truly a second home for the students and faculty who met there from cities like Arlington, Bedford, Benbrook, Burleson, Roanoke and Weatherford. In all, the high school took in students from 16 cities where African Americans were not allowed to attend school.

Although its students, teachers, and faculty came from diverse backgrounds and environments they entered the halls of I.M. Terrell with one common goal: to achieve excellence. I.M. Terrell High School has become a symbol of pride and a beacon of hope for Fort Worth. When African Americans were struggling for human dignity and civil rights, the teachers and administrators at I.M. Terrell used education as a way to lead our youth on a path to righteousness. They knew that education was the great equalizer and when applied correctly, it would always lead to success. What I.M. Terrell High School has done for the North Texas community will never be forgotten. The mark left on all of our lives is too great to measure.

Mr. Speaker, it has been said that the most important subject we can study to preserve the progress of any culture, and any nation, is history. So today, during the month of February when we celebrate Black History Month in our country, I stand to honor a rich history that has instilled important values into the Fort Worth community, including education, knowledge, and perseverance. I.M. Terrell's legacy is profound: as a school that was founded less than 20 years after the civil war, in a community that knew the next great battlefield would be the classroom; a community that proudly fought for equal education, a right that for centuries had been withheld from African Americans; and an institution whose doors have been closed for almost 40 years, but whose legacy is still alive.

Today, I proclaim that education is the path we must take to achieve social, economic and cultural progress necessary for success in the 21st century and beyond. Let us use the lessons learned from this great institution as a guiding light for success, and follow the path pioneered by visionaries who began at I.M. Terrell High School.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE FOUNDING OF THE SOUTH SAN FRANCISCO CHAMBER OF COMMERCE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. SPEIER. Mr. Speaker, I rise to recognize the one hundredth birthday of the South San Francisco Chamber of Commerce. It has a remarkable record of leadership during times of enormous change within this self-described Industrial City.

One hundred years ago, South San Francisco had approximately 4,000 residents. Its founders were ranchers, meat packers, and stockyard owners, but the remaining population included laborers, lumber yard owners, dry good merchants, bar owners, and all of the other entrepreneurs of an early 20th century, developing community. It was from this rich mix of Americana that the Chamber of Commerce sprang, and it has been devoted to the success of the community ever since.

World War II brought enormous changes to the Industrial City. Steel mills sprang up and labor poured into South San Francisco to meet the demands of shipbuilding around San Francisco Bay. After the war, neighborhoods followed as the steel mills switched to non-war production and the middle class found new homes and new jobs. Food processors, warehousing and services related to nearby San Francisco airport, such as freight forwarding, flourished. Both during this period and since this time, the Chamber of Commerce represented business before the City Council, and many Chamber members served in positions of leadership throughout the city.

The transformation of South San Francisco began with the birth of the biotechnology industry in the 1980s. The dormant steel mills were torn down, and new offices and laboratories sprouted like daisies across the eastern side of the city. This renaissance was supported by an active business community led by the Chamber of Commerce. Before the council and before the citizens of South San Francisco, the Chamber made the case that the future of the city was in science and technology. The Chamber also urged renovations of Grand Avenue, the building of public improvements, and encouraged city leaders to rebuild South San Francisco as a cosmopolitan community.

As I can attest from personal experience, the schools of South San Francisco are central to the community. The South San Francisco Chamber of Commerce for many years has organized generous scholarships for graduating high school seniors and assisted in raising funds for special school events.

Today, the South San Francisco Chamber of Commerce is a key point of contact in the economic life of the city. Developers, investors, and existing businesses appreciate Chamber support before the city council and state and federal officeholders. The importance of the Chamber can be seen by the longevity of some of its most prominent members, including the California Water Service Company, 67 years; Pacific Gas & Electric

Company, 67 years; Poetsch & Peterson, 67 years; Galli's Sanitary Bakery, 67 years; South City Lumber & Supply, 67 years; Bronstein Music, 65 years; Kaiser Permanente, 64 years; Giffra Enterprises, 64 years; Giorgi Brothers, 64 years; Clearlite Trophies, 57 years; and Poletti Realty, 57 years.

Mr. Speaker, I ask that the House of Representatives join with me today to celebrate one hundred years of leadership by the South San Francisco Chamber of Commerce. While there have been many physical changes to the city during this time, the Chamber is an example of the most enduring characteristic of South San Francisco—it is welcoming. We honor this tradition and hope for the Chamber's continued success in the years ahead.

HONORING FORMER 16TH HOUSE DISTRICT DELEGATE CLIFTON ALEXANDER "CHIP" WOODRUM III

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. GRIFFITH of Virginia. Mr. Speaker, on behalf of myself and Representative BOB GOODLATTE, I am saddened to report the passing of a former colleague in the Virginia General Assembly and the grandson of a former Member of this body. On February 19, 2013, former 16th House District Delegate Clifton Alexander "Chip" Woodrum III passed away in Naples, FL. A man who was dedicated to serving the Commonwealth and the Roanoke Valley. Virginia has lost a great public servant.

Born on July 23, 1938, in Washington, DC, Chip graduated from Episcopal High School in Alexandria, Va., in 1957. He graduated from the University of North Carolina at Chapel Hill in 1961 before returning home to the Commonwealth to graduate from the University of Virginia Law School in 1964.

The grandson of former 6th District Congressman Clifton A. Woodrum, Chip was a longtime, loyal activist of the Democratic Party, which included serving as chairman of the 6th District Democratic Committee from 1972–1976 and as a delegate to the 1972 Democratic National Convention in Miami, Florida.

Chip was elected to the Virginia House of Delegates in 1979 and served in Richmond until 2003. He represented the 16th House District, which included Roanoke City and Roanoke County. Among Chip's accomplishments in the House of Delegates, he was most proud of legislation he sponsored in 1985 to establish the Virginia Birth-Related Neurological Injury Compensation Program, which covered medical bills and other expenses for children who suffer from neurological injuries at birth. He also was an advocate for openness and transparency in government by increasing access to government meetings and public records as the head of the Virginia Freedom of Information Advisory Council. Providing a voice for low income families, Chip also was a fierce opponent of any deregulation of Virginia's electric utilities.

Upon his retirement from the House of Delegates in 2003, he remained active in his community and state by serving on the boards of the Library of Virginia, the Virginia Historical Society, the Educational Foundation of Virginia Western Community College, and Home Town Bank. Chip also remained very active in the Democratic Party of Roanoke and regularly appeared at campaign events in the city.

Chip was a skilled, effective, and accomplished legislator. Beginning in 1994, I had the pleasure of serving with Chip in the Virginia House of Delegates and working with him on many important matters impacting our neighboring constituencies in the Roanoke Valley. While we served together on opposite sides of the aisle, I fondly remember Chip's sharp wit and our many spirited exchanges debating legislation in the House of Delegates. He is a good man and will be missed.

As Representative GOODLATTE said, Chip's contributions to the Virginia House of Delegates are storied and will not be forgotten. The Roanoke Valley's many citizens and institutions are thankful that he chose public service as the avenue to better his community.

Representative GOODLATTE and I are honored to pay tribute to Chip's many contributions to our community, our region, and our nation. He was a courageous public servant. Our thoughts and prayers go out to his wife of almost 50 years, Emily; his children; grandchildren; friends; and loved ones. May God give them comfort during this difficult time.

HONORING THE FREDERICK HIGH SCHOOL BAND

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. DELANEY. Mr. Speaker, I rise today to honor the Frederick High School Band, an organization in my district celebrating its 100th Anniversary on April 27, 2013.

Since its founding at Frederick County's Boys High School in 1913, the Frederick High School Band has served as an organization where our community's young adults can grow personally and academically. The band's members have acted as role models for their peers, and they should be proud of their musical accomplishments.

I ask that you and my other distinguished colleagues help me in honoring the significant occasion of the Frederick High School Band's 100th Anniversary. The band is a model organization and will remain an inspiration in our community for many generations to come.

PERSONAL EXPLANATION

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. PASTOR of Arizona. Mr. Speaker, on rollcall No. 46—Approving the Journal and 47—H.R. 667, I missed these votes due to a flight delay.

Had I been present, I would have voted "yea."

A TRIBUTE TO JAZZ MASTER DR. DONALD BYRD

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. CONYERS. Mr. Speaker, I rise today to note the passing on February 4, 2013 of National Endowment for the Arts Jazz Master, Dr. Donald Byrd. Dr. Byrd was my dear friend, and a fellow Detroit. He will be deeply missed by his family, friends, jazz patrons, and musicians around the world. They admired his creative musical genius, kind heart, and down to earth nature.

Dr. Byrd was a master trumpeter, composer, bandleader, recording artist, educator, and a highly innovative jazz musician. He was a creative force in music for over six decades, and left his mark on several modern jazz styles and related genres including Hard Bop, Soul-Jazz, Fusion and Hip-Bop. Byrd, who was a cutting-edge academic, was also instrumental in establishing jazz as a viable course of study in several universities and colleges throughout the nation.

Dr. Byrd was born Donaldson Toussaint L'Ouverture Byrd II in Detroit, Michigan on December 9, 1932. Mr. Byrd learned to play the trumpet while growing up in Detroit, a city which produced many other accomplished jazz artists including Barry Harris, Thad and Elvin Jones, Kenny Burrell, Yusef Lateef, Paul Chambers, Tommy Flanagan and Betty Carter.

Dr. Byrd attended Cass Technical High School, whose advanced musical curriculum produced a multitude of jazz stars, including renowned vocalists Geri Allen and Regina Carter. Influenced by jazz trumpet players Dizzy Gillespie and Clifford Brown, Byrd joined the Lionel Hampton Orchestra before completing his degree at Cass Tech. He went on to play in the United States Air Force Band, earn a bachelor's of music degree from Wayne State University, and earn a master's degree from The Manhattan School of Music.

While at the Manhattan School, Donald Byrd joined Art Blakey's "Jazz Messengers," replacing legendary jazz trumpeter Clifford Brown, and further establishing the great Messenger trumpet tradition that included Lee Morgan and Freddie Hubbard. In 1955, Donald Byrd recorded with fellow rising jazz musicians Jackie McLean and Mal Waldron. He left the Jazz Messengers in 1956, and then performed with many leading jazz musicians of the day, including John Coltrane, Sonny Rollins and Thelonious Monk. Donald Byrd also had an eye for new talent, hiring Herbie Hancock to play in his band. Byrd co-led a quintet with fellow Detroit and baritone saxophonist Pepper Adams, from 1958 to 1961. A prolific recording artist, Byrd recorded as a leader on the Verve, Columbia, Transition, and Prestige labels.

In 1959, Mr. Byrd signed with Blue Note Records, and released his first album for the Royal Flush label, where he recorded over

twenty albums. These albums include "A New Perspective," "Free Form," "Fancy Free and Electric Byrd"—all of which highlighted Byrd's inspired and innovative forays into the soul-jazz period of the 1960s. In 1963, Byrd studied composition with the famed classical instructor Nadia Boulanger.

But it was in the late sixties and early seventies, when Miles Davis would help to launch the fusion era of Jazz, that Byrd enjoyed his most successful period as an artist. Byrd's 1973 album, "Black Byrd," married jazz improvisation to R&B styles, and became the highest grossing Blue Note album of all time. This successful album was followed by "Street Lady," "Places," and "Spaces," and "Caricatures." In the 1980s, Byrd recorded on the Elektra Records label, with a new ensemble called the 125th Street Orchestra.

Donald Byrd also made several contributions to higher education in his lifetime. He was the founding director of Howard University's Jazz Studies Program. Mr. Byrd also recruited several of his prize pupils to form the musical group The Blackbyrds, who enjoyed considerable success with their hits, "Walkin' in Rhythm," "Rock Creek Park," and "Happy Music." Byrd was also instrumental in establishing highly respected jazz studies programs at a number of schools including North Carolina Central University, Rutgers University, Hampton University, Oberlin, New York University, Cornell University, Queens College, and Delaware State University. Byrd also served on the Board of the National Jazz Service Organization. He joined the distinguished ranks of NEA Jazz Masters in 2000, along with Dr. David Baker and Marian McPartland.

Unlike most jazz artists who ignored the developing rap and hip-hop music scenes, Donald Byrd was a major supporter of those forms. Many of his songs have been sampled by rappers. Byrd's collaboration with rapper Keith Elam on the 1993 album "Jazzmatazz" provided the template for jazz and hip-hop artists to work together. Byrd also participated in another high profile, jazz-rap collaboration, the 1994 compilation, "Stolen Moments: Red, Hot + Cool."

In addition to his master's degree from Manhattan School of Music, Byrd earned two master's degrees from Columbia University. He received a law degree in 1976, and a doctorate from Columbia University Teachers College in 1982. He was an avid collector of African-American art, and a licensed pilot. Dr. Byrd resided in Teaneck, New Jersey.

As we honor the life and career of this great artist and educator, one thing remains clear: that the pioneering work and artistry of Dr. Donald Byrd has provided a rich legacy of jazz music for our youth to build on and carry forth for future generations.

IN RECOGNITION OF LARRY BUCKMASTER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Larry Buckmaster who is retiring as the President and CEO of the Redwood City-San

Mateo County Chamber of Commerce after 30 years of outstanding service to our community.

Larry is the type of person who creates a community through performing multiple acts of stewardship each and every day—he has done so for decades. Let me give you just a few examples.

When Larry Buckmaster took over the Redwood City-San Mateo County Chamber of Commerce it had a deficit and membership lagged. He almost immediately turned it around and led the board to boost both membership and participation by members in various chamber events.

Second, America needs leaders. It's tough to find them. Leadership means putting your neck on the line and exposing yourself to criticism. Larry Buckmaster knew that Redwood City and the San Francisco Peninsula needed a new generation of leadership. He founded the Leadership Redwood City/San Carlos/Belmont program so that business and government professionals would learn from each other and hear from current leaders about issues that are shaping the community. Most importantly, Larry Buckmaster wanted students to be inspired to step up and become community leaders in their own right. The proof of Larry's wisdom and his success is around us each day. Over 800 students have heard from state legislators, members of Congress, city council members, as well as the staff of local and state governments. Many members of city councils, commissions, the Board of Supervisors and the State Legislature were first inspired to public service by the leadership class created by Larry Buckmaster.

Leadership by example is Larry Buckmaster's creed. Kainos is a non-profit dedicated to helping those with developmental disabilities, and Larry's leadership is exemplified by the \$750,000 raised over the years through a golfing tournament held annually to benefit Kainos. Larry, an avid golfer with a hole in one to his credit, brought his love of people and his skill as a golfer together to create this community benefit event.

The Progress Seminar is an annual event at which community leaders spend a weekend together thinking and talking about the major issues impacting our region. Larry Buckmaster has grown this seminar into a sold-out event for many years, and ideas that sprout from the seminar often become solutions via city council and other activities, both public and private.

Mr. Speaker and members, Larry Buckmaster has his quirks. He loves reading his emails and rarely responds. His filing system is a mess yet he can find everything. He is an avid reader who consumes one book per week, often military histories. Unfortunately, Larry roots for the Chicago Bears. We in the San Francisco Bay Area adore Larry so much that we will forgive his choice of football teams. It's only explicable when you realize that Larry was raised in Illinois and thus never really understood our wonderful 49ers until it was too late in life to surgically correct his unfortunate allegiance to a different team. Thankfully, Larry has shown great judgment in other matters, eschewing party politics, petty politics and self-aggrandizement. In fact, Larry Buckmaster always points to the accomplishments of his staff rather than to his own, demonstrating that he really is a great leader even if he is a poor judge of quality football teams.

Larry Buckmaster is a natural athlete and has coached over 500 children in softball and soccer. He is proud when one of the former players says that Larry saw something great in them as a child and that this turned around the life of the child. Larry and Joan, his wife of 48 years, have three children and six grandchildren. It is said that his grandchildren turn him to mush, not too surprising given his love of children.

Mr. Speaker and Members, I know that we often recognize Americans who have left their mark upon their communities and it is appropriate to do so. It is also appropriate to recognize that some persons provide decades of exemplary service to this nation not merely because they are paid to do their job but because they are in love with their work and receive payment many times over by watching the fruits of their efforts flower for future generations. Larry Buckmaster loves his job and has now chosen to retire. I find it hard to believe that we are going to let him leave. Let us honor a wonderful American, a great father and husband, and a civic treasure. Larry Buckmaster will be remembered for the lives that he improved, the leaders he inspired and the smiles that he brought to our faces. Let's wish him well on the golf course. He deserves a second hole in one.

RECOGNIZING DR. ANDREW FISCHER

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute a remarkable Hoosier, Dr. Andrew Fischer, who turns 50 years old today. I wish to express my congratulations on this milestone. He is a true leader in his community and the Hoosier state.

Dr. Fischer earned his medical doctorate from the Sackler School of Medicine at Tel Aviv University in 1989. After graduation, he interned at the Michael Reese Hospital and Med Center in Chicago, Illinois. Dr. Fischer completed his Residency in 1992 through the University of Illinois-Chicago at Michael Reese Hospital, and his Fellowship through Harvard Medical School at Brigham and Women's Hospital in Boston.

As a physician who specializes in critical care medicine, internal medicine, and pulmonology—Dr. Fischer is an asset to the Lafayette community and Franciscan St. Elizabeth Health Network. He is Board Certified in each discipline and licensed to practice in both Indiana and Illinois. As a Board Certified physician, Dr. Fischer is current on the latest techniques and skills for the procedures required in his discipline. Through his expertise, he has helped countless individuals recover from their various ailments.

Dr. Fischer is a family man and a good friend and confidant. I am honored to have known him over the years and proud to call him a friend. The Lafayette community and I look forward to many more years of extraordinary service and friendship.

This is Dr. Andrew Fischer. A man truly committed to God, his family, his country and

his community. I value his friendship, counsel, and most of all, his good example. Happy 50th Birthday Dr. Fischer.

IN RECOGNITION OF THE CAREER OF NCIS DIRECTOR MARK D. CLOOKIE

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise to pay tribute to Special Agent Mark D. Clookie, Director of the Naval Criminal Investigative Service, NCIS, who has announced his retirement from NCIS effective March 1, 2013, after nearly 31 years of highly distinguished service.

Mr. Clookie joined NCIS in 1982, and during his tenure he has served in a variety of organizational assignments and mission areas, both within the United States and overseas. As a Special Agent, Mr. Clookie served overseas in both the Kingdom of Bahrain and in Japan. Domestically he held leadership positions in Newport, RI, and at NCIS headquarters in Washington, DC. He also served in leadership positions in several overseas tours as NCIS Resident Agent in Charge in Bahrain, as NCIS Resident Agent in Charge in Okinawa, Japan, and as Special Agent in Charge of the NCIS Middle East Field Office, located in Manama, Bahrain.

In August 2001, Special Agent Clookie reported to the Pentagon as the Chief, Joint Staff Support Branch, Joint Counterintelligence Center. Following the terror attacks of September 11, 2001, he assumed duties as the Special Agent in Charge of the NCIS Middle East Field Office in Manama, Bahrain. From there he directed all counterintelligence, counterterrorism, and criminal investigative operations throughout the Middle East, East Africa, and Southwest Asia. His primary focus was direct support to Navy and Marine Corps Forces Central Command and the Navy's Fifth Fleet.

After more than two years in the Middle East directing the NCIS Global War on Terrorism mission, SA Clookie returned to NCIS Headquarters, where he served as the Executive Assistant to the Deputy Director for Management and Human Resources. In this role, he led NCIS modernization initiatives and subsequently, was promoted to Assistant Director for Human Resources.

As Assistant Director for Human Resources, Mr. Clookie oversaw the creation and implementation of a leadership development program to identify and train future NCIS leaders.

In October 2007, Mr. Clookie was promoted to the Senior Executive Service and assumed responsibilities as the Executive Assistant Director for Middle East and Pacific Operations where he built systems that have integrated the work of 44 offices across the Western U.S., Asia, Pacific, and Middle East.

In April 2009, SA Clookie was reassigned as the Executive Assistant Director for Combating Terrorism. In this capacity, he developed and managed programs to protect U.S. Navy and U.S. Marine Corps personnel, families, and property from global terrorist threats.

He also significantly expanded NCIS engagement with foreign government counterparts.

On February 14, 2010, Mr. Clookie was appointed Director of NCIS and became the agency's fourth civilian director. From the onset, Mr. Clookie established capabilities and realigned resources to meet the evolving requirements of the U.S. Navy and Marine Corps, while at the same time, reducing overhead and creating efficiencies. During his tenure, 100 percent of NCIS' programs and field elements were evaluated annually for quality and effectiveness by the executives overseeing operations and by teams led by Headquarters-based senior NCIS leaders. He institutionalized a collaborative and disciplined method to identify efficiencies throughout the agency, facilitating the reprogramming of over \$10 million across NCIS to meet emerging mission requirements.

During his time as Director, Mr. Clookie restructured the Naval Criminal Investigative Service to align the headquarters with the missions of man, train, and equip the workforce while transitioning operational oversight to field level supervisors, empowering lower level managers and resulting in quicker responses to changing priorities and threats.

Under Director Clookie's leadership, NCIS has filled every validated Combatant Commander request for forces for Iraq, Afghanistan, and the Horn of Africa on a volunteer basis. NCIS personnel have also deployed to Kuwait, Djibouti, Guantanamo Bay, and other sites in support of contingency operations.

Mr. Speaker, I would like to take this opportunity to thank Mr. Clookie for his 31 years of outstanding public service and to wish him fair winds and following seas as he begins the next chapter of his life.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,610,557,777,904.98. We've added \$5,982,596,481,974.31 to our debt in 4 years. This is a \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

IN RECOGNITION OF SEPI RICHARDSON

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Sepi Richardson who is retiring after 15 years of service on the Brisbane City Council, including two terms as mayor. Sepi may be leaving the council, but her spirit and impact

on our city and community will be felt for many years to come.

As mayor, Sepi was very involved in all aspects of planning and policy-level decisions while always looking after the financial health and welfare of the city. She oversaw the remodeling of the community center, the community park and playground, Brisbane's marina, the skate park, the teen center and the Mission Blue Performing Art Center. She also dedicated much of her time and energy to preserving open space and to creating recreational and public spaces that benefit everyone in the community, such as the community garden, the swimming pool, school fields, Bayshore bike lane, the community meeting room in City Hall and the farmer's market. Sepi has been a tireless advocate for seniors and children. Under her leadership, Brisbane built the Senior Sunrise Room and senior housing.

Sepi is a familiar face to most Brisbane residents having served on about 20 county boards and commissions. She was a board member on the Airport Community Roundtable and the Association of Governments (C/CAG) and a chair or vice chair on four committees within those associations. In those capacities she was a leader on issues such as revenue and taxation, employee compensation, benefit administration, transportation, energy efficiency, sustainability, emergency preparedness and education.

In addition to her county and region-wide accomplishments, Sepi has left her mark on the city of Brisbane. She served on the Finance/Labor Negotiations, Public Information/Technology, Planning, Parks and Recreation, Open Space and Ecology committees, was a liaison to the Chamber of Commerce and worked on education and arts funding and recognition.

To understand how one person can be involved and effective in so many aspects of public service, you must know Sepi. Her energy, enthusiasm and dedication are endless. She loves her community and never hesitates to serve others.

Sepi was born as the first of six siblings in Tehran, Iran. She came to the United States in 1972. From 1975 to 1979 she went to Germany where she earned her BA in Business Management from the University of Maryland on its Germany campus. She received her Master's Degree in Educational Counseling and Psychology from California State University San Bernardino.

Mr. Speaker, I ask the House of Representatives to rise with me to honor an outstanding public servant and friend. Sepi Richardson will be missed and appreciated for all the lasting contributions she has made to the residents of Brisbane and beyond.

azerbaijan

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. CUELLAR. Mr. Speaker, I recently returned from a visit to the nation of Azerbaijan, the tiny democracy in Central Asia located be-

tween Russia and Iran. They are our friends, and they live in one of the world's most dangerous neighborhoods.

They celebrate a culture of diplomacy, which they credit with surviving as a nation since humans began walking the Earth. A population of mostly Muslims, Azeris have long welcomed other faiths. They have a large Christian community, and a proud Jewish community * * * as well as dozens of ethnic minorities.

Even before the United States gave women the right to vote, Azerbaijan gave women the right to vote. Women serve in their legislature. As the father of daughters, I wanted to see a Muslim country that was not the stereotype of how Americans often see a Muslim nation.

Azerbaijan really does offer a remarkably different look at how developing democracies in the republics of the former Soviet Union can welcome people of all faiths, and institute the organs of civil society. They are a model for other developing democracies.

In the famous "Old City," ancient walls surround the old city of the 12th Century. This walk through history, mind you, is in the midst of a modern capitol city—a bustling city where infrastructure is constantly improving.

Here's something Azeris have in common with Texans: they are a rich oil producing nation. As we do in Texas, Azeris have a long history with oil. Today, they supply the pipeline that moves Caspian oil to the west, via Turkey, without running the oil supply through Russia or Iran. That greatly increases the security of the pipeline.

Azeris have an interesting way of investing their oil profits in future generations, using the money they make from oil to build roads, bridges, tunnels, city parks, and public buildings. They also use it for overseas scholarships * * * and to build alternative energy sources in Azerbaijan. They know oil is a finite resource.

But their present day energy supply feeds a large part of the energy needed in Europe and Turkey, our NATO allies. Azerbaijan supplies close to half of the energy needs of Israel.

I encourage my colleagues in the House of Representatives to learn more about Azerbaijan and their evolving economy.

REMEMBERING TARRANT COUNTY AFRICAN AMERICAN DOCTOR

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. VEASEY. Mr. Speaker, I rise today to acknowledge a pillar in the Tarrant County African American community, Dr. Marion Brooks.

Dr. Brooks opened his doors during a time when racial tensions were high in America and in the state of Texas. His clinic located on Evans Avenue in Fort Worth was the first and only option for residents of the black community during the 1960s. His goal was not financial gain, but to care for those who could not otherwise obtain medical treatment any other way. There were many times that Dr. Brooks performed medical care for free, knowing his patients did not have the means.

In November 1971, Dr. Brooks went on to form the Sickle Cell Anemia Association of Texas. Sickle Cell Disease, an inherited blood disorder that affects red blood cells, is estimated to occur in 1 in 12 African Americans. This was a cause that was paramount to him, and as a testament to his determination, the organization is still going strong today.

Not only was Dr. Brooks a leader in the field of medicine in the state of Texas, he was also a formidable leader in the civil rights movement. As a member of the Student Non-Violent Coordinating Committee, or SNCC, he fought for the political and economic equality of African Americans. In 1963, while Dr. Martin Luther King Jr. marched on Washington and delivered his "I Have a Dream Speech," Dr. Brooks was leading a march of his own on the Texas governor's mansion in Austin to fight for desegregation, freedom, and equality. In addition Dr. Brooks was a leader in the community, working to provide protection for people in the African-American community from police brutality.

Although Dr. Brooks passed in 2003 at the age of 83, we continue to recognize his deeds to the community. As an acknowledgement to those accomplishments, the Lenora Rolla Heritage Center Museum has put on the display the many awards, plaques, and cherished mementos of Dr. Brooks. Mr. Speaker, once again I would like to honor a great doctor, a great leader, a great man, and a great American, Dr. Marion Brooks.

COMMEMORATING THE KHOJALY MASSACRE

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. LOFGREN. Mr. Speaker, I rise today to commemorate the 613 Azerbaijanis who died 21 years ago today in the massacre at Khojaly. This is a time for solemn reflection, and I ask my colleagues to join me in remembering those who lost their lives that day.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. LEE of California. Mr. Speaker, I was not present for roll call votes 46-47. Had I been able to vote, I would have voted "yes" on both.

PASSPORT DAY IN THE USA

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mrs. DAVIS of California. Mr. Speaker, on Saturday, March 9, 2013, the nation will celebrate Passport Day in the USA. On this day,

I would like to recognize the San Diego Passport Agency for two years of dedicated service to San Diego and Imperial County residents.

Since opening their doors in April 2011, the San Diego Passport Agency has continued to raise travel awareness for all San Diego and Imperial County communities. Thanks to their work, travelers who are days away from an international getaway with an expired passport can breathe a sigh of relief by getting same-day service. Their effort to serve all travelers, especially those with urgent travel plans, exemplifies careful and efficient public service.

The San Diego Passport Agency is happy to serve the public, and welcomes area residents to celebrate Passport Day by applying for or renewing their passports. Last year, the San Diego Passport Agency ranked number one in the region and second in the nation for applications accepted from the public. On Saturday, March 9, 2013, let's make the San Diego Passport Agency #1 in the region and nation for this year's Passport Day in the USA.

IN RECOGNITION OF BROWNSVILLE'S ANNUAL CHARRO DAYS FIESTA

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. VELA. Mr. Speaker, I rise today to recognize the Charro Days Fiesta and commend the 2012 "Mr. Amigo," recently chosen by the Mr. Amigo Association of Brownsville, TX, and Matamoros, Tamaulipas, in Mexico. Yáñez is a Mexican television and film actor whose natural style and charisma have won the hearts and minds of audiences across the world.

The Mr. Amigo Award began in 1964 as an annual tribute to an outstanding Mexican citizen who has made a lasting contribution during the previous year to international solidarity and goodwill. "Mr. Amigo" acts as an ambassador between the United States and Mexico and presides over the annual Charro Days Fiesta.

Charro Days dates back to 1937, when the citizens of Brownsville organized the event in the midst of the Great Depression to celebrate the cultural heritage shared between Brownsville and its sister city, Matamoros, Tamaulipas, across the border in Mexico. The first Charro Days celebration featured a parade with horse-drawn floats and participants dressed in traditional Mexican costumes reminiscent of charros, or Mexican cowboys.

From these humble beginnings, Charro Days has evolved into a multi-day event which includes dances, fiestas, a children's parade, and the Grand International Parade drawing an estimated 50,000 participants annually from Texas and Mexico.

This past Sunday, the 76th annual Charro Days celebration commenced with a grito, or celebratory yell. Later this week, the Mayor of Brownsville and the Mayor of Matamoros will meet at the Gateway International Bridge and extend their hands across the border to symbolize the friendship between the two cities.

Mr. Speaker, thank you for the opportunity to honor the Charro Days Fiesta and for join-

ing me in recognizing the importance of this annual celebration which continues to strengthen the relationship between Brownsville and Matamoros, as well as the United States and Mexico.

ILLABOT CREEK

HON. SUZAN K. DeIBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. DELBENE. Mr. Speaker, I rise today to introduce a bill, along with Congressman LARSEN, to designate part of Illabot Creek as a wild and scenic river. Illabot Creek is a beautiful stretch of land spanning from the Glacier Park Wilderness to the upper Skagit River, falling 7,000 feet along the way, and is a critical habitat that deserves to be protected. Designating Illabot Creek as a Wild and Scenic River ensures the preservation of significant wild lands that are home to several threatened species. It also guarantees that people will continue to enjoy this area for hunting, fishing and other recreation for generations.

I urge my colleagues to join me in supporting this bill which will ensure our natural resources and wildlife remain protected for future generations to enjoy, and I thank my colleagues for joining me in working on this important issue.

DANGEROUS IMPACT OF SEQUESTRATION CUTS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to share with my colleagues two documents that outline both the dangerous impact of sequestration cuts and how we could replace them in a way that helps, not hurts, the American people.

The report, "Protecting Our Nation from Bad Federal Budget Choices," from the Coalition on Human Needs, includes these key facts about the sequester's impact:

600,000 children and mothers will lose nutritional aid under WIC (the Women, Infants, and Children program).

125,000 low-income families will lose rental housing vouchers.

70,000 children will be denied Head Start.

4 million fewer Meals on Wheels meals served to seniors.

373,000 adults and children with serious mental illness will lose treatment.

I would also like to draw my colleagues' attention to, "Faithful Alternatives to the Sequester," from the Interreligious Working Group on Domestic Human Needs. I would like to quote from their document:

"We are alarmed at the growing economic divergence between rich and poor, creating permanent inequalities that are neither just nor socially sustainable. Over the past thirty years, tax policy has too often been used to

perpetuate rather than address these inequalities. It is our responsibility, both individually and collectively, to respond to those who are in need—people living in poverty have sacrificed more than enough on the altar of deficit reduction. We need a more progressive tax code, where all members of the community carry their fair share of the responsibility, not only to ensure that we can meet immediate need while simultaneously reducing our deficits, but also to begin to address the astronomical growth in disparity over the last thirty years. . . .

“There are core challenges facing our nation: rising income inequality, persistent unemployment, historically high rates of poverty and anemic economic growth. These challenges must be addressed with justice. . . .

“Our approach to upcoming sequestration needs to be rooted in our values—a balanced approach that addresses the deficit crisis with justice and compassion. On the one hand, we need to be good stewards of the resources we already have, making judicious cuts to defense, earmarks, and other wasteful spending, while preserving that which is most important for the good of all. On the other hand, we must increase revenue, in order to ensure that this nation can meet our need to operate a fair and just economy, which serves all of our human community. The nation's deficit crisis cannot be solved through spending cuts alone—new revenues must be part of the solution. The need is great and the resources are abundant. The budget choices we make must reflect this reality.”

I hope my colleagues will read these important studies and act to stop these harmful cuts. We should ask those who can afford it to contribute more, not jeopardize the well-being and futures of low-income and middle-class families.

DHN

Interreligious Working Group on Domestic Human Needs

FAITHFUL ALTERNATIVES TO SEQUESTRATION

From everyone to whom much has been given, much will be required; and from one to whom much has been entrusted, even more will be demanded.—Luke 12:48

Rabbi Abba said in the name of Rabbi Simeon ben Lakish: the person who lends money [to a poor person] is greater than the person who gives charity; and the one who throws money into a common purse [to form a partnership with the poor person] is greater than either.—B. Shabbat 63b

As people of faith, we believe that our economic arrangements with each other should serve to support God's creation and should help the human community to flourish. We therefore challenge the current economic reality that traps families in poverty for generations. The widening gap in income and wealth, as well as the persistence of poverty, especially among children, are inconsistent with God's intention for this world.

Our community seeks to advance the values of cooperation, social justice, and equal opportunity, while restraining those of greed, speculation, and inherited privilege. At the root of our economic system must be fairness and justice. Without these values, our economy is, quite literally, demoralized.

Crushing poverty in a world of abundance is insufferable and our nation has allowed too much injustice and greed to govern our current economic structures. Instead, we seek to increase equity and equality in this nation. We are alarmed at the growing eco-

nomie divergence between rich and poor, creating permanent inequalities that are neither just nor socially sustainable. Over the past thirty years, tax policy has too often been used to perpetuate rather than address these inequalities. It is our responsibility, both individually and collectively, to respond to those who are in need—people living in poverty have sacrificed more than enough on the altar of deficit reduction. We need a more progressive tax code, where all members of the community carry their fair share of the responsibility, not only to ensure that we can meet immediate need while simultaneously reducing our deficits, but also to begin to address the astronomical growth in disparity over the last thirty years. As one of our traditions so eloquently says, ‘from everyone to whom much has been given, much will be required.’”

It is from this place of concern for the common good, right relationship, and the just working of the economy, that we seek a balanced approach to deficit reduction. Sequestration was developed as a backstop—a last resort if Congress failed to act in a more thoughtful and balanced way. Whether Congress uses sequestration or some alternative as a means of achieving deficit reduction, Congress can and must act in a way that reflects our shared values. There are core challenges facing our nation: rising income inequality, persistent unemployment, historically high rates of poverty and anemic economic growth. These challenges must be addressed with justice.

Therefore, we refuse to accept additional spending cuts to programs that serve “the least of these,” and we support extending the tax cuts for low and middle-income families. In particular, we support a strong, refundable Earned Income Tax Credit and Child Tax Credit, as they are some of this nation's most effective tools for alleviating poverty.

Our approach to upcoming sequestration needs to be rooted in our values—a balanced approach that addresses the deficit crisis with justice and compassion. On the one hand, we need to be good stewards of the resources we already have, making judicious cuts to defense, earmarks, and other wasteful spending, while preserving that which is most important for the good of all. On the other hand, we must increase revenue, in order to ensure that this nation can meet our need to operate a fair and just economy, which serves all of our human community. The nation's deficit crisis cannot be solved through spending cuts alone—new revenues must be part of the solution. The need is great and the resources are abundant. The budget choices we make must reflect this reality.

Therefore, we urge members of Congress to enact a comprehensive, balanced, and bipartisan deficit reduction package that:

1. Continues the precedent established and maintained for the past three decades—including in the Budget Control Act—that deficit reduction should not increase poverty;
2. Protects from budget cuts discretionary and mandatory programs that make a real difference in the lives of poor and vulnerable people, and preserves the bi-partisan agreement to exempt low-income mandatory programs from such cuts;
3. Maintains the integrity and structure of low-income mandatory programs, such as SNAP and Medicaid, so they can continue to serve as effective tools for reducing poverty and countering economic downturns;
4. Accounts for the fact that, since 2010, non-defense discretionary spending has already contributed hundreds of billions of dol-

lars toward deficit reduction—these programs should not have to sacrifice anymore;

5. Raises new revenues in ways that will allow us to meet this nation's needs by:

a. Increasing the progressivity of the tax code;

b. Continuing current tax credits for low-income working households, proven effective at alleviating poverty and rewarding work, such as the Earned Income Tax Credit and the Child Tax Credit;

c. Generating new revenue with a simpler, more progressive tax code from a broader tax base (including capital gains, dividends, and estate taxes) and increasing rates, if necessary;

d. Not relying only on anticipated economic growth to generate new tax revenue;

e. Eliminating tax expenditures not proven to influence behavior, such as subsidies to established corporations that no longer need government support.

6. Reduces health care costs system-wide so as to:

a. Retain and implement the important improvements to access and cost containment strategies enacted in the Affordable Care Act;

b. Prevent cost-shifting to people who cannot afford it;

c. Refrain from putting further strain on states;

7. Includes significant cuts in military spending as recommended by several bipartisan commissions and non-governmental organizations, such as the Bowles-Simpson Commission, the Sustainable Defense Task Force, the Bipartisan Policy Center, and the Committee for a Responsible Budget.

8. Declines to shift defense cuts to non-defense discretionary and mandatory programs, which have carried the heaviest burden of spending reductions already enacted.

In a time of continuing, deep economic uncertainty, our faith gives us strength to face unemployment, poverty, and anxiety—not simply as individuals, but as a community with an ethical memory rooted in our shared sacred texts. Today's fiscal debates not only miss what should be the goal of the economy—the common good—but also, they fail to ensure that the functioning of the economy will, indeed, serve this purpose. As Congress considers replacing the sequester mechanism, it must pursue a balanced approach that ensures that our collective responsibility to each other can and will be met.

American Friends Service Committee
Bread for the World
Church World Service
Commission on Social Action of Reform Judaism
Conference of Major Superiors of Men
Disciples Justice Action Network
Ecumenical Advocacy Days for Global Peace with Justice
The Faithful Budget Campaign
Faithful Reform in Health Care
Franciscan Action Network
Friends Committee on National Legislation
Leadership Conference of Women Religious
Mennonite Central Committee U.S. Washington Office
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Churches of Christ in the USA
National Council of Jewish Women
NETWORK, A National Catholic Social Justice Lobby
New Community Project
Presbyterian Church (U.S.A.) Office of Public Witness

RESULTS Faith in Action
Sisters of Mercy Institute Justice Team
The Unitarian Universalist Association of
Congregations

United Church of Christ, Justice and Wit-
ness Ministries

The United Methodist Church—General
Board of Church and Society

COALITION ON HUMAN NEEDS

PROTECTING OUR NATION FROM BAD FEDERAL BUDGET CHOICES

A new round of federal budget cuts is slated to start on March 1. If nothing is done, the cuts will deny food to young children, turn low-income families out of their homes, and reduce funds for education and training. These indiscriminate across-the-board cuts (called "sequestration") come on top of an average 7.6 percent cut in federal funds to states since 2010. The looming federal cuts would make things worse, hurting vulnerable people, shifting burdens to states and localities, and threatening economic growth.

This does not have to happen. Increased revenues from wealthy individuals and profitable corporations as well as savings from reducing waste in the Pentagon and elsewhere can prevent these cuts. In fact, Senate Majority Leader Harry Reid (D-NV) and other senators outlined a plan on February 14 (the American Family Economic Protection Act) that would replace the 2013 cuts by setting a minimum tax rate for millionaires, closing other loopholes, gradually cutting the Pentagon and ending certain farm subsidies. It will be up for a vote during the week of February 25. House Democrats have also introduced a balanced alternative.

These cuts will hurt our nation. The indiscriminate cuts have the potential to stall the beginnings of economic recovery because lost jobs and reduced assistance mean people will have less to spend. The recovery still had not reached the 7.9 percent of the U.S. workforce unemployed in January 2013. We should be investing in rebuilding our communities and training for workers, not throwing 10,000 teachers and aides in low-income schools out of work, with about 700,000 jobs expected to be lost overall because of sequestration. And the real hardships caused by 600,000 young children and mothers losing WIC food assistance and between 110,000–125,000 families losing their housing vouchers nationwide do not just hold back our economy this year. They threaten the health and development of children and the stability of families in ways that will cost all of us for years to come.

Revenues, Not Cuts. Closing loopholes for corporations and the wealthy can generate well over \$2 trillion in federal revenue over the next 10 years. In order to stop the deficit from growing as a share of the economy, economists estimate that another \$1.5 trillion is needed over the next decade, either from new revenues or cuts in spending. Millionaires, who have gained more than \$1 million each from the Bush tax cuts since 2004, can afford to pay more. A 5.6 percent surtax on income over \$1 million could raise more than \$450 billion over 10 years—enough to cancel most of the decade of domestic cuts slated to begin with this March's sequestration. Taxing the profits of corporations sheltered offshore at the same rate as profits made in the U.S. can raise as much as \$600 billion over 10 years.

Don't Touch SNAP and Medicaid. Congress should act now to stop the needless cuts in vital programs that will begin March 1, but should not replace them with cuts to essential services such as Medicaid or SNAP/food

stamps. We have seen harsh proposals to cut these programs in the budget passed by the U.S. House for FY 2013 (but rejected by the Senate). The House budget would have slashed \$134 billion from SNAP over 10 years, and \$810 billion from Medicaid. If the SNAP cut were to be applied by reducing benefits equally across all households, a family of four would be expected to lose \$90 a month in FY 2016 dollars. (This year, the national average monthly SNAP benefit for a family of four is \$508.) Or, if the extreme cut were applied by making people ineligible, 8 million people nationwide would be denied all SNAP benefits. If the House budget's extreme Medicaid cut had been in place from 2001–2010, most states would have received at least 35 percent less in 2010 than they actually did, such a huge cut that millions of people nationwide would either be denied coverage altogether or would see their benefits slashed. Taking food and medical care from our state's poorest people is a wholly unacceptable alternative to the cuts about to be imposed.

The Pentagon Can Be Cut. The deficit reduction legislation now in place requires nearly \$1 trillion in cuts between now and FY 2021, half from defense and half from domestic and international programs. Many experts believe that the Pentagon can be cut \$500 billion or more over the next decade, and that such reductions will actually enhance our national security by ending wasteful expenditures and freeing up the funds for more productive uses or for deficit reduction. Even if \$500 billion were cut, the U.S. would still be spending more on the military than the next 14 nations combined, most of whom are our allies. Some examples of possible Pentagon savings with expert support: reducing the number of troops assigned to overseas bases by 25 percent (not counting troops in war zones) would save \$80 billion over the next ten years; reducing deployed nuclear warheads to 1,000–1,100 would save \$28 billion over the same period; buying a reliable, cheaper jet rather than the problem-plagued F–35C would save close to \$17 billion.

But Investments in Our Future—and Vulnerable People—Must Be Protected. More than 1 in 5 children in the U.S. were poor in 2011. 13.2 percent of people between 18–24 nationwide had not finished high school. For poor children and young adults to succeed, we need to invest in all levels of education. But the sequestration cuts would deny Head Start to 70,000 children this year, and cut Title I K–12 education funding for schools in low-income communities by nearly \$726 million, an amount equal to dropping services for 1.2 million low-income children. For our economy to grow, workers must be able to increase their skills, but federal job training funds will be cut by more than \$160 million nationwide if the sequester reductions occur this year, and more than 75,000 workers with disabilities will not be able to enroll in vocational rehabilitation services. In a time of rising inequality and more people falling out of the middle class into poverty, we need more routes out of poverty. But the impending cuts would deny Work-Study aid to 33,000 students. Struggling workers will be hit repeatedly: if they are among the long-term unemployed, cuts in federal emergency unemployment compensation will force an up to 9.4 percent cut in benefits, estimated at an average loss of \$400 for the rest of this year. If they are parents working or looking for work, they may lose child care assistance; the cuts are expected to end child care subsidies for 30,000 children across the country.

We cannot sustain and expand economic recovery while pushing our most vulnerable people into more desperate straits. The cuts about to take effect will take away rental assistance vouchers from between 110,000–125,000 families nationwide. These vouchers limit the families' rent payments to 30 percent of their income. If they were abruptly expected to pay market rents, large numbers of these families will be forced out of their apartments, with increasing homelessness a certainty. At the same time, sequestration will end housing assistance to approximately 100,000 formerly homeless people nationwide, including veterans. To add to poor families' struggles to afford housing, home energy assistance will be cut an estimated \$180 million. Even without this cut, rising heating costs mean that aid under the Low Income Home Energy Assistance Program (LIHEAP) is expected to average only \$375 per household served in 2013, down from \$405 in 2012.

Even though there is ample evidence that adequate nutrition is vital for brain development in the first years of life, the impending indiscriminate cuts would deny WIC nutrition aid to 600,000 mothers, infants, and young children. The cuts will also jeopardize the health of seniors, with 4 million fewer meals delivered nationwide.

Cuts That Increase Joblessness and Disinvest in Our People Will Weaken the Nation. Congress should stop the mindless across-the-board sequestration cuts. Instead, it should enact a balanced package with enough revenues from the wealthy and corporations and sensible Pentagon and other savings to protect our children, our workers, and our seniors.

Those who oppose any new revenues or Pentagon savings should be asked why they think it is more important to preserve, for example, hundreds of billions in corporate tax incentives to shift jobs and profits offshore or to waste hundreds of billions in unneeded weapons and bases than to prevent cuts in education, housing, nutrition, environmental protection, public health, child care, rebuilding communities, and many other investments.

SEQUESTER DAMAGE

Children and mothers losing WIC nutrition aid: 600,000.

Low-income families losing rental housing vouchers: 125,000.

Formerly homeless people losing housing: 100,000.

Children denied Head Start: 70,000.

Funding cut from Head Start: \$406m.

Children denied affordable child care: 30,000.

\$ cuts deep enough to end services to these many low-income K–12 children: \$1.2b.

Fewer people with disabilities served by Vocational Rehab: 75,700.

Fewer meals on wheels served to seniors: 4m.

Adults and children with serious mental illness losing treatment: 373,000.

Unemployment benefits cut for long-term unemployed: 9.4%.

Jobs lost because of sequestration: 700,000.

INTRODUCTION OF THE RACIAL PROFILING PREVENTION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. NORTON. Mr. Speaker, I rise to introduce a bill, the Racial Profile Prevention Act,

to reestablish a federal grant program for states that desire to develop racial profiling laws, collect and maintain data on traffic stops, design programs to reduce racial profiling, and train law enforcement officers, which we were successful in getting included in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005. Although that grant program was just a small piece of the large SAFETEA-LU bill, nearly half of the states participated in the program for multiple years. This experience speaks to the usefulness of the program to states. Racial profiling is a form of racial discrimination that was thrust back into the forefront of national concern by the tragic killing of Trayvon Martin, who died one year ago today.

Racial profiling on roads built with federal funds is a violation of Title VI of the 1964 Civil Rights Act, because it amounts to a government subsidy of discrimination. However, while racial profiling remains more widespread in our country than most other forms of discrimination, there is little experience in developing legislation in this sensitive area to address racial profiling while allowing for appropriate law enforcement. My bill would help states to better develop their racial profiling laws and help

train law enforcement to avoid these problems.

My bill imposes no mandates on states. Instead, it simply authorizes a grant program, but does not require states to participate. However, it provides resources that many states and localities clearly need if they are to curb racial profiling.

PERSONAL EXPLANATION

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Ms. ESTY. Mr. Speaker, I want to state that on February 15, I missed several rollcall votes due to the Citizens Medal ceremony honoring the following constituents, Rachel Davino, Anne Marie Murphy, Lauren Rousseau, Victoria Soto, Mary Sherlach, and Dawn Hochsprung. These six extraordinarily talented and courageous teachers and administrators dedicated their lives to education and to the children of Sandy Hook Elementary in Newtown, Connecticut. When unimaginable tragedy struck, they gave their lives protecting

those same children. As a community, Newtown will always feel their loss. As a country, we will always look to their courage. Had I been present I would have voted:

1. Nay—H. Con. Res. 15—Adjournment Resolution: I would have voted “nay” as the House should stay in session and work to find a reasonable alternative to the irrational, across-the-board spending cuts in the pending sequester.

2. Aye—Final Passage of H.R. 273: I would have voted “aye” to prevent a pay increase for Members of Congress in 2013 and am an original cosponsor of a bill to prevent a pay increase for Members of Congress for the entire 113th Congress. In these tough economic times and until the budget is balanced, it's not fair for Members of Congress to receive any form of pay increase when others are asked to cut their budgets.

3. Aye—Final Passage of H. Res. 65: Condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013 test of a nuclear device.

HOUSE OF REPRESENTATIVES—Wednesday, February 27, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 27, 2013.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

SEQUESTRATION WORKDAYS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Madam Speaker, Secretary of Defense Leon Panetta states sequestration “would be a disaster in terms of the Defense Department. As far as our budget is concerned, as far as our ability to respond to the threats that are out there, it has a big impact.”

Over time, sequestration’s disproportionate cuts to national defense will reduce our military to its smallest number of uniformed personnel since before World War II, its smallest number of operational naval vessels since World War I, and its smallest number of operational aircraft in the history of the United States Air Force.

But national security is not the only sequestration risk. In my home district in north Alabama, President Obama has ordered that roughly 14,000 highly skilled and irreplaceable Department of Defense civilian employees suffer 20 percent furloughs and 20 percent salary cuts.

Redstone Arsenal’s engineers, scientists, and other civilian defense staff

are critical to national security in a time of international instability. Their knowledge and skill sets are unique, virtually irreplaceable, and may be lost to national security forever if these workers are forced to find work elsewhere.

The damage I’ve just described to north Alabama’s economy is before President Obama starts hammering defense and NASA contractors and many other Tennessee Valley Federal employees who provide worthwhile services to their country.

Nationwide, the economic impact is absolutely staggering. Sequestration risks 1.5 to 2 million job losses, with a resulting 1 percent worsening of America’s unemployment rate. It is unwise to subject America’s fragile economy to job losses of this magnitude.

For emphasis, and despite White House, Senate leadership, and House leadership efforts to the contrary, I voted against sequestration and the Budget Control Act of 2011, quite frankly, because the risk to America was simply unacceptable. Unfortunately, my vote was in the minority.

In 2012, and despite President Obama’s veto threats, the House twice passed legislation to fix sequestration. In response, the Senate not only refused to vote on the House’s sequestration solutions, the Senate irresponsibly refused to propose solutions of its own. Hence, despite the Senate enjoying more than a year and a half to do its job, Senate inaction and delay have given America yet another short-term crisis.

So here we are. America faces three major crises: Sequestration, a continuing resolution to fund the government, and yet another debt ceiling crisis.

While I agree with the House leadership’s view that, since the Senate has done nothing to solve this problem, it is appropriate for the Senate to act first on sequestration this time, I am troubled the House is scheduled to work only 24 days in March and April, combined. Conversely, there are 19 workdays in which the House is not in session. Stated differently, the House will only work 56 percent of workdays and be on recess from Washington 44 percent of the time.

The American people work on workdays. Congress should do no less. Actions speak louder than words. Under the circumstances America faces, a part-time Congress is simply unacceptable.

As sequestration unfolds, as national security, Federal Government func-

tions, and the American economy slowly but surely deteriorate, the American people will intensify pressure on HARRY REID’s Senate to finally do its job.

Americans are suffering. National defense is suffering. The suffering of Americans is not in recess during this crisis. Congress should not be in recess either.

We signed up to do a job, and that job is not done. The House must provide leadership and prove we are serious about doing the people’s business, and Washington is where the people’s business is done.

Given the magnitude of the risks and damage done by sequestration to America on a daily basis, I respectfully request that the House remain in session and do our jobs on each and every workday until sequestration is resolved.

The House has passed numerous sequestration solutions. It is long past time for the Senate to wake from its slumber, respond to the clarion call of the American people, and pass a sequestration solution.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Speaker, in recent years we’ve seen an increase in major weather events, especially in the continental United States. From record-setting superstorms to severe droughts and devastating wildfires, the recent impact of climate change cannot be ignored.

In my home State of New Mexico, ranchers and farmers are struggling to maintain their livelihoods in the face of drought conditions, while last year wildfires threatened communities that have still not fully recovered.

A rapidly changing climate affects everyone on the planet. Climate change impacts agriculture, water supplies, power and transportation systems, and even our health and public safety.

In the aftermath of Hurricane Sandy and one of the worst wildfire seasons in the western United States that we’ve ever seen, it’s time to work together on commonsense solutions that will allow us to use power in a smarter manner, produce clean and abundant renewable energy, and reduce emissions through energy efficiency. These are things we should be able to agree on and work together on in a bipartisan manner.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

It is critical that we move forward with a sense of urgency and take meaningful action that addresses the very real threats of climate change that are already impacting our country.

Sequestration is devastating America today. Madam Speaker, we just heard from one of my colleagues. This week we're scheduled to go on recess on Friday. I hope that my colleague that spoke today, Madam Speaker, reaches out to Speaker BOEHNER and ERIC CANTOR and says, Keep us in session. Let's stop this sequestration from happening. And it's quite simple. The fix to this legislation could be put together in one sentence: Stop it. I guess even better, in two words.

Madam Speaker, we have a sense of urgency across the country when it comes to working on climate change legislation, but as we talk about the impacts to each and every one of our districts with what sequestration will bring with job losses, let's stand together and stop this. Let's ask our leadership to allow us to vote on a simple couple of words: Stop sequestration, and let's prevent it from happening.

SEQUESTRATION: THE LAST TOOL WE HAVE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Madam Speaker, the decline and fall of the Roman Empire offers us a sobering warning of a great nation that became overextended and war-weary abroad while it became utterly profligate and decadent at home. Its economy in shambles and its treasury bankrupt, the mightiest military power on Earth fell prey for backward hordes that had previously existed only on the fringes of civilization.

Now, 3 years ago Admiral Mike Mullen warned our Nation that our national debt is our biggest national security threat. Now, that was 3 years ago when our debt stood at \$13.5 trillion. Today we owe over \$16.5 trillion. In other words, just since he issued this warning, we've added more to our country's debt than we did in our Nation's first 200 years of existence.

No nation has ever taxed and borrowed and spent its way to prosperity, but many nations have taxed and borrowed and spent their way to economic ruin and bankruptcy, and history today is screaming this warning at us, that bankrupt nations aren't around very long because before you can provide for the common defense, you have to be able to pay for it, and the ability of our Nation to do so is now coming into grave question.

□ 1010

Now, just in the first 4 weeks of this year, Congress added more than a third

of a trillion dollars of new spending to this already crushing burden. The fiscal cliff deal added \$300 billion and the Hurricane Sandy bill another \$50 billion, more than 90 percent of which had nothing to do with emergency relief for storm victims.

Earlier this month, Congress simply did away with the debt limit altogether until mid-May. Two years ago, Congress passed the Budget Control Act that authorized the biggest single expansion of debt in our Nation's history; but Congress at least also agreed to reduce the projected deficit by \$1.2 trillion over the next 10 years, either through the supercommittee or, failing that, through automatic budget reductions called "the sequester."

Now, the sequester doesn't actually cut spending in any conventional sense of the word. After a decade in which spending has grown 64 percent, or nearly twice the rate of inflation and population growth, the sequester merely limits the increase next year to about one-half of one percent.

I opposed that act, in part because the sequester was less than one-third of what officials at Standard & Poor's warned was the minimum deficit reduction necessary to preserve our Nation's AAA credit rating. I also objected to across-the-board cuts that treat our highest priorities the same as our lowest priorities and to the disproportionate impact that it would have on our defense budget. Those warnings fell on deaf ears at the time.

But since then, twice the House has tried to correct these shortcomings with legislation to replace the worst of the defense cuts with long-term entitlement reform. Ultimately, that's the only way we're going to bring our fiscal crisis and its spiraling debt under control.

Both measures died in the Senate; and after the November election, the likelihood of entitlement reform over the next several years is exceedingly remote, which means that however imperfect the sequester may be, it is at this moment in our history the only tool currently available to us to begin to point our Nation back toward fiscal solvency and away from the perilous fiscal path that we are now upon.

We need to give administrators, especially the military command, the flexibility to set priorities and manage our money accordingly; but the overall sequester reductions must be maintained.

A few months ago, the chief of sovereign debt for Standard & Poor's made this point: that although the sequester was insufficient to justify maintaining our AAA credit rating, it was at least a step in the right direction. He said:

The sequester was an agreement that Congress made with itself, and we would view any step back from that agreement very negatively.

Madam Speaker, when the history of our era is written, let it not be said

that ours was a generation of locusts that consumed not only the wealth we inherited from our fathers and mothers, but also stripped bare the futures of our sons and daughters. Let us instead begin a new direction for our Nation, stepping back from the fiscal precipice that threatens to destroy our Nation from within.

INSURANCE PREMIUM PRICE CHANGES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Madam Speaker, I rise to talk about the health insurance industry and its role in our greatest national achievement: full implementation of the Affordable Care Act.

In the last few weeks, insurance companies, companies that reported \$12.7 billion in profits, had been running a scare campaign arguing that premiums will increase later in the year. They tell us that when they roll out their 2014 health care coverage plans, they will increase premiums unless we weaken the Affordable Care Act's key consumer protections.

The insurance companies didn't get 100 percent of what they wanted, but they got a lot. They blocked the public option, secured an individual mandate guaranteeing that 30 million Americans soon will be customers. That's one of the most successful lobbying experiments I've ever seen.

But now that we are just a few months away from full implementation of the Affordable Care Act, the health industry is launching what The Washington Post calls "an all-out, last-ditch effort to shield themselves from the blame" for the rate increases that they will impose. Unless they are allowed to charge significantly more money, they tell us, the whole system will collapse.

Now, this is perplexing. We made every effort to address the concerns of the industry when we developed this landmark legislation. It's also deeply troubling that the industry that will gain so much from health reform is now engaging in a misleading PR campaign against it. Despite unprecedented profits and surplus cash reserves, it is deliberately undermining the law. It already succeeded in shaping its benefits.

So let's take a careful look at their claims. For years, companies have offered healthy young adults junk health insurance at cut-rate prices: plans with sky-high deductibles and lifetime limits that didn't cover much. For \$100 a month, you could get a plan that offered practically no useful coverage.

Meanwhile, older people with escalating health care costs were stuck with crippling bills or locked out of the market altogether. Across the board, plans dropped consumers, coverage

changed without warning, and people of all ages went without care. ObamaCare will finally put a stop to these abuses.

With better plans with real benefits costs, more than the meager plans marketed by the industry to young people, the stability and affordability will win out in the long run. There are no more games. Instead of avoiding risk, the industry will have to manage it.

ObamaCare will financially help the large majority of healthy young consumers. In fact, 90 percent of the currently uninsured adults under 30 will be eligible for subsidized coverage. Additionally, increased transparency and competition will force rates to drop further, along with the growing pool of young participants who are cheaper to cover. We did all this in my home State of Washington years ago, so I know it can be done.

For the first time, average Americans not insured through a job will get health insurance without having insurance that won't drop you when you're sick, insurance that won't discriminate against women, insurance that won't waste your money on excessive marketing, and will actually cover needed care. These are the crucial consumer protections we fought and got.

Which is the heavier price: an extra \$20 a month for a young person with a healthy income to have reliable insurance or bankrupting an uninsured family? Meeting the needs of the Nation and preserving the well-being of our population is healthiest for all.

So I'm calling on the health insurance industry to be team players and to be good corporate citizens. They have a lot riding on this roll-out, at least as much as the Obama administration and the Congress. We need to work together, not against each other. We have to make this advance work.

We don't need to have a scare campaign on television telling people that if ObamaCare goes in, your premiums are going to go up, and it's his fault. They're the ones with the profits, they're the ones with the reserves, they're the ones that are raising the prices.

They have to be faced with that, Madam Speaker, because otherwise the public is going to be confused. They tried to confuse people all through the establishment of the Affordable Care Act. They didn't succeed. And, in fact, when they used it in the campaign, the people said, do you know what, we like Obama, we like what he did, we want it to happen. So the insurance companies had to go back to the trenches and figure out a way to confuse the American people. Stop it, insurance industry.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. WILLIAMS) for 5 minutes.

Mr. WILLIAMS. Madam Speaker, President Obama's sequester is bad for America. There's no getting around it. Good programs are going to be cut, good people are going to be furloughed; and bad leadership from President Obama is to blame. In the last 4 years, almost every important budget deadline has been met with impasse and little has been done to enact a responsible budget.

□ 1020

Systematic failure to perform the basic responsibilities of governing has led us to the catastrophic sequestration we see today.

President Obama came up with this idea for the sequester as a temporary solution for another fiscal crisis in 2011. As we've been saying for months, House Republicans are the only ones who have taken action to balance the budget. Last Congress, the House passed two bills, the Sequester Replacement Reconciliation Act and the Spending Reduction Act. However, in recent remarks at the White House, President Obama attempted to blame House Republicans—who control only one-half of one-third of the government—for the looming cuts.

If there's going to be a solution, President Obama is going to have to work with his own political party in the Senate and negotiate with the House. Yet all the President has done so far is call for higher taxes again. He got his higher taxes—\$600 billion from higher earners, with no corresponding spending cuts—at the end of 2012. It seems he will not stop until every single American has to hand over more of their hard-earned money to the Federal Government—which, I might add, has a bad track record of spending it.

There is no denying that the government spends too much, but these blind cuts are irresponsible and will have a disastrous effect on our military. Yesterday, the Joint Chiefs of Staff testified at a hearing that our national security will be put at risk if they are forced to make deep reductions in spending for manpower, training, and equipment modernization programs.

This is no longer a debate between Congress and the White House to gain the upper hand. This is real, this is serious, and this is the time to take action. In fact, I sent a letter to the President this week urging him to act now to prevent the harmful fallout that the sequester will cause. I pray that he reads it.

While Friday does mark the sequester deadline, we have until March 27 to do the right thing on behalf of our men and women in uniform, as well as the hundreds of thousands of employees expected to be drastically impacted by the sequester.

If the President continues his unwillingness to stop campaigning and start helping the American people who elect-

ed him to lead, then at the very least we need to allow the Department of Defense and the Department of Veterans Affairs to operate under a budget rather than a continuing resolution. This would give them greater flexibility and put them in the best possible position to absorb these across-the-board cuts. By letting the DOD and VA operate under a budget, these agencies can prevent permanent damage from the arbitrary sequester cuts.

Madam Speaker, I represent Texas' 25th Congressional District, which includes a large portion of Fort Hood—one of the largest military installations in the world. The United States Army estimates \$291 million in cuts for Fort Hood, including nearly 600 civilian jobs and nearly 30,000 jobs statewide.

This is preventable. And quite frankly, it's totally unacceptable. We shouldn't have to move a third bill in the House before the Senate finally acts. It's time for President Obama to drop the politics and campaign speeches and do something. Putting our public safety, national security and economy at risk by letting the sequester pass without preventative action is reckless and destructive. Our troops, our businesses, and our families deserve better. Americans expect our President to lead.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 25, 2013.

Hon. BARACK H. OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: I am writing to express my outrage over the proposed cuts to the Department of Defense as part of the sequestration phase of the Budget Control Act of 2011. As commander-in-chief of the U.S. military, your inaction to prevent these cuts from happening to our military and their families is unconscionable.

In the 112th Congress, the House of Representatives passed two bills, H.R. 5652, the Sequester Replacement Reconciliation Act of 2012 and H.R. 6684, the Spending Reduction Act of 2012 which would have canceled the sequester of approximately \$98 billion in discretionary defense, discretionary non-defense, and mandatory defense FY2013 spending. Neither bill was even considered by the U.S. Senate. The House of Representatives shouldn't have to move a third bill before you or the Senate finally acts.

Secretary of Defense Leon Panetta recently stated, "If sequester happens, it is going to badly damage the readiness of the United States of America. We have the most powerful military force on the face of the earth right now. It is important in terms of providing stability and peace in the world. If sequester goes into effect, and we have to do the kind of cuts that will go right at readiness, right at maintenance, right at training, we are going to weaken the United States. And make it much more difficult for us to respond to the crises in the world."

Gen. Martin Dempsey went further in recent testimony before the Senate Armed Services Committee and stated that sequestration would put our military on a path where the "force is so degraded and so unready" that it would be "immoral to use the force."

Mr. President, I represent the 25th Congressional District of Texas which includes a large portion of Fort Hood—one of the largest military installations in the world. The United States Army estimates \$291 million in cuts for Fort Hood including nearly 600 civilian jobs, and nearly 30 thousand jobs statewide. This is preventable! Let's cut the nonsense—drop the politics, drop the campaign speeches, and do something.

We shouldn't put our national security, public safety, and the economy at risk by letting the sequester pass without preventative action. Our troops, our businesses, and our families deserve better. Mr. President, Americans expect you to lead.

Sincerely,

ROGER WILLIAMS,
Member of Congress.

SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Arizona (Ms. SINEMA) for 5 minutes.

Ms. SINEMA. Madam Speaker, my State, Arizona, has made tremendous sacrifices in the struggle to stand strong through our Nation's fiscal crisis. Today, Arizona is last in education funding, last in retail growth, and first in home foreclosures.

I'm proud to say, however, that Arizonans are resilient. We are tough. Our State was forged out of rugged frontierism—we're independent and we have deep respect for the traditions that make us Arizona. We've never shrunk from a tough fight and we've never been afraid to roll up our sleeves and work hard. Right now, we're working hard to climb out of the recession that we all face together. It hasn't been easy, but we're doing it.

Arizona is sixth in the Nation for defense sector jobs. Most of these are private sector jobs. Employers have come to Arizona because of our people and our work ethic. We innovate and compete alongside booming defense States like California, Texas, and Virginia. Employers are hiring thousands of skilled workers from our communities. Our State is a vital resource to our Nation's military readiness. We were able to get there through hard work, innovative thought, and intense collaboration between community and industry partners.

In the greater Phoenix area, our economy is currently growing steadily at the rate of 3 percent, but the deep cuts, known as the sequester, would cut our growth in half. In fact, Arizona's potential job losses caused by sequestration rank 13th among all U.S. States. These losses will be felt by families working in Arizona's defense sector and military base operations. These are skilled, middle class jobs.

Of the nearly 50,000 jobs that we expect to lose in Arizona from the sequester, approximately 35,000 are linked to military readiness and base operations. Furloughs will affect 10,000 civilian workers, and Arizonans will experience a devastating \$52 million pay cut.

I come home each week and I talk about the work that we're doing in Congress, but most of the time I come home to listen. A few weeks ago, I had the opportunity to listen to plant engineers at General Dynamics in Scottsdale. They showed me the high-tech and innovative defense products that were coming right out of our own community, built and programmed by our friends and neighbors. This type of innovation in our own backyard is the future of our State, and that future is in danger.

Last week, a bipartisan group of city elected officials, business leaders, and community advocates gave me a message to bring back to Congress. I'm proud of their joint effort, and I'm proud of their service to our community. I consider it a privilege to deliver their message.

In our State, we are concerned that Congress will turn the clock back on Arizona's hard work and progress. We are worried about hardworking families losing their jobs.

As the granddaughter of a World War II veteran and a proud sister of a gunner's mate in the U.S. Navy today, I remember every day that it is our moral duty to do right by the men and women in uniform who risk their lives to keep us safe.

Avoiding the sequestration should not be about partisanship or finger-pointing; it's about jobs. It's that simple. I stand with the dean of our State's delegation, Senator JOHN MCCAIN, when I say that this sequester will be devastating for Arizona. It's bad for hardworking Americans, and it turns a blind eye to my State's proud efforts and proven perseverance. I affirm my commitment to working with anybody who's willing to put our differences aside and put the people we serve first.

We still have time to stop this. Let's roll up our sleeves together and get the work done.

SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Madam Speaker, I rise today because we have to get our fiscal house in order, but sequestration is not the way to do it.

There is no question we need to address our unsustainable debt and deficit. Our debt remains above 73 percent of GDP—up from 36 percent just 6 years ago—and our deficit still hovers just below \$1 trillion. But the solution must be a big, balanced, and bipartisan deficit reduction plan modeled on plans like Cooper-LaTourette over a 10-year period, not the meat-ax approach of sequestration.

We can't pursue deficit reduction at all costs. The cure shouldn't be worse than the disease. The sequester will un-

dermine our growing—but still fragile—economic recovery.

The nonpartisan Congressional Budget Office predicts sequestration would halve economic growth for 2013. Another study projects job loss in 2013 alone would hit 2.1 million jobs, mostly from small businesses. We just went through this not more than 2 months ago, as we remember, the fiscal cliff. Sadly, we seem no wiser for that experience. We continue to bicker rather than plan; we posture rather than negotiate; we delay rather than decide. We go from one crisis to the next, thereby threatening our economy and further undermining the public's tenuous faith in its political institutions.

We lack a comprehensive approach to just about every challenge we face, including climate change, energy, transportation, health care, social insurance, defense spending, immigration reform and gun violence. It is management by paralysis. It's budgeting with a meat cleaver. It's absurd, and it has to end.

The sequester lops off \$1.2 trillion from the Federal budget over the next decade, cutting \$85 billion just this year.

□ 1030

Over the last week, I have met with dozens of groups for whom the sequester is not some abstract budgeting term. For these organizations and people back in my district, sequestration will have real, damaging effects.

I met with the AIDS Foundation of Chicago, which explained that under sequestration in Illinois, 125 AIDS-afflicted families will lose their housing. Another 613 people in Illinois won't receive their medication through the AIDS Drug Assistance program, which will be cut by \$3 million. I also met with the Illinois Partners for Human Service and heard from the Ounce of Prevention Fund. Both groups informed me that 4,000 children in Illinois won't receive Head Start services under sequestration. Thanks to sequestration, 4,100 college students in Illinois won't receive Federal work-study assistance.

The bigger picture in Illinois is equally devastating. Sequestration will cost Illinois more than 53,000 jobs and \$5.3 billion in the State's economic output. Nationwide, sequestration threatens our physical safety as well as our economy. Ten percent of the FAA's workforce could be furloughed, resulting in reduced air traffic control, longer delays, and economic losses for our tourism industries. Meat and poultry inspectors at USDA would also face furlough, potentially shuttering meat processing facilities and even affecting restaurants and grocery stores. Layoffs at the FDA would mean 2,100 fewer safety inspectors. There would be 25,000 fewer breast and cervical cancer screenings for low-income women.

Mindless cuts to military and law enforcement affect our ability to protect our borders and meet the ever-present threat of terrorism, both here and abroad.

Madam Speaker, this is unacceptable. Somewhere along the way, buried in the din of the 24-hour news cycle and partisan bellowing, we lost the art of compromise. But that's what allowed the passage of civil rights legislation in the 1960s and saved Social Security in the 1980s. Legislators of both parties sat down and talked to each other, not past each other, to hammer out their differences and achieve something that made this country better.

I have no illusion that everyone in this body agrees with my ideas about reshaping Pentagon spending or reforming entitlements to ensure they provide benefits for generations to come; but I do know that making the changes that are best for the long-term interests of this country can't be accomplished overnight. These decisions require our best effort and precise planning. As the threat of sequester has painfully revealed, a chain saw is no way to create a budget for the most powerful country on Earth.

JUMP-STARTING THE ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. POCAN) for 5 minutes.

Mr. POCAN. Madam Speaker, as a lifelong Wisconsinite and a proud resident of Madison for the last 30 years, I am deeply humbled and honored to represent Wisconsin's Second District in the House of Representatives. The Second District is home to a world-class university, innovative small businessowners, and hardworking dairy farmers and cheese makers who produce the best milk and cheese you can find.

I ran for Congress because I wanted to ensure these voices, the voices of south central Wisconsin, are heard, respected and represented in Washington. And I am committed to serving their needs by working with my colleagues—all of my colleagues—regardless of party affiliation. But I hate to say it, Madam Speaker, right now the people of Wisconsin's Second District are frustrated, and I understand why. When I went home last week, I met with people from all kinds of professions and all walks of life, and their concerns could not have been more different from what we talk about right here in Washington. What they care about is what all families care about: how can they make a living so they can pay their bills, provide for their loved ones, and create opportunities for their children.

They don't care about political finger-pointing. They care about how we in Congress can support an environment where businesses can attract more buyers for their products, hire

more workers, and increase wages; in other words, how do we grow the economy.

What I told them, and what I'll repeat here today, is that the sequester and its irresponsible, indiscriminate and across-the-board spending cuts is the exact opposite of what we need to be doing right now to grow our economy. Taken as a whole, these spending cuts represent a harsh austerity policy that I fear could only move our country backwards.

We've seen in Europe the severe effects austerity policies have had on fragile economies working their way back from recessions. Four years after the global economic crisis, our friends across the ocean are at risk of a triple-dip recession. Unemployment is climbing; and even with these massive spending cuts, countries have seen their debt loads increase. Is this the model we want to follow in our country?

Madam Speaker, we must remember that the biggest threat to our long-term economic security is not the deficit. It's the economy. It's a lack of jobs, and it's about the more than 12 million people who are unemployed in this country.

I own a printing shop in Wisconsin; and as a small businessowner, I can tell you that it's about the lack of access to capital because of economic uncertainty, it's about a lack of consumer confidence, and it's about people needing to get back to work. These are the issues we need to address, not austerity; and we are not going to create jobs or help spur spending by gutting critical government programs without any thought to the consequences. To people in Wisconsin, that's just politics as usual.

We need to change the conversation right here in Washington. We need to be talking about what people are talking about in Beloit, in Baraboo, and in Sun Prairie. Instead of asking about how much we can cut, we need to be asking ourselves how we can jump-start the economy, how we can invest in our future, and how we can support our local small businessowners who are the backbone of our communities. That's how we'll fix the economy.

We need to support education, infrastructure projects, research and development, and new industries such as green energy that will help lead to job growth and bring our unemployment rate down. And by growing the economy, we will fix our fiscal problems.

Now, that doesn't mean I don't see a place for responsible restraint. As the former chair of the Joint Finance Committee in Wisconsin, I understand that when you put together a budget, tough decisions have to be made, and you can stay up all night agonizing over the smallest details, the tiniest programs, because these programs make a difference in people's lives. It's a lot of

work, and it should be, because our budget priorities have a direct effect on our middle class families and on long-term economic growth. But the sequester trades in the tough work and replaces it with massive, indiscriminate, and irresponsible spending cuts. It's like taking a meat cleaver to the budget instead of a scalpel.

It could cost 750,000 jobs nationwide, including 36,000 jobs right in Wisconsin. It could mean 70,000 students across the country, and 1,000 in my State, would see their Head Start services eliminated this year, and it would mean \$900 million less in loan guarantees to small businessowners nationwide, including in Wisconsin.

Now, I'm a cosponsor of a plan put forward by Representative VAN HOLLEN that would avert these disastrous spending cuts and replace them with a balanced approach that promotes economic growth while responsibly reducing the deficit. I strongly urge my colleagues to come to the table, stop this irresponsible sequester, and then refocus our efforts.

The time has come to stop talking about harmful spending cuts and start talking about getting the people of Wisconsin and of America back to work. We need less austerity and more prosperity. We don't have time to waste.

SEQUESTRATION AND WEST POINT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. SEAN PATRICK MALONEY) for 5 minutes.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, earlier this week, I was home in the Hudson Valley at the United States Military Academy at West Point talking to the cadets there to better understand these arbitrary cuts to that legendary American institution that will happen if we fail to act.

West Point has been educating and training our Nation's next generation of military leaders since 1802. It is as old as the Nation itself. Each year, over 1,000 young men and women from all across our country step into the long gray line where two American Presidents, 18 astronauts, 74 Medal of Honor recipients, 70 Rhodes Scholars, and three Heisman Trophy winners have stood before them.

These kids take the hard road. They give up the easy life to serve us and our country. For many of them, their time at the Point is just the beginning of a lifetime of selfless service. Indeed, scores of West Point graduates—recent West Point graduates—have made the ultimate sacrifice serving us in Iraq and Afghanistan.

While I was there, I had the opportunity, in fact, to walk among the graves of the heroes buried there on that beautiful plain high above the

Hudson River. Many are buried by year with the classmates with whom they went to school.

Tomorrow, General Norman Schwarzkopf will be laid to rest in this cemetery; and in that very hour, we will be here facing a choice of whether we will ask more of those who love and serve West Point or whether we will look elsewhere.

□ 1040

If we do nothing, sequestration will clobber West Point with \$92 million in arbitrary cuts. In fact, West Point is taking the biggest cut of any Army institution in New York. Sequestration means that our cadets will continue to live and train in outdated facilities that are over 40 years old. It means that furloughs will happen for 1,300 employees working there.

The men and women who feed, instruct, and protect our Nation's next generation of military leaders shouldn't lose their jobs because this Congress can't do ours. Sequestration is a terrible idea. It is the dead hand of the last Congress reaching out to strangle economic activity. We are 2 days away from the deadline, and there are people here who actually think it's a good idea to let it happen.

I believe we need to cut spending. I believe we need to bring down our debt and start balancing our deficit. But we have choices: we can end lavish tax breaks to private jet owners before we ask the kids at West Point to do with less; we can stop giving tax breaks to companies that ship our jobs overseas before we weaken the Long Grey Line; and we can end massive tax cuts for oil companies before we weaken a great American institution like West Point.

This Congress has a clear choice. And for those colleagues who choose to do nothing, I ask you to head home to your district and explain to the kids whom you nominated to West Point that these are good ideas and necessary sacrifices, that it's better for them to sacrifice than for private jet owners, for big oil companies, or for companies that ship our jobs overseas.

The Army's motto is "This we'll defend." West Point is something that we should defend because the cadets there will continue to honorably serve all of us and our country.

Congress doing nothing is not a choice. It's not good for our cadets, and it's not good for our country. Let's stop this series of self-inflicted crises and work together to reach a balanced compromise to replace these across-the-board cuts with a smart, balanced approach that will address our fiscal challenges.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Madam Speaker, it just came over the newswire a few minutes ago that on Friday morning, March 1, there will be a meeting at the White House involving President Obama, the leadership of the House, Speaker BOEHNER, and the leadership of the Senate, Senate Majority Leader REID to begin a process of talking about resolving the issue that we're obviously confronting as a Nation a few hours away, which is an automatic mechanism put into effect by the Budget Control Act of 2011 to cut discretionary spending across the board.

I begin with that point because, in fact, that really should have been happening months ago. In fact, that was the intent of sequestration, which is a mechanism that was created in 1985 by the Gramm-Rudman-Hollings legislation that set up the formula for sequestration that cut across defense and non-defense programs. And as Senator Phil Gramm, who was the inventor of sequestration, said in a speech a couple of years ago: It was never the objective of Gramm-Rudman to trigger sequester. The objective of Gramm-Rudman was to have the threat of sequester force compromise and action.

In other words, this was a mechanism that was designed to hurt. It was designed to create so much pain politically that the two sides, which again were in a similar point of gridlock in 1985, would begin the process of negotiation to deal with a structural deficit.

If you look at the history of what occurred from 1985 up until early 2000, that pressure actually did force Congress to face up to the fact that we could not continue to pile up deficits and burden our children and grandchildren with further debt. Unfortunately, in this present Congress, it's taken a little longer for the message to get through, but, nonetheless, the meeting that's scheduled on Friday morning hopefully is going to begin the process of having the two sides do what their predecessors did in the eighties and nineties and begin the process of a balanced plan to eliminate the structural deficit that our Nation confronts today.

Yesterday, President Obama was over in Newport News, Virginia, talking to shipyard workers about the fact that the Navy, which is obviously a critical part of our Federal Government, now has to hit spending cut targets over the next 7 months. We're 5 months into a fiscal year right now. They have begun the process of cancelling the refueling of the USS *Lincoln*, one of our 10 aircraft carriers which are so critical to force projection in this country. And he was absolutely right to be there. This is a program which, if it is cancelled or delayed, it's going to daisy-chain its way through our Navy's fleet of 287 ships which must be repaired and maintained constantly to make sure that they're available for operations.

I represent southeastern Connecticut, the home of Electric Boat shipyard that builds and repairs nuclear submarines. We have the USS *Providence* slated to come in for a needed overhaul and repair later this fiscal year. The Navy has notified the shipyard that that work is going to be suspended. That's 200,000 man-hours for welders, for shipwrights, for machinists, for electricians that do amazing work with incredible skills to make sure that our fleet is capable of meeting the mission requests that are out there. The USS *Miami*, which is a submarine that was burned in an arsonist fire last year, is another repair job which EB was going to be on the road helping the shipyard workers in Kittery, Maine, to make sure that that critical vessel was going to be back in the fleet. That project has now been put on ice because of sequestration.

These are just totally irrational, destructive outcomes for a bill which was designed to force compromise. It was not to be a policy, not to be an outcome. When you look at Admiral Greenert, the CNO of the Navy, who is one of the most outstanding leaders in our country, he has cancelled the USS *Harry Truman*, which is a carrier strike force that was scheduled to go over to the Middle East to fly air-cover missions for our troops in Afghanistan, to keep the Strait of Hormuz open where 20 percent of the world's oil supply passes every single day. This is a policy or an outcome that threatens the military readiness of this country. Secretary Panetta at the Department of Defense and General Dempsey, the Chairman of the Joint Chiefs, has made that crystal clear.

So the stakes could not be higher for our country to make sure that this process, which belatedly is starting on Friday morning, is going to result in smart, balanced ways to reduce the deficit.

I can offer one big idea that will get us to that point. I sit on the Agriculture Committee, which is a great bipartisan committee that's been working hard in terms of reforming ag policy in this country. It is time that the direct payment system to farms comes to an end. The good news is that Republicans and Democrats on that committee and Republicans and Democrats in this Chamber agree on that. We can help farmers deal with the vagaries of weather and unexpected events through risk insurance, which is far cheaper to the U.S. taxpayer than direct payments. That will save \$30 billion over the next 5 years. That is a huge step forward that we can use as a building block to avoid these horrible outcomes and make sure that Senator Gramm's warning to us is heeded by this Chamber and by this Congress.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Arizona (Mrs. KIRKPATRICK) for 5 minutes.

Mrs. KIRKPATRICK. Madam Speaker, the voters sent us to Congress because they want solutions, but reckless, across-the-board cuts are not solutions. We are just 2 days away from the start of these cuts known as sequestration, 2 days away from hurting, rather than helping, the people who elected us.

Let me share with you some examples.

I represent Arizona's District One. This is a vast, beautiful, mostly rural district. It's larger than the State of Pennsylvania. My district includes one of the greatest natural resources of the world, the Grand Canyon, and many other national parks. The Grand Canyon is not only an environmental treasure; it is an economic driver. It brings \$700 million to our economy and creates 12,000 jobs annually.

If our national parks are forced to cut operating hours, cut services or even close facilities, we will be hurting the economy, not helping it. Thousands of jobs and small businesses are connected to the national parks in my district and across our Nation. Hurting our national parks is not a solution.

I'm also concerned about how sequestration will hurt education. Thousands of low-income students in Arizona would no longer receive aid to help cover the cost of college. Work study jobs would be eliminated, and Arizona is the largest recipient of impact aid funding in the Nation. Impact aid compensates local school districts for revenue they lost due to the presence of federally owned and, therefore, tax-exempt property.

□ 1050

It compensates local school districts for costs incurred due to federally connected students.

What are federally connected students?

These are students who are Native American, who have a parent in the military, or who live on Federal property.

In my district in 2012, for example, the Chinle Unified School District received more than \$22 million in impact aid. Sequestration cuts would deeply affect a district like Chinle's. It would hurt its capacity for everything from transportation to staffing and from construction to classroom size. Hurting our schools and our students is not a solution.

Madam Speaker, what about our tribal communities?

My district has 12 Native American tribes; 25 percent of my district is Native American. These are residents of some of our most remote and rural communities. The median household

income is \$7,000 a year. These folks often struggle with access to the most basic medical care and resources. If sequestration takes effect, their primary source of health care, the Indian Health Service, will take a major hit. Other Federal programs, such as Medicare, Medicaid and veterans benefits, are exempt from sequestration cuts. The Indian Health Service is not exempt. IHS may be cut by over \$200 million.

What does a cut like that mean to tribal communities in my district?

It would mean losing hundreds of jobs. It would mean cuts in primary health care. Nationwide, it's estimated that 3,000 fewer people would be admitted for inpatient care and that 800,000 fewer Native Americans would be able to receive outpatient visits.

Hurting our tribal communities is not a solution. The consequences of these cuts are not TV sound bites. They are real, and they hurt my district and our Nation. It will take both parties working together to find a responsible, thoughtful solution to our budget challenges. It will take both parties working together to put a stop to these reckless cuts of sequestration.

So let's work together, and let's show the American people that we are a Congress that can find solutions.

SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Pennsylvania (Ms. SCHWARTZ) for 5 minutes.

Ms. SCHWARTZ. There are just 2 days that are left for Congress to work together to avert these very deep, across-the-board, automatic cuts to our domestic priorities.

The Obama administration released a State-by-State report outlining the harmful impact these cuts would have on middle class families, on jobs and on economic growth. Yet Republicans continue to reject any balanced approach to deficit reduction presented by House and Senate Democrats, which includes spending cuts, additional revenues and economic growth. Moving from crisis to crisis does not move us any closer to finding a long-term solution to deficit reduction. Instead, these crises cause uncertainty, inhibit private sector investment, undermine consumer confidence, and slow economic growth.

In Pennsylvania, thousands of jobs in both the public and private sectors are at risk of elimination due to the inaction of House Republicans—from elementary school teachers to scientific researchers. Here are just a few examples:

Sharon Easterling, who is the executive director of the Delaware Valley Association for the Education of Young Children, said that Republican inaction would hurt Pennsylvania's children as "nearly 2,300 Head Start children will

lose access to preschool almost immediately";

Holly Lange, who is the president of the Philadelphia Corporation for Aging, said:

These cuts may force the Philadelphia Corporation for Aging to limit vital transportation services for our seniors, who depend on shared rides to remain independent in their homes;

Cinda Waldbuesser, the senior Pennsylvania program manager for the National Parks Conservation Center, said:

Every national park in the system would be affected, including treasured places like Gettysburg, Independence Hall and Valley Forge, and the local economies that depend on visitor spending would also suffer.

The President and House and Senate Democrats have put forth a balanced solution that would replace the across-the-board cuts with a plan that does cut spending but that raises revenues and builds economic opportunity for all of us in this Nation. Republicans have yet to offer a balanced plan or to be willing to engage in the serious discussions of a reasonable bipartisan alternative for our seniors, our children, our first responders, our teachers, our civilian workers in the Department of Defense, our law enforcement officers, our public health professionals, our qualified medical researchers—who research not only at NIH but at medical centers across our country—and business owners who are seeking loan guarantees.

I could go on and on. You've heard some of the examples, but the fact is that all Americans are counting on us to act. It is our responsibility to act, and we should.

I urge my Republican colleagues to reject their partisan, one-sided approach and to be willing to work with us to find common ground and to reach a solution to deficit reduction that takes a balanced approach; that respects our obligation to Americans, particularly our seniors and our children; that strengthens the middle class; that creates certainty for the business community and for our middle class consumers; and that creates opportunities for families and businesses across the country.

The meeting called this morning by the President is an opportunity to find that solution, and I encourage Republicans to take this moment seriously, to be willing to compromise in order to avert these cuts and to set us on a path to both deficit reduction and economic growth. It is not too late. It is increasingly almost too late, but let's get it done on behalf of the American people and our future.

PROTECTING SMALL BUSINESSES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. BENTIVOLIO) for 5 minutes.

Mr. BENTIVOLIO. Last quarter, the economy actually shrunk rather than grew. That's unacceptable. Something has to change.

As I've traveled throughout my district in Michigan, business leaders tell me the same thing over and over again: It's too hard to start or to expand my small business because I can hardly understand how to comply with the latest regulations that have come out of Washington.

It appears this is no longer a Nation of laws but of regulations—more than 80,000 pages at last estimation. And they're right. Over the last 4 years, the number of business regulations has skyrocketed, and the result has been the worst economic recovery in nearly a century. We've had such weak economic growth that I'm not even sure we can call it a recovery. The millions of people still out of work sure haven't recovered.

As many of you know, I own a small business. I understand what it's like to work hard in trying to build a business from the ground up. The small business owners I know back home are not trying to game the system, and they're not trying to manipulate the market to gain a competitive advantage. What they're trying to do is build lives for their families. They're trying to put food on their tables, send their kids to college, and put a little savings away for the future. They're good, honest, hardworking people who are trying to carve out a small slice of the American Dream.

These small business owners try to follow the rules, but it's becoming more difficult to do so. This may come as a surprise to bureaucrats here in Washington, but most small businesses don't have legal departments. They have their spouses, family members or friends who are trying to get them through all the red tape. These businessmen and women are too busy creating wealth and jobs to constantly stay up to date with the thousands of new regulations being thrown at them from the White House. The work of compliance is not done in a skyscraper downtown. It's done around a kitchen table after a hard day's work.

For example, a few weeks ago, a liberal writer for Slate.com wrote about the difficulties he faced when he tried to start his own small business and how surprised he was at his experience. After describing the problems he'd had, he concluded that red tape, long lines, inconvenient office hours, and other logistical hassles probably won't stop tomorrow's supergenius from launching the next great billion-dollar company, but it's a large and needless deterrent to the Nation of humble workaday firms that, for many people, are a path to autonomy and prosperity.

□ 1100

He also said:

Ideology aside, simply putting a little more thought into the process could make things much easier.

I agree. That's why I introduced the Protect Small Business Jobs Act of 2013.

For too many businesses, the central planners in the numerous agencies of this government have set up roadblocks to their success. My bill offers a simple correction. If found to be in violation of a Federal regulation, a small business, as defined by the Small Business Administration, is given a 6-month grace period to correct the problem before being sanctioned. It allows for an extension of 3 more months if the business is making a good-faith effort to correct the problem, and if the problem is corrected, at the end of the grace period the fine is waived.

This allows small companies to have a chance at becoming compliant without being hit with devastating fines. It levels the playing field and keeps thousands, if not millions, of American workers in their jobs because over 60 percent of new work in America is created by small businesses. Giving companies a grace period may seem controversial, but I'd like to dispel some concerns I've heard since I've introduced this bill.

What about environmental issues? Contamination will only be covered if the small business can actually clean it up within 6 months. This gives more incentive to fix the problem because, if the choice is between closing up shop due to an oppressive penalty or cleaning up their mess and staying in business, the latter is going to be chosen. Furthermore, this bill gives a grace period for regulations, not law. Any breaking of property law will still be prohibited.

What if an accident occurs? Firstly, most violations that could cause harm to people are largely covered under an exception in the bill. Secondly, this bill does not prevent workers from suing for damages if their company fails to keep their work environment safe. This bill really only affects sanctions in issues of prior restraint.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PAYNE) for 5 minutes.

Mr. PAYNE. Madam Speaker, I stand here today in absolute disappointment with this body and the total lack of Republican leadership. I can't even begin to express the disappointment I have with the GOP leaders who choose to play a game of chicken rather than do something to save 2 million American jobs.

After more than 20 years of watching my father serve the 10th Congressional District of New Jersey, the district that he loved, I came here to Washington to do the same. I came down

here to get to work, to dig in, to get my hands dirty, and to help resolve the pressing issues that will ruin this country if ignored.

As we speak, people are terrified; and if they aren't terrified, it's because they've stopped listening to the partisan bickering. But make no mistake, these cuts will be unimaginable to people across the country and to people across New Jersey's 10th Congressional District.

So I ask my colleagues: why are we here again? Why? We've played this game before, heard this tune, danced this oppressing musical number before. It's like I'm Bill Murray in the movie "Groundhog Day," where every morning I wake up hoping it is a new day, and every morning I wake up to the same maddening song. It's the song of a failed Republican leadership doing absolutely nothing—nothing all over again.

Talk about a do-nothing Congress. The 112th Congress passed just 283 bills, and 22 percent of them were bills to name post offices, courthouses, and other projects. So when you break it down, Congress really only voted to pass two bills a week—two bills a week. We can do better than this, but we need to work together.

When I speak to my fellow Democrat Members, there is a frustration. They are frustrated because we've seen the pain and fear in the people we speak to back home. There's frustration because we are ready to work. That's why I was sent here. That's what I was sent here to do.

So let's stop the nonsense and let's get to work. The effects of sequestration are real. Maybe people don't understand what the word "sequestration" means, but when they start to lose vital services that they need to live, it is going to devastate working families, the middle class, and the vulnerable in my district.

In New Jersey alone, more than 40,000 people could lose their jobs. New Jersey will lose \$17 million in funding for teachers, aids, and staff who help disabled children. Thirteen hundred children in New Jersey will be cut from Head Start. Eleven thousand civilian Department of Defense employees will be furloughed. Senior Meals on Wheels programs will lose nearly half a million in funding in New Jersey, possibly the only meal they have for the day. And funds will be slashed for victims of domestic violence, resulting in 700 victims not receiving the care that they need to survive.

Right now, Democrats have a plan on the table that will stop sequestration and start reducing the deficit in a balanced way. It's a plan that cuts spending responsibly, closes corporate tax loopholes, protects the most vulnerable, and ensures millionaires pay their fair share. And you know what? More than 76 percent of the American people support a balanced plan.

Including today, we have 3 days to go; and with \$85 billion in automatic deep spending cuts on the chopping block, it's time for Washington to stop playing games, stop pointing fingers and do what's right by the American people. That's what the American people expect, and, quite frankly, that's what they deserve.

Madam Speaker, I ask unanimous consent to bring H.R. 699, the Stop the Sequester Job Loss Now Act, to the floor.

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, the gentleman's request cannot be entertained.

Mr. PAYNE. Madam Speaker, I'm deeply saddened for the American people that we are unable to bring this bill to the floor and stop the loss of 2 million American jobs.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. The sequester drama that we are watching play out this week is exactly why I voted against the New Year's Day budget package.

Two months ago, all of the forces were aligned to force a bigger agreement, but we set our sights too low. It generated too little revenue, and, most importantly, there was not a fundamental reform in the way that we do business.

We merely put off the fiscal cliff in order to have not one, not two, but three such dramas between now and next summer. Friday is the sequestration; March 27, the continuing resolution runs out; and sometime this summer, the Treasury Department is going to run out of capacity to keep juggling the national debt, and we face that drama all over again.

Actually, there's a fourth cliff if you count the so-called "dairy cliff" which will potentially double milk prices in September.

The path forward is to focus on areas of potential agreement between the right and the left. A great place to start is health care. Reform is taking place around the country. And, in fact, nowhere is it more exciting and promising than what is happening in Oregon where we are working in concert with the implementation of the Health Care Reform Act to squeeze out waste and inefficiency. We are working to reward value instead of volume, and the Federal Government has bet \$1.9 billion that we will be able to reduce health care inflation at least 2 percent a year and maintain quality.

□ 1110

Helping people stay well rather than paying people for disease and illness is

a logical way to go. After all, the Affordable Care Act embedded every one of these major reforms that used to be bipartisan, that had been implemented by business, health care plans in red States and blue States, that had been advocated by Democratic and Republican Governors alike, and, indeed, supported by Members of the House and Senate in both parties. Instead of fighting health care reform, we ought to accelerate it. If we can deliver on the Oregon promise, it in and of itself will save more money nationally over the next 10 years than we're arguing about with the sequestration.

We also must address the huge budget challenges that are facing the Pentagon, in large measure because neither it nor Congress has insisted on change and, indeed, in some cases, has institutionalized bad decisions.

We haven't scaled back our horribly expensive, outmoded, inefficient nuclear deterrent program, maintaining perhaps 8–10 times the warheads for what we need for actual deterrence today with three massive, expensive, redundant delivery systems that are out of sync with today's threats. We haven't used nuclear weapons for the last 68 years. We probably won't use them for the next 68 years, and there is no imaginable circumstance when we would use even a fraction of the weapons we have. And the cost for that conservatively is in excess of two-thirds of \$1 trillion over the next 10 years.

We've never come to grips with the cost of an all-volunteer Army. Our forces are significantly above what we had a decade earlier when we were supposedly staffed to fight two wars simultaneously. We need to scale that down, to refocus it, to supplement reductions in troop levels with beefed-up support to the National Guard, which is far more cost-effective and easier on our troops.

We need to reform our bloated, fossilized, outdated farm bill to spend less, help more farmers and the environment, and show that we can rise above politics and habits to have a farm program for this century, not 1949. The majority of farmers and ranchers in the United States get nothing. The majority of the support flows to the top 10 percent, who don't need it at all, and it distorts our international trade posture.

The final looming threat is the dysfunction, unfairness, and inefficiency of our tax system. It costs us huge sums to administer. It leaks hundreds of billions of dollars in tax avoidance, evasion, and mistakes, to say nothing of misplaced incentives, and it costs over \$160 billion a year to administer.

Now, clearly there's a need for more revenue in a growing and aging population, but fundamentally, we need a new broad base of support that will help us pay the transition necessary for a reformed system.

Madam Speaker, this is not rocket science. This is within our capacity. We ought to get started on it now.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. MAFFEI) for 5 minutes.

Mr. MAFFEI. Thank you, Madam Speaker.

Since becoming central New York's new Representative, I have met with over a hundred business owners and development leaders in my community. I've visited universities, the hospitals, the factories, the public schools, and I've met with local leaders and law enforcement and public safety. The one message I keep hearing throughout my district is that we need to work together to grow and strengthen our middle class and create jobs. Work together. Now, more than ever, that's what Congress and the President needs to do. That's what the American people and my constituents overwhelmingly want.

If people do not come to the table and work together by March 1, this Friday, more than 70,000 jobs are at risk in my State alone. At Hancock Air Base, New York National Guard employees, 280 of them are at risk. Two hundred eighty National Guard employees at the 174th Attack Wing will be furloughed, notwithstanding the fact that this unit is flying missions in Afghanistan as we debate these issues.

Automatic spending cuts will force the FAA to cut air traffic controller shifts and potentially eliminate overnight shifts at the Syracuse Hancock International Airport and other upstate New York airports. Cuts will also force TSA to cut back on personnel, increasing wait times by an hour or more at many airports. This will have a chilling effect on a still-fragile economic recovery.

Seventy thousand New York college students will lose tuition assistance, and across the country, 70,000 deserving children will lose Head Start. Now, to keep America strong we are told that we need to make sure for our national security and our economy that we improve STEM education, science and technology. This is doing the opposite.

We need to take a balanced approach, trimming where necessary instead of these arbitrary sweeping cuts that hurt middle class families.

This is not a partisan issue. The Republicans on this floor have spoken about how bad these arbitrary cuts are and how damaging they might be. Our Nation needs to get its fiscal house in order, and we need to do it right away, not on the backs of our middle class and seniors, and not at the expense of thousands of jobs.

Now, there is a specific plan to do that. It balances cuts with revenue increases.

Madam Speaker, I ask unanimous consent to bring up H.R. 699 with this balanced approach.

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, the gentleman's request cannot be entertained.

Mr. MAFFEI. Well, Madam Speaker, I do understand that, but I do hope that the leadership of this House considers just doing a vote, a regular up-or-down vote, on this or any plan to avoid these arbitrary cuts.

We need to institute better programs and methods to root out waste, fraud, and abuse and ensure that taxpayer dollars are being used most efficiently. There's no question about that. We also need comprehensive tax reform that finds revenues in ways that don't hurt the middle class, like ending the tax loopholes for corporations that ship jobs overseas and ending the tax breaks for big oil and gas companies.

Madam Speaker, our plan is a balanced approach. More spending cuts and modest revenue increases. Now is not the time for partisan politics. With the future of our economy hanging in the balance, we cannot afford inaction.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. NEGRETE MCLEOD) for 1 minute.

Mrs. NEGRETE MCLEOD. Thank you, Madam Speaker.

Today, I urge all of my colleagues to join together to avert the automatic trigger cuts brought forth by the sequester that are scheduled to begin in 2 days. These cuts will hurt small businesses, the military, seniors, and our children.

In California, it is estimated that more than 15,000 children will not receive vaccinations for diseases such as measles, whooping cough, and influenza—all because of these automatic trigger cuts. This is unacceptable. In addition, special education services for children with disabilities will see cuts, while over 8,200 low-income children in California will not receive critical early education from Head Start. Children deserve better from their Members of Congress.

That is why we need a balanced approach to replace sequestration, which includes revenues and spending cuts, thereby ensuring the most vulnerable are not burdened.

I, therefore, ask unanimous consent to bring forth H.R. 699 to provide balanced deficit reduction.

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, the gentleman's request cannot be entertained.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 19 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCCLINTOCK) at noon.

PRAYER

Reverend Ronald Derrick, American Legion National Chaplain, Rigby, Idaho, offered the following prayer:

Almighty God, thank You for this day. Grant us Your presence.

We stand in a room representing power and authority given by Your hand. Keep us mindful that one day we shall stand in a greater room and give an accounting of the decisions made this day.

Therefore, I pray with words that have been spoken down through the ages that You, O Lord, would grant to these leaders of our Nation health, peace, concord, and stability, that they may administer the government without failure.

Direct their counsel according to that which is good and well-pleasing in Your sight; and may it be said of them that they performed the duties of their office faithfully and impartially.

Bless each individual present here today, for by blessing the individual, You have blessed this Nation.

To You be the glory. In Your most holy Name I pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. JOYCE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JOYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. ROSKAM) come forward and lead the House in the Pledge of Allegiance.

Mr. ROSKAM led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND RONALD DERRICK

The SPEAKER pro tempore. Without objection, the gentleman from Idaho (Mr. SIMPSON) is recognized for 1 minute.

There was no objection.

Mr. SIMPSON. Mr. Speaker, it is my pleasure to introduce Chaplain Ronald Derrick for today's invocation.

Chaplain Derrick serves as the national chaplain of the American Legion. He is a U.S. Army veteran and a 40-year member of the American Legion, serving 18 years with Post 95 in Driggs, Idaho, and the subsequent 22 years in Post 20 in his current home of Rigby, Idaho.

Mr. Derrick's Legion duties have included terms as post commander, district commander, and Department of Idaho vice commander. For the past 6 years, he has acted as the Department of Idaho's chaplain.

Mr. Derrick is a retired printer and mail clerk, a former county coroner, Driggs Chamber of Commerce president, and EMT and firefighter. Recognizing this latter service, the American Legion named Mr. Derrick Idaho's Firefighter of the Year in 1987.

Mr. Derrick was ordained into the ministry in 1979 through the Solid Rock Pentecostal Church and continues to serve in various aspects of ministry. Mr. Derrick and his wife of 45 years, Bird, have two sons, a daughter, and nine grandchildren.

I would like to welcome Chaplain Derrick and thank him for his dedication and outstanding service to God and country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

SEQUESTRATION

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. In just 2 days, President Obama's devised plan of across-the-board spending cuts known as "sequester" will kick in. I

voted for House legislation to replace the President's plan with smarter and more responsible cuts. Unfortunately, the President and his friends in the Senate ignored it.

Right now, America is over \$16 trillion in debt. That means every American owes more than \$52,000 each. Taxpayers all across this country know that Washington has a spending problem, not a revenue problem.

Enough is enough. Now is the time to work together to stop spending money we do not have. We need to give the American people what they want, need, and deserve. We must get our fiscal house in order by balancing our budget. It's almost too late. Let's act now.

RECOGNIZING FAITH-BASED LEADERS IN OHIO'S THIRD DISTRICT IN HONOR OF BLACK HISTORY MONTH

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise to salute African American faith-based leaders from Ohio's Third Congressional District. They are here as civil rights leaders, providers of child care, after-care, educational programs for our children. They are advocates for entrepreneurs, minority businesses, and economic development opportunities in our communities. They stand strong with their first ladies and congregations for stopping domestic violence against women, for reducing crimes in our neighborhoods.

These powerful leaders are Bishop Jerome Ross, Reverend Dr. Keith Troy, Reverend Fred Lamarr, Reverend Jerry Carter, Reverend Victor Davis, Bishop Donald Washington, Reverend John Little, the Honorable Larry Price, Reverend Dale Snyder, the Honorable Hearchel Craig, and Reverend Joel King, cousin of Martin Luther King, Jr.

Lastly, they know all too well what the impact of sequestration will be to our at-risk communities. I salute them because they will carry on their great work despite the sequestration and the unnecessary challenges it will present if imposed. Sequestration is harmful to our district, to our constituents, and to the Nation. The impact of sequestration will affect the Federal Government's ability to provide States with the necessary resources to invest in the future leaders and to protect America's strong business environment.

Our hardworking taxpayers deserve better. Let's not put our economy at risk.

VETERANS JOBS CAUCUS

(Mr. ROSKAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSKAM. Mr. Speaker, as the Representative of the Sixth District of

Illinois and the son of a Korean war veteran, I'm honored to serve over 34,000 veterans. We have a deep commitment, as we know, to support those who've risked their lives to defend our freedom and help them in their transition back to civilian life. I've been active in a program called Helmets to Hard Hats, and there's a jarring unemployment figure for veterans that we are all sobered by. More than 844,000 veterans currently face unemployment, and veterans aged 18 to 24 face a staggering 31 percent unemployment rate.

There's an opportunity for us to work together, and I'm pleased to have recently joined the Congressional Veterans Jobs Caucus in an effort to bring Republicans and Democrats together to be like-minded as we seek to serve those who have served us so well. There's a myriad of obstacles that are in place that need to be remedied, and together we can join with the Disabled American Veterans organization, which is here in Washington, D.C. this week to celebrate their success and our obligation to them.

SEQUESTRATION

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, we are now 2 days away from failure-triggered, ideologically driven, and irrational budget cuts called "sequester." It is an extraordinarily bad policy that 229 Republicans voted for on July 19, 2011. These cuts could be incredibly harmful to our national defense, our economy, and our national welfare.

General Martin Dempsey, Chairman of the Joint Chiefs of Staff, said:

This will affect the entire country, and it will undermine our readiness for the next several years.

Hundreds of thousands of civilian defense personnel could be furloughed, and thousands of contractors could be forced to lay off critical personnel. Congress should not put our national security or economic recovery at risk. If I were the majority leader, this policy would not happen.

House Republicans should listen to Transportation Secretary Ray LaHood when he said:

As a former Republican Member of Congress for 14 years, I urge my former colleagues to address this issue and to work on a long-term, balanced solution to our deficit problem.

With only 2 days left, it is time for us to come together to find a solution that can replace these cuts with a sensible, balanced alternative.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members not to traffic the well when others are speaking.

□ 1210

REMEMBERING THE MENIFEE COUNTY LIVES LOST IN THE MARCH 2, 2012 TORNADO

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, today I wish to honor three precious lives lost in the tornado which devastated Menifee County, Kentucky, one year ago this Saturday.

Beverly Bowman was a magnet to children, according to newspaper accounts. Friends called her the backbone of the Tarr Ridge Union Church.

Anita Smith adored animals. Reports said she owned at least four horses, along with goats, dogs, and a mule.

And Vershal Brown was a remarkable man, recalls Menifee County Sheriff Rodney Coffee: "Day or night, if you called him, he could help you. He would be there."

Mr. Speaker, the people of Menifee County have shown amazing faith and determination in rebuilding their lives and their community. This weekend, we will celebrate together how far they have come, and we will join hands and remember.

SEQUESTRATION

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWNLEY of California. Mr. Speaker, this Friday, the U.S. budget faces a round of indiscriminate and severe cuts that will hurt the middle class, compromise national security, and set back our very fragile economic recovery.

I call on all of our colleagues to take immediate action to avert the sequester to prevent \$1.5 trillion in reckless, unnecessary, across-the-board cuts. If we fail, my families and businesses in Ventura County will pay the price.

Naval Base Ventura County in my district could be forced to furlough 80 percent of its civilian workers. Our seniors and our children could be severely impacted through cuts to Medicare, Head Start programs, and teachers' jobs. We need to stop these arbitrary and reckless cuts now and pass a balanced approach with H.R. 699.

Mr. Speaker, I ask unanimous consent to bring H.R. 699 to the floor.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentlewoman's request unless it has been cleared by the bipartisan floor and committee leaderships.

GUN CONTROL

(Mr. POMPEO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. POMPEO. Mr. Speaker, we're now some 11 weeks out from the tragedy that occurred in Newtown, Connecticut. And while all the talk today is about the sequester, we still have politicians and pundits all across the country that are purporting to try and solve this epidemic of gun violence with new rules taking away guns from ordinary citizens.

Unfortunately—and this is humbling for many in politics—no law or set of laws can possibly address in a meaningful way all of the challenges that we face today with a violent America. In fact, we face a much deeper, more malignant problem. It's a culture that degrades and cheapens life.

That's why I continue to be disappointed to hear the President propose further gun control. The President's plan isn't so much an attempt to solve a problem as an attempt to fulfill a wish list for gun control advocates. Unfortunately, for the American people, an opportunity for a real national dialogue on the root causes of this type of violence is being missed.

I've heard from hundreds of Kansans on the issue of gun control, and the vast majority of them understand that Washington restricting their Second Amendment rights will do very little to end the violence in our society or to improve the safety of their families or in their schools of their children.

SEQUESTRATION

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Mr. Speaker, I rise today in strong opposition to sequestration.

The word "sequester" derives from the Latin word "sequi." It meant to follow. In late Latin, it devolved into "sequestrar," which meant to surrender into the hands of a trustee. By the early 1500s, sequestrar grew to mean "to seize, to confiscate."

In Spanish, the word "secuestro" means to kidnap, to hostage, to ransom. And really, that is what the majority party is doing here today. They're holding the American people hostage, holding them ransom for these draconian spending cuts. House Republicans don't care about the harm it will cause to our working families, our seniors, our children, our military—especially our military.

We have heard now from our military leaders that military preparedness will suffer and will suffer greatly. We've already heard that an aircraft carrier has been stalled in port and is not able to be deployed to the Middle East. But there is a solution. Democrats, through the efforts of the gentleman from Maryland (Mr. VAN HOLLEN), have pro-

posed a fair and balanced plan that would replace these destructive and unwarranted cuts.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained without the appropriate clearance.

CHARDON 1-YEAR ANNIVERSARY

(Mr. JOYCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOYCE. Today marks the 1-year anniversary of a horrific day for all northeastern Ohioans. It marks the worst day of their lives for too many mothers, fathers, brother, sisters, friends, and family in Chardon, Ohio.

One year ago today, a shooter opened fire in Chardon High School, fatally shooting three students and injuring three others. These three children were cruelly taken from this Earth all too soon. They were loved by their families, embraced by their communities, and had their whole lives ahead of them.

As the county prosecutor at the time, I saw firsthand the grief and devastation that no parent should ever have to experience. Nothing will ever come close to replacing the love and happiness these children brought to their friends and family. Our community may never truly be whole again, but we must take every moment possible to honor these victims and pray for their families.

I would like to now take a moment of silence for Demetrius Hewlin, Russell King, Jr., and Daniel Parmertor. May God bless them and may God bless their families.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

(Ms. MENG asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MENG. Mr. Speaker, I rise today to urge my colleagues to pass the bipartisan, Senate-passed Violence Against Women Reauthorization Act.

Early in my career, one of my first experiences was working with victims of domestic violence who were struggling and in desperate need of help. Having personally helped victims fill out VAWA petitions so they wouldn't be forced to live under the same roof as their abusers, I've seen firsthand the long-term human devastation this kind of violence can cause, and we cannot continue to ignore its toll on women and families.

VAWA funds have trained over 500,000 law enforcement and judicial officers

on the realities of domestic and sexual violence, helping to protect survivors across the country. VAWA saves money, and it saves lives.

Since VAWA was first enacted, over 600 State laws have been passed to combat domestic violence, and reported incidents of violence have decreased by 60 percent. Despite these successes, there's much work to be done, and all victims of domestic violence, including those in the LGBT community and those without documentation, must feel safe seeking help from our criminal justice system.

□ 1220

CONGRESSIONAL VETERANS JOBS CAUCUS

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. When the courageous Americans who volunteer to fight our wars come home, they should not have to fight for jobs. Unemployment is one of the biggest problems currently facing America's veterans. In addition to our gratitude and support, our veterans need jobs. With more than 250,000 servicemen and -women expected to return to civilian life each year over the next 5 years, veterans' employment issues will only grow more challenging.

That's why for more than a year the Congressional Veterans Jobs Caucus has worked to bring the public and private sectors together—to end the veterans' unemployment crisis. I am proud to join more than 70 of my House and Senate colleagues from both sides of the aisle in this important mission to raise awareness and to increase employment among our Nation's veterans. Today and every day, we are asking our colleagues and private businesses, small and large, to make a personal and public commitment to hiring veterans by displaying this sign: "I hire veterans." This logo should be displayed in our windows.

It is our greatest duty as leaders in Washington to uphold our commitment to our veterans, and we invite members of the public, especially business owners, to join us in this important mission.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

(Mr. RUIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUIZ. I would like to thank the Senate for working in a bipartisan manner to pass the Violence Against Women Reauthorization Act. However, the House Republican version of the bill fails to protect all women, including Native American women, immigrant women, and the LGBT community.

I rise today in strong opposition to the House Republican version of the Violence Against Women Reauthorization Act. As an ER doctor, I have seen firsthand the beaten and bruised bodies of women victims and the invisible scars left on the victim, her family, and community. Native American women in my district and across the country endure an epidemic of domestic violence, and in most cases the abusers are not members of the tribes. Tribes must have the right to protect their daughters, sisters, and mothers from violence.

We must work to make sure that all women are protected from domestic violence. I urge all of my colleagues to join me in opposition to the House Republican version of this legislation, and I look forward to the passage of the bipartisan Senate version of this legislation.

SEQUESTRATION

(Mr. BROWN of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Georgia. Last Congress, I supported more than \$155 billion worth of real spending cuts. If Democrats are interested in finding a more targeted approach to avoiding the sequester, I'm more than happy to offer my suggestions. We only have to cut 2½ cents out of every dollar that we spend in 2013 to dodge the effects of the sequester. If we can't shrink spending by 2 percent without causing a meltdown, what does that say about the size of Washington?

Frankly, I don't think this administration wants to cut spending at all. The President is only interested in raising taxes, but this year, he has already levied \$150 billion worth of new taxes on the American people. I wholeheartedly support making meaningful cuts, but there is a better way to go about doing it than with the sequester.

Congress needs to sit down and go through the budget line by line, and it needs to figure out what wasteful programs we can get rid of in the middle of this debt crisis. I hope that Democrats will work with Republicans to find a smarter way to cut spending while we also protect American jobs and our national security.

GEORGE ARATANI

(Mr. SCHIFF asked and was given permission to address the House for 1 minute.)

Mr. SCHIFF. Mr. Speaker, I rise today to honor a constituent and philanthropist, George Aratani, who passed away last week.

Mr. Aratani was part of the Greatest Generation, and served his country as a member of the Military Intelligence Service, or MIS, during World War II.

His service came at a time when tens of thousands of his fellow Japanese Americans were interned in camps scattered in the Western United States. He chose to serve and defend America with no guarantee that his own freedom would be defended in return.

I was proud to work to ensure that MIS members like George Aratani and all of the Go for Broke veterans received the credit and thanks they were due through the Congressional Gold Medal.

When he returned home, Mr. Aratani started and ran several businesses, and dedicated himself to Japanese American educational and cultural causes, including the Go for Broke veterans' memorial and foundation. George Aratani had a profound impact on our country and on his community, and he will be terribly missed.

TOUR DE BLAME

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the sequester was a bad idea. I voted "no." It actually came from the other end of Pennsylvania Avenue, however. The House has voted twice to replace the President's sequester with other spending cuts. However, the "siesta" Senate ignored the House bills and did what it does best—nothing.

Now, in the 11th hour, the President has disowned his sequester and instead has launched the taxpayer-funded tour de blame. He has also dispatched his Cabinet on a tour de fear. The White House "sky is falling" crowd says flights will be delayed and undocumented immigrants in custody will be freed. That is a Madison Avenue-style campaign to instill fear into Americans.

The President holds the power to determine what bills will be paid, not Congress—but he does not have the will to prioritize spending or manage the people's money. He only knows one way to lead: tax more, spend more, and continue the tour de blame.

And that's just the way it is.

BORDER AND SEQUESTRATION

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the effect of sequestration on our borders will be felt especially hard in my western New York community, home to four crossings on the northern border.

According to the Department of Homeland Security, if sequestration occurs, Customs and Border Protection will be forced to eliminate 2,700 officers and 5,000 Border Patrol agents. In addition to the job losses, this could mean delays of as long as 4 hours at our border crossings.

\$1.5 billion in goods and 300,000 individuals cross the U.S.-Canada border each and every day. Western New York businesses and institutions depend on predictable access to and from southern Ontario. Increased wait times will discourage Canadian consumers from visiting western New York, and that is business we can't afford to lose.

I call on the House to take immediate action to repeal the sequester and to prevent this unnecessary injury to our economy.

THE PRESIDENT'S SEQUESTER

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. The President is hitting the road this week for yet another tax increase on hardworking Americans. He already raised taxes just 8 weeks ago. Why the sudden urge to do it again?

The President says this is the plan to replace his sequester that's scheduled to hit on March 1, but the President and the rest of the Democrats who run Washington apparently haven't figured out that we cannot tax our way out of this mess. Tax revenues are set to double over the next decade, and top tax rates have hit their highest levels since 1986. We are already taxing wages and salaries at rates as high as 44 percent.

We need to replace the President's sequester with commonsense spending cuts and reforms, not more taxes. The House has acted twice to achieve this, and now the President needs to put forward a serious plan.

GEORGE ARATANI

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today to honor the legacy of George Tetsuo Aratani, a philanthropist and business executive who was a champion for Japanese Americans.

Mr. Aratani was born and raised in California and, along with 122,000 other Japanese Americans, was forced into internment camps during World War II. Never letting a poor situation get the best of him, Mr. Aratani used his bilingual skills to serve his country in the Army Military Intelligence Service. Following the war, he started two successful businesses—Mikasa tableware and Kenwood electronics—and enjoyed a wonderful life with his family.

Though he achieved great commercial success, he will always be remembered for his upstanding citizenship in his community. Mr. Aratani and his wife, Sakaye, established the first endowed chair in the country to study the injustice of the Japanese American internment and the efforts to rectify

it. In addition, the Aratanis gave millions in support of the Japanese American National Museum, UCLA's Departments of Asian American and East Asian Studies, the Japanese American Cultural & Community Center, Keiro Senior HealthCare, and countless Asian American candidates.

I look to Mr. Aratani as an inspiration for all as he truly lived the American Dream.

MICHAEL ANTHONY SOLIS

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in the memory of Mr. Michael Anthony Solis, who was an educator. He taught at Anaheim High School in my district. He was a champion for lower income students.

He grew up in Riverside, California, and his family grew up in pretty poor circumstances, but education was always important to them. He enrolled in Riverside Community College where teachers encouraged him to be an educator. As a student teacher, Michael became involved with the AVID program, a program that helps to close that achievement gap from lower income students to the normal. Mr. Solis went on to teach AVID in various southern California schools. He was also the director of AVID for our county education program. He most recently served as our assistant principal at Anaheim High School.

He was impassioned about education. He knew that this would make a difference in so many people's lives. Even though he lost a 40-month battle with cancer, he will be remembered by all who knew him, and his legacy will move forward in all of those students whose lives he has impacted.

□ 1230

THE IMPACT OF SEQUESTRATION FOR NEW JERSEY

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, unless Congress acts this week, a series of drastic spending cuts known as the sequester will take effect. Sequestration threatens the jobs of hundreds of thousands of middle class Americans, as well as vital services for children, seniors, and our troops. Congress must not wait any longer to come to an agreement.

Should sequestration take effect, my State of New Jersey would lose almost \$12 million in funding for primary and secondary education, putting around 160 teachers and their aides at risk. New Jersey would also lose \$17 million in funding for about 210 teachers who

help children with disabilities. In addition, Head Start and Early Head Start services would be eliminated for an estimated 1,300 children in New Jersey. Furthermore, New Jersey would lose funding cuts for public safety grants provided to local law enforcement officials designed to improve the safety of our communities, as well as reduction in funding to provide meals for New Jersey seniors. Mr. Speaker, these are just a small portion of the impact sequestration will have on New Jersey and America as a whole.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained absent appropriate clearance.

VIOLENCE AGAINST WOMEN ACT

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute.)

Mr. HUFFMAN. Mr. Speaker, I rise today to express my grave concerns over the Republican substitute to the Senate-passed Violence Against Women Act. The Senate passed this bill with overwhelming bipartisan support, including a majority of Senate Republicans. But apparently, leadership in the House has decided that this law should protect only some women.

The substitute that we're being asked to vote on excludes LGBT victims. It weakens protections for women on college campuses, Native American women, and immigrants. As a father of a young daughter and a husband, I cannot begin to understand why we would gut commonsense protections for women or why we would pick and choose the type of women that we want to protect from violence.

A few minutes ago, we swore allegiance to this flag and to a Republic that stands for liberty and justice for all, not for some. In fact, Americans have long fought for equality for women and protecting all women from violence. The Violence Against Women Act has been an important part of that arc of our history. It's not something that should be politicized or used for political games. Let's vote against this substitute.

BAY DELTA CONSERVATION PLAN

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, in our San Joaquin Valley in California, unfortunately we are facing yet another fight for every drop of water that's critical to our economic recovery. For over the last 2 months, we have lost over 700,000 acre-feet of water that represents \$2.2

billion in economic activity because of an unlawful biological opinion that puts a 2-inch fish before 25 million Californians.

Had the Bay Delta Conservation Plan been implemented, none of this valuable water would have been lost today. To add insult to injury, our valley was dealt yet another blow when the Bureau of Reclamation announced this week a 25 percent water allocation. This is simply unacceptable.

It remains to be seen if the Obama administration and their nominee to replace Secretary Salazar has forgotten or ignored the tough lessons from the failures of 2009 and 2010. Immediate action is necessary to keep a bad situation from becoming devastating to our valley this year and throughout the State.

The Bay Delta Conservation Plan must move forward to resolve this situation in the future. Every day wasted is valuable time and water lost.

VIOLENCE AGAINST WOMEN ACT

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, I stand here today to urge my colleagues to bring the Senate version of the Violence Against Women Act, or VAWA, a bill that would provide critical services to all victims of domestic abuse, to the House floor. My friends, my colleagues, my constituents, it is time to reauthorize.

I want to applaud all the Senate Democrats, all the female Senators, and the vast majority of Republican Senate Members who believe that VAWA is good for the safety of all women, regardless of their sexual orientation, their ethnicity, or tribal heritage.

As for the altered House version, which clearly rejects the equal protections outlined in the Senate version, it is unfair, unjust, and unacceptable.

I have a few questions for my colleagues in the House who altered this bipartisan Senate VAWA bill:

Why do our LGBT, Native American, and immigrant brothers and sisters not deserve the same protections?

Why are they exceptions in your eyes?

And why must they continually be denied the same freedoms and liberties that we all enjoy under our Constitution?

By reauthorizing the Senate version of VAWA:

We can make sure our LGBT brothers and sisters receive appropriate care when they are victimized;

We can make sure that immigrants, who so desperately want to be a part of this great Nation, will not have to hide behind their abusers in fear of deportation;

And, we can make sure that the three out of five American Indian women who will experience domestic violence in their lifetime can

have the peace of mind to know that their abusers will not be given a way out of prosecution.

My colleagues, this is not politics and this certainly is not a game. This is simply the right thing to do.

SEQUESTRATION

(Mr. RUPPERSBERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUPPERSBERGER. Mr. Speaker, I rise to voice strong opposition to the sequester, which was designed to be so severe and so catastrophic that we would be compelled to make the necessary compromises to avoid it, and yet we have done nothing.

The Second District is the home to Fort Meade, NSA, Aberdeen Proving Ground, the Port of Baltimore, and hundreds of contractors reliant on these institutions. We're neighbors to the Social Security Administration, the National Institute for Health, and BWI Airport.

Nearly 140,000 workers at these facilities would be furloughed. Maryland will lose about \$14.4 million in funding education, putting the jobs of 200 teachers at risk. We'll lose nearly \$50 million in funding for medical research, which supports thousands of jobs in Maryland.

Maryland can't afford this approach to deficit reduction and neither can any of the other States in this Nation. We have to put forward serious alternatives to avert sequestration, and I encourage leadership to either allow a vote on one of these alternatives or to propose one for themselves.

We are in this most ridiculous situation and we must resolve this problem now.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained without appropriate clearance.

PROVIDING FOR CONSIDERATION OF S. 47, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 83 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 83

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (S. 47) to reauthorize the Violence Against Women Act of 1994. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived.

The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees; (2) an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-2, if offered by the Majority Leader or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to commit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself as much time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1240

GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. Mr. Speaker, House Resolution 83 provides for a structured rule for consideration of S. 47, the Violence Against Women Reauthorization Act of 2013. The rule also provides for consideration of one substitute amendment to this underlying legislation. This process ensures there's ample discussion on both options presented to the House, to give Members, both the minority and the majority, the opportunity to participate in these debates.

I support the rule, and I hope my colleagues will support it as well because, by supporting and passing this resolution, we'll be able to move on to debating the reauthorization of the Violence Against Women Act.

As a former law enforcement officer who spent 38 years fighting against all types of violence, I have seen the evils and cruelty of domestic violence issues firsthand. That's why I also volunteered with and even served on the board of directors for the Dawn Center, which is a refuge for victims of domestic and sexual violence in Hernando County, Florida.

With these sorts of experience, I know and understand how important grant programs like these authorized by the Violence Against Women Act are to law enforcement agencies fighting domestic violence, the advocates serving the victims of domestic violence, and most importantly, the victims themselves.

Violence against women is unacceptable in any terms. It should be unacceptable to everybody in this room, regardless of your gender, regardless of your sexual orientation, and regardless of your age. I hope it's that obvious.

The rule we have before us today provides the House the ability to consider measures that would help provide stakeholders with the tools they need to combat this terrible crime.

If House Resolution 83 passes, then tomorrow the House will debate two separate versions of reauthorizing the Violence Against Women Act. We will have 1 hour debate on the underlying bill, which passed the Senate just 15 days ago.

We'll also spend 20 minutes debating a Republican alternative to the Senate bill. At the end of the debate, we will vote first on the Republican alternative to the Senate bill, and if that House amendment fails, then we'll have an up-or-down vote on final passage of the Senate reauthorization. It's that simple.

These options offer two separate and distinct visions on how the Federal Government can help aid in the fight against domestic violence.

I can say that, during my time as sheriff, I never saw a single Federal domestic violence case ever prosecuted, but I know the Federal dollars went to the States and counties to help combat these types of crimes. I also know that victims of all genders and sexual orientations found shelter and safety in places like the Dawn Center because of grants like those authorized in the Violence Against Women Act.

For all those reasons, I know this a debate we need to have. That's why I'm proud to stand here today sponsoring a rule that lays the options out on the table, provides for vigorous and enthusiastic discussion of those options, and ultimately, let's the people's House work its will.

I encourage my colleagues to vote "yes" on the rule, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, good afternoon.

I thank the gentleman for yielding me the customary 30 minutes, and yield myself such time as I may consume.

Mr. Speaker, when I joined my former colleague, Representative Pat Schroeder of Colorado, to write the original Violence Against Women Act, it didn't occur to us to exclude or discriminate against anyone. And in the multiple times the law has been reauthorized, we, as a legislature, have always tried to ensure that all victims of domestic violence receive the protections under the law.

As my colleague pointed out, up till now they have. Unfortunately, the latest attempt to reauthorize the Violence Against Women Act has been different. This time, the majority has alternately tried to pass extreme legislation that would weaken current law

and rejected calls to pass bipartisan legislation that would strengthen the current law.

On February 12, with 23 Republican Senators voting in favor, including every Republican woman in the Senate, they approved a reauthorization that is both comprehensive and inclusive in nature. Unfortunately, instead of allowing a clean, up-or-down vote on this bipartisan bill, the majority leadership proposed a substitute amendment that removes key provisions from that bill.

For example, the leadership's amendment fails to explicitly protect LGBT victims, and limits protections for immigrants. At the same time, the amendment fails to close the legal loopholes that leave Native American victims of domestic violence with nowhere to turn.

Additionally, despite the high rate of dating violence and sexual assault on college campuses, the amendment entirely omits protections for young women who are victimized in college. And that's why the majority's amendment is opposed by groups including the National Task Force to End Sexual and Domestic Violence Against Women, the National Congress of American Indians, and the Leadership Conference on Civil and Human Rights, among many others.

It's dismaying that some in the majority want to weaken a strong bipartisan Senate bill, and it's vital that this Chamber reject their alternative partisan amendment.

With the votes we are about to take, we will be asked to choose between an amendment that fails to protect some victims of domestic violence, and the bipartisan Senate bill protecting all victims. The choice is so clear.

We'll be asked to choose between an amendment opposed by victims and victims' rights advocates and a bipartisan bill. And when looking at those options that are before us, it is clear what we must do. I strongly urge my colleagues to vote "no" on the substitute amendment tomorrow to the Senate bill, so the original Senate legislation will receive a vote in the House.

Mr. Speaker, I want to take a moment and talk about the incredible impact the Violence Against Women bill has had since it was enacted. Thanks to that Act, instances of domestic violence have fallen by 67 percent, and over 1 million people have obtained protective orders against their batterers.

Before the passage of the Violence Against Women Act, police officers were not trained to separate a victim and abuser when they responded to a domestic violence call. Thanks to the law, the police officers are now trained to do just that, a most important change that stopped violence from resuming the moment the police left and the front door closed.

But perhaps the greatest victory of the Violence Against Women Act is that the law finally brought millions of victims out of the shadows and gave them a place to stand.

In 1994, domestic violence in our country was not even discussed, and its scars were never acknowledged. And as a result, the victims often became abusers in a cycle of violence that simply wouldn't end. We wrote the law to stop that cycle of violence, and we think we have achieved much of that. For 18 years, this law gave victims a choice and made incredible progress in ending the cycle of violence.

Every time we've renewed the law, our goal has been the same: to ensure that all victims of domestic violence, no matter their ethnicity, their sexual orientation, their age or their gender, are acknowledged and helped and protected by the law.

It has been now more than 500 days since the Violence Against Women Act expired. Today is the day that ends, and we act in the name of justice. I urge my colleagues to vote "no" on the exclusionary substitute amendment tomorrow so we can vote "yes" and get this bill to the President right away.

Now, in addition, I want to mention on the previous question, today we're going to have an opportunity to stop the sequester, which is scheduled, as you know, to take effect in just 2 days.

We all know all the harms. We know very well what the sequester is going to do to the economy and to the workforce in the United States. And most importantly, we know that we cannot afford such a slowdown.

Now, today we're going to give Members of the House an opportunity to vote on a sequester solution. If we defeat the previous question—and please pay attention: If you want to go on record against having the sequester go into effect, we are giving you an opportunity to do that.

By voting "no" on the previous question, you will allow the House to vote on a measure that Mr. VAN HOLLEN, ranking member of the Budget Committee, has come to the Rules Committee three times with to try to achieve the end of saving us from ourselves. Mr. VAN HOLLEN's legislation would reduce the deficit in a balanced and responsible way but stop the devastating sequestration cuts.

□ 1250

Today is the last chance for the House of Representatives to stop the sequester. Despite what some have said, this Chamber has not passed a solution to the sequester during this Congress. It is vital that the inaction of the majority come to an end. We must take a step to stop the sequester today.

So let me urge you to vote "no" on the previous question if you wish to be on record saying you do not support the sequester, you do not want to see

this damage done to the economy and to the United States and, incidentally, to our reputation in the country and in the rest of the world. Doing so will allow Mr. VAN HOLLEN's legislation to have the serious debate and vote that it deserves.

I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HANNA).

Mr. HANNA. I rise today in support of the rule which provides for consideration of S. 47, the Violence Against Women Reauthorization Act of 2013.

Mr. Speaker, the Violence Against Women Reauthorization Act has been successful. We have seen its benefits. It has saved lives and helped millions of women find safety, security, and self-sufficiency. While there are deeply held differences about some policies in the bill we consider today, now is the time to reauthorize the Violence Against Women Reauthorization Act.

If a daughter, sister, or perfect stranger were raped, battered, or needed help, no one would ask or care what her ethnicity, national origin, or sexual orientation was before coming to her aid—nor should the Violence Against Women Act. No community, no person should be neglected when it comes to domestic violence. As a father of a young daughter, Grace Catherine, I don't know or care what her orientation is—and neither should Congress. I simply know that she and all women and girls should be equally protected under its laws.

We have an opportunity now to finally pass a bipartisan, inclusive Violence Against Women Act that service providers, law enforcement and, most importantly, all victims deserve. I urge my colleagues to support this rule and the underlying bill.

Ms. SLAUGHTER. I am pleased to yield 1½ minutes to my colleague, the gentlewoman from New York (Ms. VELÁZQUEZ), the distinguished ranking member of the Committee on Small Business.

Ms. VELÁZQUEZ. I want to thank the gentlelady from New York for yielding.

Mr. Speaker, twice in two decades Members of both parties have crossed party lines to reauthorize the Violence Against Women Act. Yet this week we are considering a partisan bill that excludes some victims based on sexual orientation or immigration status. Does abuse not "count" if the victim happens to be a gay man or a lesbian? What if the victim is an undocumented worker?

Here are some facts my GOP colleagues may be unaware of: 40 percent of gay men experience domestic abuse, as do 50 percent of lesbian women. For undocumented women, abuse rates are slightly higher than the rest of the population, but go unreported for fear of deportation. Those are millions of

people and thousands of New Yorkers who are being hurt. This legislation adds insult to their injury by basically saying because of who you are, we won't help you.

I hope my Republican colleagues agree that that is not the message we want to send. Vote "no" on the rule and the underlying bill so we can approve a real Violence Against Women Act that protects all victims equally. Shame on us. This should not be a partisan issue.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I rise to support the rule and the underlying legislation. This rule brings the Senate-passed version of VAWA to the floor and allows us to vote on House language to replace that version. I want to particularly thank my good friend, Chairman SESSIONS of the Rules Committee, for devising a rule that will help the House work its will on this important issue—and do so smoothly, fairly, and quickly.

I want to particularly thank Leader CANTOR for his hard work and effort to truly understand and deal with the problems that Native American women face. That part of our population, as many of my colleagues have learned during the course of this debate, is in many ways the most at-risk part of our population. One in three Native American women will be sexually assaulted in the course of her lifetime. The statistics on the failure to prosecute and hold accountable the perpetrators of those crimes are simply stunning. I'm very proud that both the Senate and the House have turned their attention to this issue and finally begun to give it the consideration that it merits. Again, I particularly want to thank Leader CANTOR. The House version has improved tremendously over what this body passed in the last Congress; and that's due, in large measure, to his hard work.

That being said, I cannot support the House version of VAWA. While it's made great strides in recognizing the jurisdictions of tribal courts over non-Indian offenders, it falls short of giving tribes what they need to keep their citizens protected from the scourge of domestic violence. Unlike the Senate version, the House version fails to recognize existing tribal sovereignty that's enshrined in the Constitution and has been recognized throughout the history of our country. The House version requires tribes to seek Department of Justice certification before exercising jurisdiction over non-Indian offenders. I cannot think of any example where one sovereign has to seek permission to exercise their rights as a sovereign. It doesn't make sense to ask tribes to willingly abdicate part of

their sovereignty to exercise another part of their sovereignty.

In the same vein, the House bill waives sovereign immunity on behalf of the tribes. As sovereigns, tribes should make that decision on whether or not to waive sovereign immunity. In the final analysis, Indian tribes and Indian women need help—and I don't think there's much debate about this in this body. And they prefer the Senate bill to the House bill. That settles the issue for me.

I support this rule. I urge my colleagues to vote "no" on the House amendment to the underlying bill, and I support the underlying bill that's been passed by the Senate.

Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. I rise today in opposition to the amendment made under this rule to gut the Senate-passed Violence Against Women Reauthorization Act of 2013. The Senate bill is a bipartisan approach that protects vulnerable populations, and the amendment made under this rule would remove those protections. Furthermore, S. 47 includes legislation that I have worked on in these two past Congresses with Representative VIRGINIA FOXX of North Carolina, who I call my good friend, and Senator KLOBUCHAR of Minnesota. I reintroduced the STALKERS Act this Congress and am pleased that it is included in the underlying bill.

No one can deny that the Internet is a great tool for all of us that connects billions of people around the world. But one of the problems with it is that it's proven to be an effective weapon for stalkers to prey on innocent people. Current Federal stalking statutes simply have not caught up with the new tools and the emerging technologies that these criminals use. The STALKERS Act would bring our laws into the 21st century by giving law enforcement the tools they need to combat stalking in the digital age.

The STALKERS Act would protect victims and empower prosecutors by increasing the scope of existing laws to cover acts of electronic monitoring, including spyware, bugging, video surveillance, and other new technologies as they develop. Currently, Federal laws cannot be enforced unless stalking victims can demonstrate that they are in reasonable fear of physical injury.

Again, I thank you for including the STALKERS Act in the underlying bill.

□ 1300

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. I am pleased to yield 1½ minutes to my colleague from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge my colleagues to pass the rule and the under-

lying bipartisan Senate Violence Against Women Act. This is the first bill that I worked on when I came to Congress with the great LOUISE SLAUGHTER and Patricia Schroeder, and then-Senator JOE BIDEN. It has been reauthorized in a bipartisan way many times.

From 1994 to 2010, about four in five victims of intimate partner violence have been female. These numbers are real people, and so are the tragedies behind them. But this is not about politics. This is about the single most fundamental task that we require of our government: to keep its citizens safe from violent assaults—all of our residents, all of our citizens, immigrants, no matter what the sexual orientation is of our citizens. It's for all of our citizens.

I am pleased that two of the bills that I have authored are part of the Senate version. It would be ripped out by the Republican version, so I strongly support the bipartisan Senate version. One I authored with Representative POE in a bipartisan way, and that was the SAFER Act. This took the monies and directed Justice not to spend more money but to process the backlog of DNA kits in rape cases to put rapists behind bars. And also, the Campus SaVE Act.

There's too much violence on campus. One in five women will be sexually assaulted during their college years. This provision that I authored would increase the obligations of colleges to keep students safe and informed about policies on sexual assault. Also, the very bipartisan, important anti-trafficking bill is part of it.

So I urge my colleagues, in a bipartisan, historic way, to reauthorize, re-pass the Violence Against Women Act, the Senate version.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentlelady from New York for yielding me time.

Mr. Speaker, I rise in strong support for the bipartisan, Senate-passed Violence Against Women Reauthorization Act.

Since the Violence Against Women Act first became law in 1994, the incidence of domestic violence is down more than 60 percent. It is with that same record of success that we should address the prevalence of domestic violence in underserved communities.

In my district of Sacramento, we are fortunate to have an organization called WEAVE, which provides crisis intervention services to domestic violence and sexual assault victims. Recently, WEAVE admitted a woman and her 8-year-old son, Tucker, to their safe house. By the time Tucker reached the safe house, his father's verbal abuse had convinced him that he was

stupid and insignificant. For an 8-year-old boy to no longer smile, to play games, to enjoy life is heartbreaking.

Fortunately, Tucker's mother rescued herself and her son by using the resources that the Violence Against Women Act makes available. Tucker is now living away from his father, in counseling, and on his way to a happy and healthy future.

Time and time again we hear that programs like this break the cycle of domestic violence. We must view this legislation not just as a women's issue, but as a family issue, as a community issue that touches all of our lives.

It is essential for all past and future victims of domestic violence, sexual assault, dating violence, and stalking that we strengthen and reauthorize the Violence Against Women Act. I urge my colleagues to reauthorize an all-inclusive version of the Violence Against Women Act.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. I am pleased, Mr. Speaker, to yield 1½ minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I rise today to support the rule but oppose the House Republican substitute, and to urge my colleagues to vote for the real Violence Against Women Act's reauthorization. This passed the Senate with overwhelming bipartisan support.

Real VAWA focuses on key programs to address sexual assault, including the backlog in testing rape kits. It also consolidates programs to ensure that resources are reaching victim services and local law enforcement, and it ensures protection for all victims of abuse and violence.

In Nevada, nearly half of all women have been the victim of some kind of sexual assault, and more than a quarter have been the victim of rape. The Rape Crisis Center in Las Vegas—an excellent organization that I've worked with closely over the years—assists victims in the transition to become survivors. This Congress should support the Center's efforts, not hinder them.

Violence against women is not a game. It is time for House Republicans to stop playing games and to reauthorize this final legislation now.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. I thank you so much for the time.

Isn't it ironic that today, the Supreme Court of the United States of America is considering section 5 of the Voting Rights Act in terms of whether it will continue to apply to the United States of America and those specific States and areas that are included therein. This is being done at the same time we are considering the Violence

Against Women Act, which in my opinion should be called a Family Violence Act. I say this because we cannot exclude people because of their sexual orientation.

This is my watch. I have a duty to stand up for those who are being left out or left behind. This act should include the LGBT community, and any substitute that would remove the LGBT community is a substitute that I cannot support.

Isn't it ironic that today, the Supreme Court is considering section 5 of the Voting Rights Act, and we just had a statue of Rosa Parks made available to the public in Statuary Hall? Friends, it's time for us to come up to the standards of this time, and let's bring all of our people with us. The LGBT community merits our consideration. I will not vote for the substitute. I support the LGBT community.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN) to discuss the previous question. Mr. VAN HOLLEN is the distinguished ranking member on the Committee on the Budget.

Mr. VAN HOLLEN. I thank Ranking Member SLAUGHTER.

I hope tomorrow this House will finally have a chance to vote on the bipartisan Senate bill to prevent violence against women. I hope tomorrow we will also have a chance to vote on a proposal that we've now put forward three times this year to replace the sequester. Unfortunately, the rule reported out of the House Rules Committee denies us that opportunity. So let's just remind people what will happen starting March 1.

Starting March 1, if this House does not take action to replace the sequester, we will lose 750,000 American jobs between March 1 and the end of this year. Those are not my numbers; those are not President Obama's numbers; those are the numbers from the non-partisan, independent Congressional Budget Office—750,000 fewer American jobs by the end of this year if we don't replace the sequester.

This majority in this House has not taken any action this year in this Congress to prevent that sequester from happening beginning Friday, not one step. We have now asked three times for the opportunity to vote on our alternative.

So what's our alternative, Mr. Speaker? Our alternative would replace the sequester with a balanced mix of cuts and revenue generated by closing tax loopholes and tax preferences that benefit the very wealthy.

So very specifically—because it's a concrete proposal—we would get rid of the direct payments that go to agribusinesses, something that used to have bipartisan support because that's

an unnecessary subsidy that has outlived its purpose. So that's a cut.

□ 1310

We also say we no longer need taxpayer subsidies for the big oil companies. Guess what? That's an idea that was proposed by President Bush who said taxpayers should no longer be giving these big breaks to big oil companies; they don't need that extra taxpayer incentive in order to keep producing oil and making record profits. So we do that.

Then we say to folks who are making \$2 million a year that we're going to limit the number of preferences you can take. We're going to limit the number of tax breaks that you take that allow you to effectively pay a lower rate than the people who work for you. So if you're making \$2 million or more per year, we say you should pay an effective tax rate of 30 percent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. If you take that balanced combination of targeted cuts and the elimination of tax breaks that disproportionately benefit very wealthy people, guess what happens? You get the same deficit reduction over the budget window, so you reduce the deficit by the same amount as you would get if you allow the sequester to take place throughout this year, but you do it in a way that does not lose 750,000 American jobs. You do it in a way that does not cause disruption at our airports; in a way that does not cause disruption to our food safety system; in a way that does not cause disruption to the nurses who are caring for our veterans in military hospitals and veterans hospitals around this country; and in a way that does not disrupt our military operations.

So, Mr. Speaker, we just have a simple question: Why is it that as we gather here Wednesday, we're denied the opportunity to even have a vote on this alternative, this balanced alternative, to prevent the loss of 750,000 American jobs? We're not asking Members of this House to vote for our alternative, although we think it's a good one and would urge them to do so. We're simply asking that in the people's House we have a vote on an alternative to something that will create these great job losses and that great disruption.

I think the American people are going to ask themselves why we were not even granted that opportunity with less than 3 days to go before we hit that across-the-board sequester, which is just Washington-speak for massive job loss and massive economic disruption.

In addition to the job loss, according to the independent Congressional Budget Office, it will cause one-third less economic output in the United

States of America in this year at a time when the economy remains very fragile. So I ask, finally, Mr. Speaker, give us that opportunity at least to vote so people have a choice to prevent the sequester.

I thank the gentlelady from New York, the ranking member of the Rules Committee.

Ms. SLAUGHTER. Mr. Speaker, I'm delighted to yield 1 minute to the gentlewoman from California, the Democratic leader, Ms. PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership as the senior Democrat on the Rules Committee.

Today, we have an interesting discussion. We are debating the rule that will enable us to bring to the floor the Violence Against Women Act. As part of the debate on the rule, we are asking a "no" vote on the previous question which will enable us also to not only vote on the Violence Against Women Act but, at completion, to go on to voting on the proposal that the Democrats have to resolve the sequester issue.

I'll start first, though, with the Violence Against Women Act. As of yesterday, it was over 500 days since the Violence Against Women Act had expired. The reauthorization is long overdue. Last year, the Senate, in a bipartisan way, passed a bill that was comprehensive, that did the job. The House Republicans resisted that. Here we are again, this year, last week, the Senate, in a bipartisan way, passed 78-22 the Violence Against Women Act, which is comprehensive and does the job. That means 78 percent of the Senate voted—78 percent of the Senate voted—for this Violence Against Women Act. It means also that all of the women in the Senate, Democrats and Republicans alike, voted for this act. It also means that a majority of the Republicans in the Senate—a majority of the Republicans in the Senate—voted for this comprehensive Violence Against Women Act.

So the Senate has passed it overwhelmingly with the majority of Republicans supporting it. The President stands ready to sign it. Democrats in the House support it. We will call upon the leadership of GWEN MOORE, who has a similar bill in the House. We stand ready to support the Senate version. The Senate has passed it, we support it, the President is ready to sign it, and, once again, the Republicans in the House are the obstacle to passing this legislation.

It's really hard to explain to anyone why we would say to the women of America, Women of America, step forward; we are stopping violence against women. Not so fast if you're an immigrant, not so fast if you're a member of the LGBT community, not so fast if you're a Native American. What is that? Violence against some women but not others? Quite frankly, the groups that are excluded by the House

bill are the groups that are in the most need of protection against violence.

So I would hope that in the course of the debate that we will move on to on the Violence Against Women Act that we will all open our hearts to what is needed to reduce violence in the lives of America's women.

In the meantime, we have a procedure that is not preferable, we have asked over and over again, as the distinguished gentleman from Maryland (Mr. VAN HOLLEN) has said, this will be the third time we've asked to get a vote on a Democratic alternative. The American people want to know why we can't pass something to avoid sequestration. We have this proposal that is fair, that does make cuts, that does produce revenue, and that does not impede growth with jobs in our economy. All we want is a vote. Why do we have to beg, hat in hand, for a vote on the floor of the House in this marketplace of ideas? What are the Republicans afraid of? They may be afraid that it will win because it makes so much sense that their Members may be attracted to vote for it. Or they may not want to put their Members on record voting against something that is so balanced, that is so commonsense driven that is a solution, a solution to sequestration.

What does sequestration mean? Well, whatever it means, this is what it equals: sequestration equals unemployment. Sequestration equals job loss. And we just cannot have a slowing down of our economic growth. We cannot afford losing the 700,000 jobs. That's the low estimate that has been put forth by economists and by the Congressional Budget Office itself.

We urge people to vote "no" on the previous question, which means that we would then be allowed to come to the floor to take up the Violence Against Women Act and also to take up the sequestration bill. It is really something that deserves debate on the floor of the House.

The Republican leadership has said, well, we voted on that last year. Last year was another Congress. That Congress ended. How to make a law: Congress ends, we have an election, and a new Congress begins. The Constitution says that bills that relate to revenue or to appropriations must begin in the House. So they said, We did it last year. It doesn't count. Let the Senate begin. That's not what the Constitution says.

So let us take our responsibility and not be afraid of the ideas that people sent us here to discuss. We don't have to agree on every point, but we certainly should have an opportunity on the floor of the House. People across the country are talking about this. You can't turn on any media without their talking about this. The only place we can't talk about it or get a vote on it is on the floor of the House of Representatives. That's plain wrong.

I urge a "no" vote on the previous question, a "no" vote on the Republican Violence Against Women Act, and a "yes" vote on the bipartisan Senate bill when we have an opportunity to vote on that.

□ 1320

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to yield 15 seconds to Mr. VAN HOLLEN for clarification, and following that I will yield 2 minutes to the gentlelady from Florida (Ms. WASSERMAN SCHULTZ).

Mr. VAN HOLLEN. Mr. Speaker, just three numbers: 750,000 fewer American jobs, cutting growth in GDP by one-third, not economic output but growth in GDP by one-third. That's one number. The second number: three, the number of times we've tried to get a vote on this. The third number: zero, the number of times our Republican colleagues this year have tried to resolve the sequester issue.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 2 minutes.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. Speaker.

I rise today in support of this comprehensive and bipartisan effort to end violence against women.

The Violence Against Women Act recently passed by the Senate properly updates this crucial legislation for the 21st century by providing necessary resources and support to all victims of domestic violence regardless of their race, ethnicity, or sexual orientation. An overwhelming 78 Senators, including 23 Republicans, recognize the need for these protections, and I'm thrilled that we're finally moving to recognize the same.

I'd like to express my gratitude to the champions of this bill in the House, including the gentlelady from New York. Several of my colleagues and I, along with hundreds of groups and thousands of concerned citizens all across the country, have worked tirelessly these past few weeks to make sure that the voices of survivors and advocates could be heard over partisan debate. That is why the bill we consider today reflects the needs of vulnerable populations that have been ignored in the past. It will give Native American tribes the tools to hold abusers accountable, LGBT survivors the protection they need to access services, and immigrant survivors the independence necessary to escape violence.

I'm proud to vote in favor of a comprehensive Violence Against Women Act for my constituents, for my children, my daughters, and I urge all of my colleagues to do the same.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time.

May I inquire of my colleague if he has any more requests for time?

Mr. NUGENT. I do not.

Ms. SLAUGHTER. If not, then I'm prepared to close.

Mr. Speaker, I yield myself such time as I may consume.

This has been a wonderful day for us in some way because we are finally debating the Violence Against Women Act, with a great possibility of passing the Senate bill, which will protect all women in the United States and not just some. It's terribly important that we do that. And I think we may have caused some confusion there as we talk about violence against women, and we're also talking about the previous question which deals purely with sequestration. I would like to close speaking about that.

I think everyone understands the importance that we attach to the Violence Against Women Act, but we are also very much concerned about sequestration. The reason we have brought it up on a previous question on the Violence Against Women Act is we've had absolutely no other opportunity to bring it up.

The American public has been told over and over again that twice this House has passed legislation dealing with sequestration. All of us know—I'm not sure the public knows, but let me make it clear—that anything done before December 31 of last year is no longer valid.

Nothing has been done this term to stop the sequestration. The only effort that has been made to do so has been done by Mr. VAN HOLLEN, the ranking member of the Budget Committee. He has a very moderate request, one that does not do great harm either to the employment situation in the country or to the output of GDP, and what he said was terribly important.

What we are about to embark on here is totally unknown. We know that it's bad. I think everybody has understood that it's bad. Why we would continue to do it is beyond my imagination. But let me make it absolutely clear here: no opportunity has been given to our side of the House to even attempt to deal with sequestration. This is it.

For any Member of the House of Representatives who would like to go on record saying that they don't want sequestration to take place on March 1, this is your only opportunity. So we are asking that you will vote "no" on the previous question so we can at least go on record in this House and we can do our very best to stop what, by all accounts and by what all important economists say, will be an unmitigated disaster.

If we defeat the previous question, we will offer the amendment, which will allow the House to vote on replacing the entire sequester for 2013 with savings from specific policies that reflect a balanced approach to reducing our

national deficit. It is a balanced approach, Mr. Speaker, not a meat-ax across the board.

We have to act now if we're going to avert this crisis. I can't reiterate enough that this is our only chance. If we're going to avoid the unnecessary cuts to essential programs, the time is now.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I strongly urge all of my colleagues in this House, because none of us want to face that abyss, to vote "no" to defeat the previous question, and I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield myself such time as I may consume.

I support this rule and encourage my colleagues to support it as well.

Every day, people flee their homes because of violence they suffer at the hands of a domestic partner. If there's something we can do to stop that violence to save those women and children, then we need to do it. Inaction is unacceptable. I've seen the consequences of doing nothing too many times when it comes to domestic violence.

We have before us a rule that provides the House with multiple options on how we take a stance against domestic violence right here and right now. We may not agree on which of these two visions is the best one, but I think we can all agree that something must be done. That's why I say to you, Mr. Speaker, support the rule before us today. If you want to do something, anything, then you need to start with voting for the rule. That's the first step. That's what we need to pass first and foremost so we can debate those options.

Some folks here will like the Senate's vision of the Violence Against Women Reauthorization Act more than they like the House alternative. Others have problems with the Senate bill and think the House's plan is the way to go forward. Either way, if you want to take a stand against violence against women, then you need to support this rule.

This rule is how we move to the next step, to debate the options before the House to ensure that law enforcement departments, organizations like the Dawn Center back home, and victims of domestic violence can get the support that they so desperately need.

There are those who want to confuse this with another issue before this House, but this is the issue that we have today, the issue on domestic violence, the Violence Against Women Act.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 83 OFFERED BY
MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 699) To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to repeal and replace the fiscal year 2013 sequestration. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means, the chair and ranking minority member of the Committee on the Budget, and the chair and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * *. When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. With that, Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o’clock and 28 minutes p.m.), the House stood in recess.

□ 1514

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. MCCLINTOCK) at 3 o’clock and 14 minutes p.m.

HOURLY OF MEETING ON TOMORROW

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 83; adopting House Resolution 83, if ordered; and agreeing to the Speaker’s approval of the Journal.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF S. 47, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 83) providing for consideration of the bill (S. 47) to reauthorize the Violence Against Women Act of 1994, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 229, nays 196, not voting 6, as follows:

[Roll No. 51]

YEAS—229

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishok
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan

Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Daines
Davis, Rodney

Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach

Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer

Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Rohy
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita

Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—196

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cardenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar

Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa

Holt
Honda
Horsford
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebach
Loftgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matheson

Matsui	Peterson	Sherman	Crawford	Hunter	Negrete McLeod	Stewart	Upton	Weber (TX)
McCarthy (NY)	Pingree (ME)	Sinema	Crenshaw	Hurt	Neugebauer	Stivers	Valadao	Webster (FL)
McCollum	Pocan	Sires	Crowley	Israel	Noem	Stockman	Van Hollen	Welch
McDermott	Polis	Slaughter	Cuellar	Issa	Nolan	Stutzman	Vargas	Weststrup
McGovern	Price (NC)	Smith (WA)	Cummings	Jackson Lee	Nugent	Swalwell (CA)	Veasey	Westmoreland
McNerney	Quigley	Speier	Daines	Jeffries	Nunes	Takano	Vela	Whitfield
Meeks	Rahall	Swalwell (CA)	Davis (CA)	Jenkins	Nunnelee	Terry	Velázquez	Williams
Meng	Rangel	Takano	Davis, Danny	Johnson (GA)	O'Rourke	Thompson (CA)	Visclosky	Wilson (FL)
Michaud	Richmond	Thompson (CA)	DeFazio	Johnson (OH)	Olson	Thompson (MS)	Wagner	Wilson (SC)
Miller, George	Roybal-Allard	Thompson (MS)	DeGette	Johnson, E. B.	Owens	Thompson (PA)	Walberg	Wittman
Moore	Ruiz	Tierney	Delaney	Johnson, Sam	Palazzo	Thornberry	Walden	Wolf
Moran	Ruppersberger	Titus	DeLauro	Jordan	Pallone	Tiberi	Walorski	Womack
Murphy (FL)	Rush	Tonko	DelBene	Joyce	Pascarell	Tierney	Walz	Woodall
Nadler	Ryan (OH)	Tsongas	Denham	Kaptur	Pastor (AZ)	Tipton	Wasserman	Yarmuth
Napolitano	Sanchez, Linda	Van Hollen	Dent	Keating	Paulsen	Titus	Schultz	Yoder
Neal	T.	Vargas	DeSantis	Kelly	Payne	Tonko	Waters	Yoho
Negrete McLeod	Sanchez, Loretta	Veasey	DesJarlais	Kennedy	Pearce	Tsongas	Watt	Young (FL)
Nolan	Sarbanes	Vela	Deutch	Kildee	Pelosi	Turner	Waxman	Young (IN)
O'Rourke	Schakowsky	Velázquez	Diaz-Balart	Kilmer	Perlmutter			
Owens	Schiff	Visclosky	Dingell	Kind	Perry			
Pallone	Schneider	Walz	Doggett	King (NY)	Peters (CA)	Broun (GA)	Huelskamp	Massie
Pascarell	Schrader	Wasserman	Doyle	Kingston	Peters (MI)	Garrett	Jones	McClintock
Pastor (AZ)	Schwartz	Schultz	Duckworth	Kinzinger (IL)	Peterson	Gohmert	King (IA)	Salmon
Payne	Scott (VA)	Watt	Duffy	Kirkpatrick	Petri			
Pelosi	Scott, David	Waxman	Duncan (SC)	Kline	Pingree (ME)			
Perlmutter	Serrano	Welch	Duncan (TN)	Kuster	Pittenger			
Peters (CA)	Sewell (AL)	Wilson (FL)	Edwards	Labrador	Pitts	Coble	Foxx	Smith (TX)
Peters (MI)	Shea-Porter	Yarmuth	Ellison	LaMalfa	Pocan	Culberson	Granger	Young (AK)
			Ellmers	Lamborn	Poe (TX)	Davis, Rodney	Smith (NJ)	
			Engel	Lance	Polis			
			Enyart	Langevin	Pompeo			
			Eshoo	Lankford	Posey			
			Esty	Larsen (WA)	Price (GA)			
			Farenthold	Larson (CT)	Price (NC)			
			Farr	Latham	Quigley			
			Fattah	Latta	Radel			
			Fincher	Lee (CA)	Rahall			
			Fitzpatrick	Levin	Rangel			
			Fleischmann	Lewis	Reed			
			Fleming	Lipinski	Reichert			
			Flores	LoBiondo	Renacci			
			Forbes	Loebsock	Ribble			
			Fortenberry	Lofgren	Rice (SC)			
			Foster	Long	Richmond			
			Frankel (FL)	Lowenthal	Rigell			
			Franks (AZ)	Lowe	Roby			
			Frelinghuysen	Lucas	Roe (TN)			
			Fudge	Luetkemeyer	Rogers (AL)			
			Gabbard	Lujan Grisham	Rogers (KY)			
			Gallego	(NM)	Rogers (MI)			
			Garamendi	Luján, Ben Ray	Rohrabacher			
			Garcia	(NM)	Rokita			
			Gardner	Lummis	Rooney			
			Gerlach	Lynch	Ros-Lehtinen			
			Gibbs	Maffei	Roskam			
			Gibson	Maloney,	Ross			
			Gingrey (GA)	Carolyn	Rothfus			
			Goodlatte	Maloney, Sean	Roybal-Allard			
			Gosar	Marchant	Royce			
			Gowdy	Marino	Ruiz			
			Graves (GA)	Markey	Runyan			
			Graves (MO)	Matheson	Ruppersberger			
			Grayson	Matsui	Rush			
			Green, Al	McCarthy (CA)	Ryan (OH)			
			Green, Gene	McCarthy (NY)	Ryan (WI)			
			Griffin (AR)	McCaul	Sanchez, Linda			
			Griffith (VA)	McCollum	T.			
			Grijalva	McDermott	Sanchez, Loretta			
			Grimm	McGovern	Sarbanes			
			Guthrie	McHenry	Schakowsky			
			Gutierrez	McIntyre	Schiff			
			Hahn	McKeon	Schneider			
			Hall	McKinley	Schock			
			Hanabusa	McMorris	Schrader			
			Hanna	Rodgers	Schwartz			
			Harper	McNerney	Schweikert			
			Harris	Meadows	Scott (VA)			
			Hartzer	Meehan	Scott, Austin			
			Hastings (FL)	Meeks	Scott, David			
			Hastings (WA)	Meng	Sensenbrenner			
			Heck (NV)	Messer	Serrano			
			Heck (WA)	Mica	Sessions			
			Hensarling	Michaud	Sewell (AL)			
			Herrera Beutler	Miller (FL)	Shea-Porter			
			Higgins	Miller (MI)	Sherman			
			Himes	Miller, Gary	Shimkus			
			Hinojosa	Miller, George	Shuster			
			Holding	Moore	Simpson			
			Holt	Moran	Sinema			
			Honda	Mullin	Sires			
			Horsford	Mulvaney	Slaughter			
			Hoyer	Murphy (FL)	Smith (NE)			
			Hudson	Murphy (PA)	Smith (WA)			
			Huffman	Nadler	Southerland			
			Huizenga (MI)	Napolitano	Speier			
			Hultgren	Neal				

NOT VOTING—6

Coble Granger Waters
Culberson Hoyer Young (AK)

□ 1543

Ms. SINEMA, Ms. ESHOO, Mrs. BEATTY, Messrs. AL GREEN of Texas and GALLEG0 changed their vote from “yea” to “nay.”

Mr. MCINTYRE changed his vote from “nay” to “yea.”

Mr. MCCLINTOCK changed his vote from “present” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HARPER). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NUGENT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 9, not voting 8, as follows:

[Roll No. 52]

YEAS—414

Aderholt	Bonner	Cartwright
Alexander	Boustany	Cassidy
Amash	Brady (PA)	Castor (FL)
Amodei	Brady (TX)	Castro (TX)
Andrews	Braley (IA)	Chabot
Bachmann	Bridenstine	Chaffetz
Bachus	Brooks (AL)	Chu
Barber	Brooks (IN)	Cicilline
Barletta	Brown (FL)	Clarke
Barr	Brownley (CA)	Clay
Barrow (GA)	Buchanan	Cleaver
Barton	Bucshon	Clyburn
Bass	Burgess	Coffman
Beatty	Bustos	Cohen
Becerra	Butterfield	Cole
Benishek	Calvert	Collins (GA)
Bentivolio	Camp	Collins (NY)
Bera (CA)	Campbell	Conaway
Bilirakis	Cantor	Connolly
Bishop (GA)	Capito	Conyers
Bishop (NY)	Capps	Cook
Bishop (UT)	Capuano	Cooper
Black	Cárdenas	Costa
Blackburn	Carney	Cotton
Blumenauer	Carson (IN)	Courtney
Bonamici	Carter	Cramer

□ 1550

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 52 I was on the floor and tried to vote when it was closed. Had I been present, I would have voted “yea.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 293, nays 119, answered “present” 1, not voting 18, as follows:

[Roll No. 53]

YEAS—293

Aderholt	Buchanan	Crawford
Alexander	Bucshon	Crenshaw
Amodei	Bustos	Daines
Bachmann	Butterfield	Davis (CA)
Bachus	Calvert	Davis, Danny
Barber	Camp	DeGette
Barletta	Campbell	Delaney
Barr	Capps	DeLauro
Barrow (GA)	Carney	DelBene
Barton	Carson (IN)	DesJarlais
Bass	Carter	Deutch
Beatty	Cartwright	Diaz-Balart
Becerra	Cassidy	Dingell
Bera (CA)	Castro (TX)	Doggett
Billakis	Chabot	Doyle
Bishop (GA)	Chu	Duckworth
Bishop (UT)	Cicilline	Duncan (TN)
Black	Clay	Ellison
Blackburn	Cleaver	Ellmers
Blumenauer	Clyburn	Engel
Bonner	Cohen	Enyart
Boustany	Cole	Eshoo
Brady (TX)	Collins (GA)	Esty
Braley (IA)	Collins (NY)	Farenthold
Bridenstine	Connolly	Fattah
Brooks (AL)	Cook	Fleischmann
Brooks (IN)	Cooper	Fleming
Broun (GA)	Costa	Flores
Brown (FL)	Cramer	Forbes

Fortenberry
 Foster
 Frankel (FL)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gabbard
 Gallego
 Garamendi
 Garcia
 Garrett
 Gerlach
 Gibbs
 Gingrey (GA)
 Goodlatte
 Gosar
 Gowdy
 Grayson
 Griffith (VA)
 Grimm
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Harper
 Hartzler
 Hastings (WA)
 Heck (WA)
 Hensarling
 Higgins
 Himes
 Hinojosa
 Holt
 Horsford
 Huizenga (MI)
 Hultgren
 Hurt
 Issa
 Johnson (GA)
 Johnson, Sam
 Jones
 Joyce
 Kaptur
 Kelly
 Kennedy
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirkpatrick
 Kline
 Kuster
 Labrador
 LaMalfa
 Lamborn
 Lankford
 Larsen (WA)
 Larson (CT)
 Latta
 Levin
 Lipinski
 Loebach
 Lofgren
 Long
 Lowenthal
 Lowey
 Lucas
 Luetkemeyer

Lujan Grisham (NM)
 Luján, Ben Ray (NM)
 Maffei
 Maloney, Sean
 Marchant
 Marino
 Markey
 Massie
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McClintock
 McCollum
 McHenry
 McIntyre
 McKeon
 McMorris
 Rodgers
 McNeerney
 Meadows
 Meeks
 Messer
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Moore
 Moran
 Mullin
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Negrete McLeod
 Neugebauer
 Noem
 Nunes
 Nunnelee
 O'Rourke
 Olson
 Palazzo
 Pascarella
 Payne
 Pelosi
 Perlmutter
 Perry
 Petri
 Pingree (ME)
 Pitts
 Pocan
 Polis
 Pompeo
 Posey
 Price (NC)
 Quigley
 Rangel
 Rice (SC)
 Roby
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Roybal-Allard

Royce
 Ruiz
 Runyan
 Ruppersberger
 Rush
 Ryan (WI)
 Salmon
 Scalise
 Schiff
 Schneider
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Speier
 Stewart
 Stutzman
 Swalwell (CA)
 Takano
 Thompson (PA)
 Thornberry
 Tierney
 Titus
 Tonko
 Tsongas
 Turner
 Upton
 Van Hollen
 Vargas
 Velázquez
 Wagner
 Walorski
 Walz
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westmoreland
 Whitfield
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Yarmuth
 Yoho
 Young (FL)
 Young (IN)

Matheson
 McDermott
 McGovern
 McKinley
 Meehan
 Meng
 Mulvaney
 Neal
 Nolan
 Nugent
 Pallone
 Pastor (AZ)
 Paulsen
 Pearce
 Peters (CA)
 Peters (MI)
 Peterson
 Pittenger

Poe (TX)
 Radel
 Rahall
 Reed
 Reichert
 Renacci
 Rigell
 Roe (TN)
 Rooney
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Sewell (AL)
 Sires
 Slaughter

Southerland
 Stivers
 Stockman
 Terry
 Thompson (CA)
 Thompson (MS)
 Tiberi
 Tipton
 Valadao
 Veasey
 Vela
 Visclosky
 Walberg
 Walden
 Woodall
 Yoder

ANSWERED "PRESENT"—1

Owens

NOT VOTING—18

Bass
 Bonamici
 Cantor
 Coble
 Cotton
 Culberson
 Gohmert
 Granger
 Grijalva
 Harris
 Israel
 McCaul
 Miller, Gary
 Miller, George
 Price (GA)
 Ribble
 Richmond
 Young (AK)

□ 1558

So the Journal was approved.

The result of the vote was announced as above recorded.

AVERTING SEQUESTRATION

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise today to call on Republican leaders to keep the House in session until Congress fulfills its responsibility to the American people by averting sequestration.

With Rhode Island unemployment at 10.2 percent, my constituents cannot afford a single day of these indiscriminate cuts. They will have a negative impact on Rhode Islanders seeking job assistance, teachers educating our children, and countless seniors who rely on food assistance, not to mention the numerous jobs in our defense industry.

We've found compromise in the past. Since April of 2011, Congress has reduced the deficit by over \$2.5 trillion, cutting spending by over \$1.4 trillion, with almost \$3 in spending cuts for every \$1 of revenue. Mr. Speaker, Democrats in the House and the Senate, along with the President, have put forward balanced proposals to avert these devastating cuts. I urge you to listen to the American people and bring balanced legislation to the floor for a vote. Our communities cannot afford to wait.

NATURAL GAS OFFERING ENERGY REVOLUTION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Congressional Natural Gas Caucus has relaunched with a

four-member bipartisan leadership team in order to expand efforts and organizational resources in the 113th Congress.

Despite a fragile economic recovery, the Nation is witnessing an energy revolution through which energy resource development is offering economic growth, new jobs, and lower energy costs. America's newly found ability to access expansive reserves of natural gas is a large part of this new domestic resource base, which has afforded new opportunities for America's manufacturing sector based on the comparative advantages of lower energy costs and for American families as they heat their homes at a fraction of the cost.

Despite these new fortunes, there are countless policy challenges that must be leveraged for the Nation to continue benefiting from this abundant, clean, low-cost energy source.

The mission of the Congressional Natural Gas Caucus is to educate Members of Congress and the public about the importance of natural gas as a domestic energy resource and its role in meeting the Nation's energy demand and in attaining energy security.

I, along with my fellow cochairs—Representative GENE GREEN from Texas, Representative TOM REED from New York, and Representative JIM COSTA from California—encourage Members to join us in this effort today.

AVERTING SEQUESTRATION

(Mr. ENYART asked and was given permission to address the House for 1 minute.)

Mr. ENYART. Mr. Speaker, I rise today because southern Illinois folks are worried about sequestration undermining the economy and costing us jobs. I want to share with you today a letter about those concerns. This letter is from the supervisor of a young National Guard family.

Sarah and Mike, a young couple, one small child and another on the way, both deployed to Afghanistan with us in 2008. If nothing changes, Sarah will get hit with the furloughs, and Mike will probably lose his full-time National Guard job entirely. This is just devastating. Obviously, don't blame you. You weren't even in Congress when the Budget Control Act passed. But real people are going to get hurt—bad—veterans and soldiers. This is just incredible. I cannot believe Congress is going to let this train wreck happen. I know you know this, but it matters a great deal to us in DOD and the Guard, both to the civilian employees who will be the immediate victims, and to the rest of us who have to deal with the fallout.

OBAMA ADMINISTRATION PLAYS POLITICS

(Mr. ROONEY asked and was given permission to address the House for 1 minute.)

Mr. ROONEY. Mr. Speaker, yesterday the administration, in an effort to

NAYS—119

Amash
 Andrews
 Benishek
 Bentivolio
 Bishop (NY)
 Brady (PA)
 Burgess
 Capito
 Capuano
 Cardenas
 Castor (FL)
 Chaffetz
 Clarke
 Coffman
 Conaway
 Conyers
 Courtney
 Crowley
 Cuellar
 Cummings
 Davis, Rodney
 DeFazio
 Denham

Dent
 DeSantis
 Duffy
 Duncan (SC)
 Edwards
 Farr
 Fincher
 Fitzpatrick
 Foxx
 Gardner
 Gibson
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Hanna
 Hastings (FL)
 Heck (NV)
 Herrera Beutler
 Holding
 Honda
 Hoyer

Hudson
 Huelskamp
 Huffman
 Hunter
 Jackson Lee
 Jeffries
 Jenkins
 Johnson (OH)
 Johnson, E. B.
 Jordan
 Keating
 Kilmer
 Kinzinger (IL)
 Lance
 Langevin
 Latham
 Lee (CA)
 Lewis
 LoBiondo
 Lummis
 Lynch
 Maloney
 Carolyn

drive home the devastating impacts of sequestration, indicated that they would begin releasing criminal aliens held in detention centers across the United States. This policy is not only a shortsighted scare tactic, but it is also a completely inappropriate way to handle our fiscal problems.

By releasing these criminals out into the communities, the Obama administration is also playing politics with American safety. Not to mention, the administration is placing an undue additional burden on the already strained Federal programs that have succeeded in identifying, arresting, and removing criminal aliens. Ordering the release of criminals back into our communities because their crimes aren't serious enough to qualify for deportation completely ignores DHS's core mission to address our Nation's illegal immigration problem. We're putting our communities at risk, stressing local law enforcement, and not saving a dime once repeat offenders find themselves back in the system.

Mr. Speaker, we are a Nation of laws. We would do well to remember that.

AVERTING SEQUESTRATION

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise to speak out today against the automatic cuts known as sequestration which are set to kick in days from right now. These cuts were designed to be so painful and so terrible that they would never see the light of day. This is budgetary insanity. That is why I have opposed sequestration from the start.

Earlier today, I met with the Quad Cities Chamber of Commerce and representatives from the Rock Island Arsenal. Last week, I met with a defense contractor from Rockford, Illinois, and I toured the USDA Research Lab in Peoria, Illinois. That's the place where they figured out how to mass produce penicillin, and these are the kinds of programs that are at risk. These programs are rightly worried about the impact of sequestration.

We will see job losses because of this flawed budget process, and it will have a trickle-down effect throughout the region that I represent. Our residents will have less money to eat out. They'll have less money to see a movie or to shop at our small businesses. We cannot afford to have this happen.

I introduced my first piece of legislation a couple of weeks ago, the Government Waste Reduction Act. It is a bipartisan, commonsense approach to reduce government waste and not impact the middle class. This type of approach is reasonable, responsible, and rational, and that's what I would call for in a bipartisan fashion.

□ 1610

SEQUESTRATION

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to talk about Ruth. She's 91 years old, from my hometown. And Ruth, like many of my constituents, through the years, she's lost her network of family and friends.

After coming home from the hospital, she was unable to shop or cook and could barely get out of bed. According to Ruth, her life was literally saved by a Federal program called Meals on Wheels that delivers more than a million meals to seniors in need each day.

On Friday, as a result of mindless, indiscriminate budget cuts known as sequestration, folks like Ruth, across this country, will be in jeopardy of going hungry, and that is wrong. So I urge my colleagues to do what is right, come together, stop the sequestration, and implement a long-term, balanced approach to reducing our national debt.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore (Mr. BENTIVOLIO). Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request until it has been cleared by the bipartisan floor and committee leaderships.

SEQUESTRATION

(Ms. DUCKWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUCKWORTH. Mr. Speaker, last week I traveled across my district listening to my neighbors, who cannot afford the cuts that will go into place under sequestration. At Harper College, school superintendents told me that sequestration will cut vital programs and jeopardize the future of our children.

In Hanover Park, I listened to officials discussing desperately needed transportation investments. With sequestration, we will lose both construction jobs and potential new investments in our business parks.

In Itasca, veterans who would sacrifice everything for our Nation wonder why Congress can't come together and stop the cuts that will hurt this country they love so much. They didn't go home until they got their mission accomplished, and we shouldn't go home until we revolve this self-inflicted crisis.

Both parties agreed to the sequester. The time for finger-pointing and assigning blame is over. We should immediately vote on and pass commonsense measures like stopping Medicare fraud, ending subsidies for oil and gas industries, and ending tax loopholes for large corporations.

Mr. Speaker, I ask unanimous consent to bring up House Resolution 699, a balanced bill to replace the sequester with spending cuts and revenues, a measure that would save thousands of jobs.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

(Mr. BARBER asked and was given permission to address the House for 1 minute.)

Mr. BARBER. Mr. Speaker, we are now less than 48 hours from sweeping and irresponsible, across-the-board budget cuts that will go into effect on Friday. These cuts will weaken our military, harm our border security, undermine economic recovery, and hurt southern Arizona families.

We must work together. We can, I am confident, craft a rational, bipartisan solution to reduce the debt so these cuts can be avoided.

Last week I stood with officials from the University of Arizona, the city of Tucson, law enforcement, Border Patrol agents, civilian employees of the airbase and the garrison at Fort Huachuca, and local health care groups and community agencies to demand that we take action on sequestration.

The critical services that these groups and individuals and countless others provide to Arizonans will be cut because Congress has not come together with a commonsense solution. In my districts, these cuts mean longer wait times at the border and ports of entry, and less security between them. This is absolutely unacceptable.

Sequestration hurts the ability of returning veterans to find a job. This is also unacceptable.

And as I've said before, I'm willing to work here with all of my colleagues to find a middle ground. We owe our communities a budget, one that balances new revenues, eliminates ineffective programs and allows vital services to continue.

We should not recess tomorrow. We should stay here and do our job.

SEQUESTRATION

(Mr. WOODALL asked and was given permission to address the House for 1 minute.)

Mr. WOODALL. Mr. Speaker, as a freshman here on the House floor just 2 years ago, it does my heart good to see my freshman colleagues coming down

from the other side of the aisle, because I came down with that same vision 2 years ago to work together to address the big issues that are out there.

I serve on the Budget Committee, Mr. Speaker, and for fiscal year 2013, we're going to post a \$1 trillion annual deficit. This sequester that every Member is rightly concerned about is \$85 billion, less than one-tenth the magnitude of the decisions we really need to make to get America back on fiscal track.

Is the sequester anybody's idea of the right way to do it? I don't believe that it is.

Is everyone's idea of the right way to do it to deal with that part of the budget that we don't do in discretionary spending? The big two-thirds, that mandatory spending that we have to come together on to deal with? And the answer is absolutely, yes.

I stand ready to work with my freshman colleagues on both sides of the aisle to do those big things that need to be done. But Mr. Speaker, we have raised taxes already in 2013. The CBO reports that an additional \$1 trillion will come into the Treasury over the next 10 years.

What we need is not more taxes. What we need are responsible spending cuts, Mr. Speaker.

SEQUESTRATION

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. The House majority should bring legislation to this floor that will prevent the automatic, across-the-board cuts that will occur on Friday. These dangerous, indiscriminate cuts threaten our economy and vital services for our children, for women, for seniors, small businessmen, and our servicemembers in uniform.

Today, we are spending \$12 billion less on labor, health, and education programs than we were in 2002. And because of the cuts we made in the Budget Control Act, we will be spending \$21 billion less on these programs in 2022. And yet, despite these already made cuts the sequester will gut labor, health, and education programs by nearly another \$7 billion this year.

The results? Over 10,000 fewer people in my State will get the assistance they need to find jobs. Over 1,500 fewer Connecticut children will see vaccines for diseases. And 8,000 disadvantaged students will lose access to educational services. This will also relieve teachers and teacher aides of their jobs, thereby raising unemployment.

This is in addition to cuts that will impact food safety inspection, Meals on Wheels for seniors, support for public safety officers, and to keep air traffic controllers on the job.

I ask unanimous consent to bring up my colleague Mr. VAN HOLLEN's Stop

the Sequester Job Loss Now Act. It replaces sequestration with a balanced, bipartisan approach to deficit reduction.

We have a responsibility in this body: pass a budget that protects the middle class, our seniors, and the most vulnerable—and we have to act.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

□ 1620

HOUSE VOTED TWICE TO REPEAL THE SEQUESTER

(Mr. AUSTIN SCOTT of Georgia asked and was given permission to address the House for 1 minute.)

Mr. AUSTIN SCOTT of Georgia. What I want to remind the people of is that this House has twice passed legislation to repeal the sequester. The Senate has not done anything. Quite honestly, they have just chosen not to do their job over there.

The President has yet to give us a written proposal. But this House, the people's House, twice voted to repeal the sequester with responsible spending cuts.

THE SEQUESTER

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Time is short, Mr. Speaker. March 1 is just a few hours away, and the Republicans refuse to bring forward a balanced plan to replace the meat-ax approach to governing known as sequestration.

My constituents have been clear with me: We should stop the blame game, and we must stop this sequester from happening. New Mexicans are worried. They know what happens if we don't stop the sequester:

More than 750,000 jobs are at risk just this year.

Almost 10,000 New Mexicans won't be able to get the help and skills they need to find a job.

Small businesses, the backbone of our economy, won't be able to get the loans that they need to expand and grow.

Just in New Mexico, almost 7,000 civilian furloughs from the Defense Department, resulting in \$42 million less in gross pay for those employees, forcing middle class families to deal with losses equal to one mortgage payment or more.

Lastly, one of my State's and district's largest employers, Sandia National Laboratories, has implemented a hiring freeze. This move will stunt economic growth and be devastating to New Mexico's economy.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenue.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. I rise today to tell the story of how northern California communities that I represent will be harmed by sequestration.

Travis Air Force Base in my district makes sure that the equipment and personnel that our military needs are delivered quickly and safely around the world. They're the world's first responder when disaster strikes. Thirty-two hundred civilians will be furloughed beginning next week. They will have a loss of some \$30 million of income over the next 6 months.

Near Marysville, California, Beale Air Force Base operates an intelligence, surveillance, and reconnaissance mission that supplies our Nation's military with timely information to save American lives on the battlefield. Fourteen hundred civilians will be furloughed, with \$13 million in lost wages.

Families and their income are important. But so is national security, which will be compromised by sequestration.

Yuba City, one of the major places in the United States prone to flood problems, will see their critical levee protection that the Army Corps of Engineers is working on delayed and not completed for next winter's floods.

The University of California-Davis will similarly be harmed.

It's time to end sequestration, and I ask unanimous consent that H.R. 699 be brought up for a vote.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

THE EFFECT OF SEQUESTRATION ON THE MILITARY

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Tomorrow is the last day we have to avoid sequester. I've spoken on the House floor about how San Diego will be disproportionately affected. Today, I want to address our national security.

Almost one in four jobs in San Diego County are defense related. Nearly 25 percent of defense contractors are small businesses. Already, shipbuilding and maintenance contracts have been canceled, including 10 ship repairs in

San Diego. Manufacturing companies that rely on defense funding could lose 223,000 jobs. Neglecting ship repairs will not only lead to job loss and threaten morale—it undermines our national security and our readiness.

Mr. Speaker, let's prove to San Diego and the America people that Congress is not broken. Let's work together to find a solution that doesn't compromise our national security and that balances fiscal responsibility with economic growth.

SEQUESTER

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, I rise today to urge my colleagues to come together and avoid sequestration. Make no mistake: These cuts aren't just fodder for newspaper headlines. They are real. They are deep. And they will hurt.

Back home in my district in Taunton, Massachusetts, we have an active chapter of Jumpstart, a national literacy organization that pairs community volunteers with low-income preschool children. They operate in tandem with the local Head Start. If sequestration happens, over 70,000 children across the country could lose access to Head Start—1,500 in Massachusetts—jeopardizing the ability of Jumpstart to continue offering their services. On top of that, the organization is run on the hard work of volunteers, most of whom come through Federal work-study programs—800 jobs lost in Massachusetts alone—or AmeriCorps—\$38 million in cuts across the board.

Those are big numbers. But for a moment forget the numbers. The numbers are just a succinct way of saying there's a 4-year-old girl in Taunton, Massachusetts, whose single mother depends on Jumpstart to get her child up to speed for kindergarten while she works two jobs to keep food on the table.

Our budget is in difficult shape. It will require tough choices to clean up. But they have to be smart choices, worthy of our constituents back home who put their faith and trust in each and every one of us.

SEQUESTRATION

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. The once inconceivable now seems to be becoming the inevitable. On Friday, the sequester, a plan designed to never be implemented, will be triggered. And now the question among the papers and pundits is exactly how bad sequester will turn out to be. My question is:

Why aren't we debating how to stop it? Why are we not working together on a balanced fiscal plan? We all know it's not the right thing to do. We all know it's not the smart thing to do.

My constituents in San Diego and everyone outside of D.C. knows that it's harmful. San Diegan air traffic controllers, our Border Patrol officers, and civilian defense personnel put on leave, making us less safe and less efficient? San Diegan senior citizens, many who have served our country, sent messages stating that they will not be able to receive the meals they depend on.

San Diego teachers furloughed, disrupting our children's education? Blindly taking an ax to our budget is not a solution, it's a problem.

With that, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Starting Friday, careless and devastating across-the-board spending cuts will hit America's economy and stifle our recovery. But the only thing my colleagues on the other side of the aisle can say is: It's about time.

Do we need to address our Nation's deficit? Absolutely. But cutting 750,000 American jobs, food safety inspections, and health care benefits for our 9/11 first responders isn't the right way to do it. The U.S. can't lead the world in medical research if we aren't funding the National Institutes of Health. We can't protect ourselves from cybersecurity threats if the very people who work on this issue are laid off. And we can't expect our children to compete in tomorrow's global economy if we deny them access to critical programs like Head Start today.

It doesn't have to be this way. Democrats and President Obama have a solution. Our plan will put an end to the slash-and-burn cuts and replace it with reductions to our deficit through the closure of tax loopholes and an end to wasteful spending.

So, Mr. Speaker, there's a way out. There's another path forward that will ensure we protect investments in our Nation's future.

I will ask that tomorrow the Speaker ask unanimous consent to bring up H.R. 699, a balanced plan to reduce our deficit.

The SPEAKER pro tempore. As the Chair previously advised, such a request cannot be entertained absent appropriate clearance.

□ 1630

VIOLENCE AGAINST WOMEN ACT

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, tomorrow, we have two choices. We will be able to vote on this floor on a Senate version of the Violence Against Women Act. We will also have a House version that will try to be amended to that bill.

There are several reasons why the House version is not a good bill and ought to be opposed. In my district, the immigrant provisions left out of the House bill will have a profound impact on my constituents. Immigrant women are at risk of domestic violence more than any other women, and they are less likely to report their attackers due to fear of deportation. The Senate version offers protections that the House bill does not.

I have several college campuses in my district. The Senate bill would help combat violent crimes on college campuses; the House bill does not. The Senate version of the Violence Against Women Act also includes the reauthorization of the Trafficking Victims' Protection Act; the House bill does not.

Mr. Speaker, sadly, domestic violence affects the entire country. That is why it is absolutely a shame that the Republican leadership has brought up a House bill that will jeopardize the safety of millions of women by making it even harder to receive the services and programs that are available.

THE SEQUESTRATION MYTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 60 minutes as the designee of the majority leader.

Mr. WESTMORELAND. Mr. Speaker, I'm joined by some of our colleagues tonight here to talk about the sequester. We've heard a lot about it in the last, I guess, 10 or 12 1-minute speeches about the sequester and how bad it is and how it's going to wreck our economy.

We know that it is going to affect some people's lives, and we hate that. We much preferred a different way to do the cuts. We actually have passed two bills to address the cuts in the sequester that better address the needs of this country and our spending habits and didn't affect the many thousands of people that will either have to go to part-time work or no work due to these cuts.

It's been over 300 days since we passed the first bill out of this House; yet the Senate did not take it up. And so 2 months later we passed another one that the Senate has not taken up.

The President, over the past 3 weeks or so, has traveled a little over 5,000

miles, going down to North Carolina, to Georgia, to West Palm Beach, to Ohio, to Virginia, talking about the problems. Yet even though he's traveled that many miles, it's only 1.7 miles from the White House over to the Senate. So he could have cut down on all those trips of the rhetoric and the campaign-type attitude that he's put towards governing just by traveling 1.7 miles down to the Senate Chamber and sitting down with the majority leader over there and the rest of his party and saying, look, we need to offer something back because we believe in regular order.

We think the best business that we can have and we think that our Founders and the way our Constitution is set up, that we work under regular orders. If the House passes a bill, we send it to the Senate. If the Senate doesn't agree with it, then they can either put their own bill, send it back over to us and we'll go to conference, or they can amend our bill and send it back. And then if we can't agree with that, we'll go to conference.

But that's not the way things have been operating over here.

It's been a failure, in my opinion, on the majority leader's part in the Senate that he just refuses to take them up. We're not going to do it. We're not going to debate it. It's either my way or the highway. I think the American people deserve better than that.

I'm going to give Mr. GOHMERT a few minutes, if he would like to take the time, before he has to make one of his dignified appearances, so I'll yield to him.

Mr. GOHMERT. I appreciate my friend from Georgia hosting this hour and also yielding. This is a very important topic, and people need to understand what's going on.

Now, as someone who was totally opposed to the deficit ceiling bill back in July, 1½ years ago, I told our conference the Democrats and the President are never going to allow the supercommittee to reach an agreement because they want to blame cuts to Medicare on Republicans, when the fact is that ObamaCare cuts \$700 billion from Medicare, and it has been and it's starting to be and it's going to get really much worse because of those cuts from ObamaCare.

To ourselves here in the House, over the last 2 years we have cut our own budgets—the Senate hasn't, but we've cut our own budgets here in the House over a 2-year period by over 11 percent, about 11.5 percent. This sequester is going to cut us another 11 percent. We're going to have cut nearly 23 percent of our own budgets. How did we do that? Did we lay off all our staffs and have a big press conference and talk about how terrible it was going to be? No. I know in my office we basically have what you'd call a hiring freeze. If we lost somebody, we haven't replaced them.

TOM COBURN first raised this point in a letter to the Deputy Director of Management for the White House, with all this gloom and doom about all the people that the President's going to have to fire because of the sequestration, because of a cut of about 2 percent of the budget, they're going to be firing all these people or furloughing all these people. At the same time, you can go online, you can order books, and you can see all the Federal jobs that this administration is still offering.

So an easy suggestion is how about instead of firing and furloughing all these people, just hold up on hiring some folks for a while. Across America, people know how to do that in business. Instead of firing everybody that's been with you for years, that's counting on that salary, if you have to cut the budget, the first thing you do is you maybe wait to hire somebody for a bit. That would be more caring—unless of course this administration is more concerned with showing that they hired somebody instead of just maintaining what they have.

□ 1640

We will have cut our ourselves here in the House, our own budgets 23 percent, approximately, over a 3-year period. If we can do it and still get the job done, then I feel sure the people in the White House, the people in the executive departments and all those people at the EPA that are trying to shut down our own energy production and put those people out of work, heck, maybe if they just shut down EPA for a little bit and let the States continue, like Texas has, to get their water cleaner and their air cleaner, maybe the jobs would increase. The President could take credit for that just by slowing the amount of regulation this President has been throwing on the American economy.

Another thing we hear today is that the President is now saying that on Friday, after the sequestrations have started and the military is having all these massive layoffs—and actually, the truth be known, after the President will have gotten what he had been hoping and trying to get for years, even as a U.S. Senator, and that is big cuts to the Defense Department—after the Defense Department cuts kick in, then, and only then, is he going to sit down and talk to congressional leaders.

Well, that's not hard to figure out. What a great political ploy, what a great political plan. A year and a half ago, the President and the White House came up with the idea of this massive sequester, and the biggest loser would be the Defense Department. Reluctantly, some people like me said, let's don't do this, let's have other cuts, let's don't let the President's plan, with all his massive cuts to defense and basically 2 percent cuts to other entities, let's don't let that happen. Let's

really cut departments, cut things we really don't need.

But we ended up going along with the President's idea for sequester. Then after he gets the cuts to defense that he's been pushing for years and years, going back to his days as a U.S. Senator, he gets to come forward and spend millions and millions of dollars running around on Air Force One condemning Republicans in the House for cutting defense.

What a great thing. He cuts defense as he's been wanting to do for years, forces the Republicans to go along with it, and a year and a half later blames the Republicans for cutting defense and says, I wouldn't have done that, but now that defense is cut, now let's talk about restoring some of that money to groups, the Acorn-like groups out there that are going to suffer because they're not going to have money to spend on electing Democrats in the next election if we don't return the sequestered money.

The thing is, it's about \$85 billion in cuts from a \$3.6-trillion budget—not that we've passed a budget. That's just how much money will likely be spent, approximately. And it doesn't have to be that way.

One of the things that The Wall Street Journal pointed out in an editorial February 19 was they said that Americans need to understand that Mr. Obama is threatening that if he doesn't get what he wants, he's ready to inflict maximum pain on everybody else. He won't force government agencies to shave spending on travel, conferences, excessive pay, and staffing. He won't demand that agencies cut the lowest priority spending, as any half-competent middle manager would do.

Then they go on to talk about things. One of the things we find out today is that the administration has released people charged with felonies and said, look, if you don't restore the money to my agencies that I'm demanding, then I'm going to end up releasing more criminals on the American public. That is incredible. But he knows the mainstream media will give him cover. I hope and pray the American people will not give him cover, that we will demand what we've been telling the American public we were going to do, we made cuts. The cuts will be made. Now let's look for better ways after this to make cuts to other programs that need it.

With that, I yield back to my friend from Georgia.

Mr. WESTMORELAND. I want to now introduce somebody from New York. I believe he was the executive for Monroe County for 4 years. He took a county that was going bankrupt, or fixing to go bankrupt, and turned it around, \$125 million, I believe, in the rainy day, so to speak, fund. So he's got knowledge on how to do it. He's also been a very successful businessman. I think that all these agency and

department heads that we have, if you can't manage to cut about 2.4 percent of your budget, you need to take a look if you're really capable of managing people and managing a department of that size.

So I would ask the gentleman from New York, one of our freshmen, a businessman, a great guy, Mr. COLLINS, to come up and try to enlighten us a little bit on what steps he took of running a government, actually turning it around and made it to where the citizens got something from the taxes that they were paying.

Mr. COLLINS of New York. I want to thank the gentleman from Georgia for that kind introduction.

I would put two words forward: when I came to my period of time as county executive in Erie County, the largest upstate county in the State of New York, and it's "common sense." Common sense is something that I think frustrates the American public; it's something that we don't see in U.S. Government.

I'd like to point to the sequester as a prime example of what's wrong with Washington. We have a broken government, and we all know it. As someone who ran for Congress to focus on improving our economy, Washington can be a very frustrating place.

We are now only 2 days away from sequestration taking effect. In typical Washington fashion, we're now staring at a deadline in the face with no answers for hardworking taxpayers.

The timing of this whole process should not be taking anyone by surprise, certainly not the President. President Obama is the one who proposed this sequester, and that is a fact. The President insisted that these arbitrary across-the-board spending cuts become law as part of the debt negotiations in 2011. Now, 2 days away from these cuts taking place, I'm very disappointed the President is not working with us to find a solution.

Instead, he is deliberately scaring the American people and attempting to convince them that the only way to avoid the pain is to raise taxes again. The President is threatening an apocalypse if he doesn't get his second tax hike in just 8 weeks. The hardworking families of New York's 27th District can't afford it.

And I believe the American public are seeing this sideshow for what it is: a blatant attempt to raise taxes again on American families and small businesses instead of addressing our spending addiction. Because if the President and the Senate didn't want to raise taxes again, they would have a plan. And they don't.

The House has twice passed a bill to replace the across-the-board sequester with responsible spending reductions and reforms. The House first passed this legislation 10 months ago to replace the President's sequester with

smarter, more responsible, and commonsense spending cuts. The Senate and the President never addressed those bills; and they don't have a plan of their own, except raise taxes.

The good people of western New York and the Finger Lakes region know there are smarter, more bipartisan ways to cut government spending. They know that this country must reduce its spending and pay off its debt. They know that failing to do so will only mean a continued sluggish economy—and even worse, leaving our children and grandchildren with nothing but a bag of IOUs. And they know that before Washington politicians have the audacity to talk about raising taxes again and cutting our military, there are millions of dollars in waste in the Federal Government around every corner. And they are waiting—not so patiently anymore—for us to cut that waste before we tell them to hand over even more of their paycheck to the bureaucrats in the Federal Government.

Here is a question: Why is the EPA doling out grants to foreign countries, including China, at the expense of \$100 million over the last decade? Why does the IRS need to run a TV studio that costs \$4 million a year? And why are we paying senior citizens to play video games so we can study the impact on their brains?

□ 1650

Now, I understand these three examples don't equal \$85 billion of sequester cuts, but these are just three examples of the waste. This is crazy.

Washington must do better because the American people deserve better. They deserve a Federal Government focused on balancing its budget, reducing its spending, paying off its debt, honoring its commitments to seniors, and making sure our younger generations can actually live the American Dream.

Mr. President, let's stop the scare tactics and let's get to work.

Mr. WESTMORELAND. I want to thank the gentleman for participating.

Next I want to introduce another one of our bright young freshmen, the gentleman from California (Mr. VALADAO) of the 21st District, a dairy farmer, the son of Portuguese immigrants that has come here. He is a veteran legislator that has been with the California Assembly. We're excited about having him. He also represents a district that has been really hurt by some of the regulations and the environmental requirements that this administration has pushed.

Where he lives and where he farms, his neighbors have lost a great number of jobs due to the fact that we can't provide them any water that we promised them probably 40 or 50 years ago that had been coming to them and they really had the basket of the fruit and vegetables that we eat every day.

I yield to the gentleman from California.

Mr. VALADAO. Mr. Speaker, I agree, Congress needs to get serious about our Nation's irresponsible spending; however, broad-based, automatic spending cuts and tax increases are not the way to get our fiscal house in order.

This week, the administration warned of the devastating effects that sequestration will have on many essential services provided by the Federal Government. To be clear, while the Budget Control Act of 2011 defined the amount of sequestration cuts, implementation of these cuts is at the discretion of the administration. The administration has now threatened to cut crucial services, including laying off air traffic controllers and the inspectors that make our food safe. At the same time, our government is spending \$1.7 billion operating unused Federal properties. There are numerous bipartisan alternatives to increase the Federal Government's efficiency and eliminate wasteful spending that do not include raising taxes or cutting the essential services my constituents depend on.

Ultimately, the real solution lies in reviving our struggling economy and giving our small businesses the tools to create jobs. In California's San Joaquin Valley, burdensome environmental regulations have resulted in the fallowing of 200,000 acres of land and the loss of countless jobs. This is a prime example of government ignoring the solution while creating a problem. At no cost to the taxpayers, we could provide certainty to our communities and to the farmers in my district that we can protect jobs and actually grow our economy.

With just 2 days until sequestration takes place, it's time for all of us to get serious about our Nation's spending problem and come together to do what's best for the American people.

Mr. WESTMORELAND. I want to thank the gentleman for being here.

Next I want to allow one of my fellow Georgians some time to speak, who is another veteran legislator that came out of Georgia, who I've served with in the Georgia House, somebody from south Georgia who understands what it's about when you have to work hard and farm. He's a private business owner, an insurance agent, and a good friend.

I yield to the gentleman from Tifton, Georgia (Mr. SCOTT).

Mr. AUSTIN SCOTT of Georgia. Thank you, Mr. WESTMORELAND. I certainly enjoyed serving with you in the Georgia House where we balanced the budget on an annual basis and made cuts certainly much larger than this on a percentage basis. Quite honestly, we did it on an annual or a semiannual basis when we were there.

I want to point out one thing that you talked about that's not being talked about much here, and that is that the total cut that we're talking

about is a little less than 2.5 percent of Federal spending. The problem with the sequester is not that it's an unreasonable amount that's being cut; it's where it's being cut from.

So here we are less than 48 hours from the President's sequester, our Commander in Chief's sequester, that's going to go into effect and set into place \$1.2 trillion over the course, ladies and gentlemen, of 10 years. That's one of the things that needs to be pointed out. It's not \$1.2 trillion over the course of this year; it's over 10 years. So you're talking about \$100 billion a year out of a little better than a \$3 trillion annual budget.

Of this cut that our Commander in Chief has insisted on, over half of that is going to come from national defense and our men and women in uniform and our civilian workforce and taking its toll on them. Our Secretary of Defense, Leon Panetta, I thought did a great job when he actually explained it as hollowing out our military. He told the truth about that and just what the Commander in Chief's budget reductions were going to do to our military. Obviously, we have a new Secretary of Defense coming in now, and I can't help but wonder if Secretary Panetta speaking out about what those cuts were going to do to the military isn't one of the things that maybe led to his replacement.

On October 22—just to give you a couple of specifics—in his campaign for election as our Nation's Commander in Chief, the President promised that his sequestration “would not happen.” The President, the Commander in Chief, promised that it would not happen. He went to great lengths to assure Americans that are working in our military and on our military bases, our civilian workforce—I represent Robins Air Force Base—he told them this will not happen. He told our defense contractors to not comply with the law and actually issue the notices that were required under the law that furloughs and layoffs may be coming.

I personally think it was politically motivated, but that's just a personal stance of mine, Mr. Speaker.

On February 6, I asked the President for a solution. I sent a letter. I've got the letter right here. I'm sure that somebody at the White House got it. We have never gotten any response from any letter that we have sent to the White House as a Member of Congress. We simply asked him to give us a written proposal on what he would do given his choice of having it exactly his way and replacing the sequester. Again, no response, no action.

On February 15, he came to our State, Georgia, and didn't go to any of our military installations. We have seven major military installations and over a dozen major military communities in the State of Georgia. He went to a county and he talked about ex-

panding the role of the Federal Government in public education as we were approaching the sequester. The men and women at Robins Air Force Base and the other bases were left wondering what was going to happen to their paycheck. He did not even address the issue while he was in Georgia with our seven major military installations and our 12 major military communities.

Mr. Speaker, I didn't vote for the sequester, but what I'll tell you is I'm reminded of what Teddy Roosevelt said when I look at the national debt and the things we're facing right now:

The best thing to do is the right thing, the next best thing is the wrong thing, and the worst thing is nothing.

We have to cut Federal spending or we're going to rob the next generation of Americans of the American Dream.

So I would say that here we are as a House having passed two separate bills to undo the President's sequester and 48 hours prior to the sequester going into action, and all we've heard from the President is just words. He hasn't had the guts to put a proposal in writing before this House for the American people to see. Here we are, Mr. Speaker, at the 11th hour with no action from the President, no response to my letter or any other Member's letter, to my knowledge, no plan to Congress, no plan to America. He's just a President, a Commander in Chief that's willing to let this happen to our military. Half the cuts are coming from our military. What kind of Commander in Chief do we have?

Congressman, I appreciate the opportunity to speak today and thank you so much for doing this.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2013.

DEAR PRESIDENT OBAMA: As the representative of the Eighth Congressional District of Georgia, home to Robins and Moody Air Force Bases and a member of the House Armed Services Committee, I am very concerned about the impact that sequestration will have on our national security. As you are aware, on March 1, 2013, \$500 billion in defense cuts will go into effect unless a law is enacted to prevent it. According to many of our nation's top military leaders, the indiscriminate cuts caused by sequestration would hollow out our forces and severely degrade our military capabilities.

On October 22, 2012, you promised that “sequestration will not happen.” You went to great lengths to reassure Americans that you would work to prevent it, and you even urged defense contractors not to issue layoff notifications required under law. Given your role as our nation's Commander in Chief, I believe that you share my concern over a hollowed military force. However, without your leadership I am fearful that a solution will not be reached.

We in the House of Representatives passed several bills during the 112th Congress, including H.R. 3662 and H.R. 5652, that would repeal the sequester. Based on your statements, you do not support these bills, yet have offered no alternative. Furthermore, representatives from your Administration were highly ambiguous in explaining your

plan for preventing sequestration cuts. In a hearing on August 1, 2012 Acting OMB Director Zients testified that your plan to address sequestration was your 2013 budget proposal. Yet this is not a real proposal Congress could act upon, and your budget did not receive a single vote in either the House or the Senate.

We are running low on time to address sequestration and your administration's lack of meaningful action is concerning to many of my constituents. I urge you to take a more active role in resolving these senseless cuts to our national defense. I look forward to your response and to reviewing a detailed and concrete proposal that Congress can act on so that we can cooperate in a bipartisan manner to resolve sequestration.

Sincerely,

AUSTIN SCOTT,
Member of Congress.

Mr. WESTMORELAND. I thank the gentleman.

Now I want to introduce another one of our freshmen, somebody that comes to us from Florida's Third Congressional District, a veterinarian. He is actually a small business guy. I think he's been in that business for about 30 years. He also understands the effect that this sequester will have on our military because his oldest daughter, Katie, is an active Member of the United States Coast Guard. So I hope that the gentleman will express some of those things that he feels about these cuts that are coming to our military.

With that, I yield to the gentleman from Florida (Mr. YOHIO).

□ 1700

Mr. YOHIO. I thank the gentleman from Georgia.

Mr. Speaker, I rise today on behalf of my constituents in Florida's Third District to voice the concerns they have shared with me over the President's sequester that will go into effect on Friday.

Make no mistake: cuts need to be made. However, I know, and my constituents know, the sequester is not the answer.

We in the House have shown, and will continue to show, where responsible spending cuts can be made. In fact, the House has tried multiple times to address this issue and has passed legislation as recently as 6 weeks ago. However, the majority leader, Mr. REID, would not address these issues.

With a Federal Government of this size and magnitude, Washington bureaucracy can afford to bear the brunt of these cuts. Not our military, not communities like Lake City, or Mayo, or Newberry, or Middleburg, Florida.

I'm working with my friend from Georgia, Congressman DOUG COLLINS, on the new Freshman Regulatory Reform Working Group, to help show exactly where some of these cuts are and to help businesses do what they do best. They grow the economy and they create jobs, bringing in more revenues to our government.

We need to, and we will, show the President and the American people that we can cut wasteful spending without hurting kids, our seniors, and that we can make responsible cuts that do not put our national security at risk, and not add to the heavy tax burden of hardworking Americans that they're already carrying.

It is a shame that the President and the Senate have avoided working with the House in a real budgeting process. I look forward to working with all my colleagues on restoring faith to the American people and bringing order back to this process.

Mr. WESTMORELAND. I thank the gentleman for being here and giving us those great comments.

Now I want to introduce another friend, our policy chairman in our Republican Conference, somebody that comes from the great State of Oklahoma, somebody that has great experience in managing people. I think he ran a youth camp, the largest youth camp in the United States, if not the world. I'm afraid to even tell you how many people. I'll let him do that. But I would like to recognize the gentleman from Oklahoma, our policy chair, Mr. LANKFORD.

Mr. LANKFORD. I thank the gentleman from Georgia.

Mr. Speaker, it's an honor to be able to stand in front of this House today.

Let me talk about families that all across America right now are struggling with their own finances. They're sitting at a dinner table this evening, because they have run out of paycheck before they have run out of month, and they're struggling through just the basics of how they're going to do life, because they're in debt and they're struggling through day to day.

They will make decisions to be able to put their house in order and to be able to resolve where they're headed as a family, because they don't want to be a family that's going to live heavily in debt. Because once you're in debt as a family, everything is about money. Every day there's a new battle about money; every day there's a new battle about spending and who's going to spend and what bill are we going to pay and how are we going to handle day-to-day life.

The hard part is that's where we are as a Nation right now. The House and the Senate and the President, we continue to argue through things about money. And every week it seems like we're fighting a new fight about money. Because, guess what, we're \$16.5 trillion in debt.

For 5 years in a row, we've overspent the budget by \$1 trillion a year, and there's no end in sight. We've come to a day that we have to resolve how do we get out of this hole, how do we fix this.

Let me give a quick history of how we actually got here. In 2011, the House

and the Senate and the White House all agreed if we're going to have a large debt plan to get us out—at that point a debt ceiling request of \$2.4 trillion—we had to have with that extension of the debt ceiling also a plan of how to reduce spending by that same amount or more so that we didn't just infinitely continue to increase debt.

So the plan was made to cut \$1.2 trillion over 10 years. And then there would be a second tranche of \$1.2 trillion again to reduce spending.

We couldn't come to an agreement on that. So Jack Lew, who was the President's chief of staff, came to HARRY REID and said, here's our suggestion, do a sequestration. HARRY REID rejected it initially. Then Jack Lew came back to him and said, what if we do half of it in defense spending? So an automatic across-the-board cut, if we can't find a way to reduce spending in other ways, we'll just do an across-the-board cut with half of it in defense and the other half of it from other parts of the budget.

HARRY REID agreed with Jack Lew, the President's chief of staff, and the President's plan then went to the Senate and came to the House where begrudgingly we all agreed, because none of us wanted to see this. I don't believe that the White House wanted to see sequestration as well.

But this plan that was put in place that the House, the Senate, and the White House all agreed to was to find some way to reduce spending by \$1.2 trillion in long-term spending.

The first option was the select committee, the supercommittee, as it was called. It obviously failed in its task.

Shortly after that, the House of Representatives said that the select committee has failed in its task, we cannot have sequestration. And so in May of last year, the House of Representatives passed a replacement plan for sequestration so that we would not get to this point. As Americans constantly talk about Congress waiting 'til the last minute, almost 300 days ago the House of Representatives passed a plan to avoid sequestration and to do cuts and waited for the Senate to respond so that we did not have a moment like this. The Senate never answered us back.

So in December of last year, the House again passed a plan to say here's how we can replace sequestration. And, again, the Senate has never responded to that.

We're at a point now, hours away from sequestration beginning, at a point none of us wanted to be here, facing the reality that if the Senate never responds to us, we're at a point that we will step into across-the-board cuts. When that occurs, half of those cuts being in defense and a very severe cut after there was already \$100 billion cut from defense 4 years ago, then \$500 billion cut from defense 2 years ago, now

another \$500 billion cut in defense. Defense is carrying a very disproportionate number of cuts in this administration.

We've got to find a way to be able to stabilize all of our programs and to do smarter reductions of spending without having this huge hit. We've got to learn how to be able to plan ahead, both in the House and the Senate.

Why must this be done in the first place? That's the challenge. We have individuals that look at programs that are some of their favorite programs and say they're going to face an 8 percent reduction in that program this year. And there's going to be a spending cap so they don't have infinite growth over the next 10. And they look at it and say, why does it have to be that way?

Well, I can tell you why. Because we are facing a debt crisis that is not just something for the next generation. It's now.

Two weeks ago, the Congressional Budget Office released its report on the status of America and where we're headed on current law and what happens now. In that report, it detailed that right now we pay \$224 billion a year just in interest. CBO 2 weeks ago released a report and said on the current path we will pay in interest \$857 billion a year just 10 years from now.

So where we have said in the past, for our children they're going to have a crushing debt, it is now this generation, because debt continues to accelerate; \$857 billion, ladies and gentlemen, is larger than what we paid for the entire war in Afghanistan. We will pay that each year just in interest payments just 10 years from now if we don't get a handle on this. That's larger than all defense for a single year, that's larger than all Medicare, that's larger than all Social Security. \$857 billion in interest alone is by definition unsustainable for us as a Nation. We cannot afford to do that. We have to deal with our spending.

So how do we get on top of that? Well, the President's proposal is, let's just raise taxes on a few people. Well, guess what, the President got his tax increase in January.

As of all the reports that are coming back in now, 2013 will bring in the largest amount of revenue in the history of the country to the Treasury. We will have no year in our history we will bring in more revenue than 2013, and yet the President's proposal is we need to raise taxes again to cover that.

Well, one of the tax increases that he recommends is to just raise taxes on the energy companies. Just find energy companies and raise taxes on that. His proposal raised another \$4 billion a year from energy companies.

Well, there are a couple of problems with that. One is, that's a great way to raise gas prices again, as this administration has done so many times in

some of the regulatory schemes that have happened to watch gas prices continue to trickle up. It is one more shot to do that. And the second part of that is, it's \$4 billion. We have over \$1 trillion in deficit spending. That does not solve the problem.

□ 1710

We are overspending a trillion dollars a year, and we are spending more than a trillion dollars more than what we did just 5 years ago. It is obvious with the highest amount of revenue in the history of our country coming in, we're spending more than a trillion dollars more than we did just 5 years ago, this is a spending-driven crisis.

Mr. WESTMORELAND. We borrow about \$4 billion a day. We spend roughly \$10 billion and borrow about \$4 billion. So this energy tax would just keep us from borrowing for 1 day.

Mr. LANKFORD. Right. And it would drive up the cost of gasoline yet again for all Americans. It doesn't solve the problem; it continues to exacerbate the problem.

Our issue is we're facing a difficult moment. But this is not a moment that is manufactured by some sequestration event. This is a moment that has been created by overspending year after year after year. And now the acceleration of debt and deficit and interest payments each year is climbing so quickly that if we don't get on top of it soon, we will not be able to get on top of it in the days ahead.

This is not just a manufactured, short-term crisis. This is a serious economic crisis for the United States. And if it is a serious crisis for us, it is a serious crisis worldwide. We have the responsibility as the largest economy on the planet to be responsible with our finances and to get our economy back on track so that the entire world's economy can begin to get back on track.

Mr. WESTMORELAND. I thank the gentleman for bringing up that point because I think a lot of people may not realize that we're talking about \$85 billion here. As the gentleman stated, you know, we spend \$10 billion a day. So, I mean, this is 8½ days that we're saving.

My son-in-law was a DA, assistant DA, and I remember a couple of years ago, he was furloughed for 14 days, which is almost twice as much as we're talking about here. He didn't have to put his children in an orphanage or go hungry or anything else. They managed their bills. That's all we're saying. While we've all heard the sky is falling, I think it is something that we can deal with, especially if we have competent heads of these agencies.

So, you know, just looking at some of the other money that we're spending, \$268 million in executive branch conferences, whether it's for the Department of Defense, Homeland Security, Health and Human Services, \$268

million just for the conferences, I think we can cut those conferences out for a year. Or maybe cut them down, maybe not be quite as expensive or elaborate as they are.

You know, when I came to Congress, I came from a building, a construction background. I considered myself somebody capable of looking at a set of plans and giving an estimate of what it was going to cost and having a vision of what it was going to look like. I remember one time I had a customer come in who wanted a roof designed a certain way, and I tried to tell them it wasn't going to work. They had seen it somewhere else and had gotten somebody to draw it. The one thing I did learn in the building business is that somebody can draw something, but it doesn't necessarily mean that you can build what they draw. And so I tried to explain to them, I said, This isn't going to work; it's going to cause problems; it's going to look bad. But they still wanted to do it. Their house, I did it. The next thing I know, they come up complaining about it. And I said, Look, this was your idea; I did exactly what you said. And they didn't like it, but it was something that they had to live with or pay to get it changed.

The same thing has happened here with this administration. You know, this was their idea. This was something that they wanted to do. I think a lot of people said, No, this is a bad idea; we don't want to do this. But yet they were so desperate to come up with something to cut the spending of this country that they agreed to it. And now all of a sudden, the originator of the idea doesn't like it. And he says, Oh, no.

But rather than sitting down and talking to the people that could make a difference and make a change, he decided to go out and travel the country to talk to people who couldn't. And it's turned out it's going to be a bad outcome, but it is the only outcome that could come from the plan that was drawn.

Now, let me say this again about the spending. When you think about the fact that we spend \$10 billion a day—think about that, \$10 billion a day. And we borrow about half of it. About 42 percent of it we borrow from somebody else. And keep this in mind: the Federal Reserve buys, in combination with different things, they buy about \$85 billion worth of mortgage-backed securities every month—\$85 billion every month. They print the money to do that. So we've got bigger fish to fry.

As several people have said today, we've got to get serious about this. I'm accountable to 700,000 people—just like every Member of this body is—at home, but I'm also accountable to my children and my grandchildren and their children. And I want one day, when they sit in my lap or come up to me and say, Papa, couldn't you do some-

thing about this? I want to be able to tell them, I tried, baby. I tried to do it. We all tried to do it, but nobody wanted to cut. Nobody wanted to save. We just kept putting it on your charge card.

And so while this \$85 billion is going to be tough, it's going to be hard, it's going to hurt some families, it's going to cause some people to go to part-time employment rather than regular employment, but you know what, it's \$85 billion that's not going to go onto our children's credit cards. I think that's what we've got to remember. We keep kicking the can down the road. People my age and in my generation, we may not ever have to pay the tab for this, but my children, and for sure my grandchildren and my great grandchildren, are going to end up paying this tab. So we're not really doing that much other than shifting it from our responsibility and our burdens to the next generation and the next generation's burdens.

I see another one of our bright freshmen. Mr. Speaker, anybody out there who has been watching, they understand that we have a bright freshman class. This gentleman is from Illinois, Mr. RODNEY DAVIS. And so, Mr. DAVIS, I'm glad to yield you time.

Mr. RODNEY DAVIS of Illinois. I thank the gentleman from Georgia.

I rise today, Mr. Speaker, to remind us all what President Kennedy told us. He said:

Let us not seek the Republican or Democratic answer, but the right answer. Let us not seek to fix the blame for the past, but let us accept our own responsibility for the future.

That's where we stand today with this looming sequestration. It's time to get beyond the party politics. It's time to stop the blaming and the finger-pointing. The truth is, it took both parties, the House, the Senate, and the President, to approve sequestration. And it's going to take both parties, Republicans and Democrats, a House, a Senate, and the President, to resolve it. The decisions we will have to make won't be easy, and no one—no one—will get everything they want, but that's why we were elected. That's why our constituents entrusted us to serve in this body.

So let us take this opportunity to do the job that we were sent to Washington, DC, to be in this House, the privilege of serving in this House, let's do our jobs, do what our constituents sent us to do. Let's put aside the partisan politics. Let's work together, compromise with principle, and govern, govern like statesmen. It is expected and, I will say, Mr. Speaker, it is demanded of us.

Mr. WESTMORELAND. I thank the gentleman for those words.

I'll close by saying this. This job is not easy. It's not exactly what everybody might think it is, but it's something that we don't need to squander.

□ 1720

It's an opportunity that everybody in this House has been given that probably less than 12,000 people have ever had since this country has been founded. We don't need to squander this opportunity.

And we need to honor those that have come before us, that have fought and died, the men and women right now that are in Afghanistan and other parts of the world that are putting their lives on the line and in danger every day, not for us to be running up the debt on them.

We've got less than 1 percent of the people in this country that protect the rest of us. And so, you know, why are we trying to do them harm?

We're trying to fix that, and I want them to know that, that we are trying to fix that, and we're going to try to fix it in the CR.

And for the young voters out there, I want y'all to know that this is not something that we're purposely doing to hurt you or your family. This is something that we're doing for your children, or trying to do for your children.

All we're asking is that you might encourage others to join us in this fight, to try to save this country from going down the road of debt and bankruptcy that we're headed on, and instead turn it around to the bright future that we all want to have for this country and for a better Republic, and something that will bring us back to the forefront, to be held in the same esteem that we've always been held in by the other countries in this world, not somebody that's continuing to dig a hole of debt for our future.

I yield back the balance of my time.
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

THE SPEAKER pro tempore (Mr. SALMON). The Chair would ask Members to address their remarks to the Chair.

CONGRESSIONAL PROGRESSIVE CAUCUS HOUR: SEQUESTRATION

THE SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I rise today on behalf of the Congressional Progressive Caucus to repeat and enhance the calls made by our colleagues today to put a stop to these disastrous spending cuts known as sequestration.

It's been interesting. For the last 45 minutes I've listened to people from the other side of the aisle talk very passionately about their concerns on government spending, on debt, on government waste. And yet, almost not a single one of those issues is covered by what we have before us in the next 48 hours, which is sequestration.

Sequestration is a thoughtless approach that makes irresponsible, indiscriminate cuts down virtually every single budget line. If you think there is waste with a \$4 million TV station in the IRS, as one speaker said, sequestration won't stop that. If you think we have too much debt, sequestration won't stop that. If you think we have too much fraud, abuse, and waste, sequestration won't stop that.

But what sequestration will do is have a real impact on the middle class families, not just in Wisconsin, where I come from, but across the country, and that's why so many of the people in the Progressive Caucus and Democrats have such a strong concern about what this country is facing, because of this House, this Chamber's inability to act in the next 48 hours.

You will hear from a number of people from different parts of the country this afternoon who are going to talk about the very real impact of sequestration on their States and on their districts, and the very impact that I think the middle class is feeling that doesn't really relate to what we heard for the last 45 minutes, but relates to the very issues that people care about—education, health care and so many other areas.

It's funny, last week I got a chance to be back home in my district, and as I talked to the people of south central Wisconsin, it's not at all what you hear talked about here in Washington, DC. It's almost as if it was a different country, not just the District of Columbia, but a completely different country when we talk about sequestration.

And what people care about is, how do they make sure they've got a job? How do they make sure they've got enough money to pay for the food on their table, to support their children, to provide opportunities for their families?

But instead what we see is quite different with the sequestration cuts that are going to happen. There's a real impact on the middle class, and it's pending and it's looming because we can't get the people in this room to sit down and get our jobs done.

I heard multiple stories over the last week, and just in the last 45 minutes, about how sequestration came about. I can tell you, people in Beloit and people in Barneveld and people in Baraboo and small communities across Wisconsin don't care about the finger-pointing of how it happened. They don't care that in 1985 this idea started, and it's been a bad idea. It was such a bad idea that it was agreed to last year because they thought absolutely no one would go for this idea, and now we have people arguing, don't worry; we'll fix it a month from now.

I can tell you, in Wisconsin, we're a little different. When our check oil comes on in Wisconsin, we check our oil, and if we have to we put oil in the

engine. Here in Washington, DC, we just keep running it until the car stops and the engine breaks down, and then we all decide that we're going to somehow fix the engine, which is a much more costly process. But I guess that Wisconsin common sense doesn't happen in Washington, DC, and it's clearly not happening in this House as we deal with sequestration.

I have a couple of colleagues here who are going to share some stories, and then I'm going to come back and share some more stories from my area, some of the very cuts you're going to see in Wisconsin and nationwide. I'm going to share some real stories from people who, not just from my district but across the country, are talking about the impact on their lives.

I want to share a little bit about my experience. I spent 6 years on a budget-writing committee in the Wisconsin Legislature, and I chaired that committee. And we did things in a very different way and in a very bipartisan way, something that is a foreign concept to Washington, DC.

First I would like to recognize one of my colleagues from the west coast. Representative MARK TAKANO is a fellow freshman. He represents the Riverside area of California. A teacher by profession for over 20 years, also a community college board member, so he's had a lot of experience and is recognized in our caucus as one of our foremost experts on education. But he knows the real-life impact that this is going to have on California and on his district.

I would like to yield some of my time, Mr. Speaker, to the gentleman from California.

Mr. TAKANO. I'd like to thank the gentleman from Wisconsin for yielding some time to me this evening.

Mr. Speaker, there seems to be a lot of talk from my friends on the other side of the aisle about whose idea the sequester was, instead of actually working to stop this from happening.

Make no mistake. If the House Republican leadership really wanted to stop the sequester from taking effect, they could do so. It's the House Republican leadership that is sitting back and letting the sequester go through.

My friends on the other side of the aisle seem to forget how we arrived here. In 2011, it was the Democrats who wanted a clean raise of the debt ceiling, which had been the process for decades, under Republican and Democratic Presidents. But the extreme wing of the Republican Conference demanded cuts, and chose to hold the American economy hostage.

What we got was the Budget Control Act of 2011, which Speaker BOEHNER said was 98 percent of what he wanted. And here we are, a year and a half later, Mr. Speaker, up to the eleventh hour again, dealing with another manufactured crisis instead of talking

about jobs and how to improve the economy.

But again, we must deal with the soap opera that is the House of Representatives. Every time the House of Representatives wants to pass some meaningful legislation, we're forced to go through this pattern where our citizens are put through weeks of drama on pins and needles wondering what will happen. But then what happens is the governing majority finally comes together to pass legislation with substance, legislation that is sensible.

But who is this governing majority that passes meaningful legislation?

It's made up nearly of the entire Democratic Caucus, and a handful of moderate, sensible Republicans. When we faced the fiscal cliff, which nearly every credible economist said would be disastrous for our economy, it took a commonsense governing majority of 172 Democrats and 85 Republicans to come together to save the economy from ruin.

□ 1730

On the vote to provide aid to victims of Superstorm Sandy, after weeks and weeks of delay, with leaders of their own party up in arms, finally the governing majority emerged with 192 Democrats and only 49 Republicans. I understood the need to help the victims of Superstorm Sandy. I'm from California, where earthquakes and other natural disasters are a reality, as are tornados in the Midwest and hurricanes in Florida. Most Americans understand that it is a basic function of the Federal Government to provide aid to victims of natural disasters; but still the Republican caucus was divided, and it took reasonable people to come together to help those in need.

And just last night, we got word again that the governing majority is needed in order to pass some real legislation as we take up the Violence Against Women Act. The reality is, to pass anything with substance, Speaker BOEHNER needs the Democrats.

So when the House of Representatives takes up the Senate version of the Violence Against Women Act, what will the governing majority look like? Go to Twitter and tell me what you think the vote will look like with the hash tag Boehner Needs Dems.

Mr. BOEHNER, the governing majority has done its job with the fiscal cliff, with aid to Sandy victims, and I'm willing to bet that the governing majority will do its job once again with the sequester and the Violence Against Women Act.

Speaker BOEHNER, when you're ready to get serious, we, the governing majority, are here to help.

Mr. POCAN. I'd like to thank the gentleman from California for those remarks.

You've heard a little bit from the west coast. You heard a little bit from

the heartland. Now we can hear a little bit from the east coast, the State of Pennsylvania, and another colleague of mine, another member of our freshman class that we have of 49, and now soon to be 50 freshman Democrats in this House of the 113th Congress. Representative MATT CARTWRIGHT is a lawyer by trade. He represents consumers and making sure they get their fair share in this country. Mr. CARTWRIGHT also is a member of the Oversight and Government Reform Committee, where he is the ranking Democrat on a committee to make sure that economic development is a priority for the people of this country.

It is my honor to yield to the gentleman from Pennsylvania.

Mr. CARTWRIGHT. I thank the gentleman from Wisconsin.

I'm here to address the draconian and irresponsible and indiscriminate effects of this ridiculous sequestration program that's slated to take effect on March 1. I use the word "indiscriminate" advisedly. It is indiscriminate. It is as if the government were a surgeon and seeking to take out a cancer, a lesion making a patient sick. Instead of being given a scalpel to take out that lesion, the surgeon is forced to use a meat cleaver.

That is an appropriate analogy for what this sequestration is doing because it is an indiscriminate set of cuts across the board to the discretionary spending in the United States. No responsible business person would ever engage in such a budgetary process. No one with any sense would do this in the government. And yet we're left with this.

Instead of repealing it and replacing it promptly, what we see is that the Speaker is instead engaging in finger-pointing and in the blame game to avoid moving forward and fixing the problem in the first place. It's irresponsible, and it has to be dealt with differently.

I say that if Congress cannot come up with a replacement to the sequester before the end of this week, we should eliminate the sequester entirely. One million working Americans should not be forced to pay the price for what is nothing more and nothing less than stubbornness and hard-headedness. We would prefer to replace the sequester with a balanced approach to deficit reduction.

The Progressive Caucus already introduced a bill called the Balancing Act that reflects what the American people already voted for this past November. The Progressive Caucus Balancing Act replaces the sequester with a balanced approach to new revenue and necessary Pentagon cuts, and it creates jobs all over the country. It equalizes the cuts we've already made with revenue by closing tax loopholes for America's wealthiest individuals and corporations.

But we shouldn't just sacrifice our economic recovery because Republicans are unwilling to vote for one single penny in new revenue, new contributions from their billionaire friends and corporations. We have to look at what these cuts mean in the sequester. The sequester involves 70,000 children being kicked off Head Start. No one in this Chamber disagrees about the importance of Head Start. Early childhood education is absolutely essential in creating the foundation for learning in children all over the world. And that's what Head Start is about. There will be 70,000 American children kicked off Head Start. That's what happens when you use a meat cleaver instead of a scalpel.

We're talking about more than a million kids who will see their schools lose education funding. We're talking about emergency responders who will lose their jobs, meaning slower response times and weaker disaster preparedness. We're talking about layoffs and furloughs for Social Security workers that is going to cause delays and hassles for millions and millions of Social Security recipients—people who depend month in and month out on their Social Security checks to put food on their table.

In my district, the 17th Congressional District of Pennsylvania, we have one county—Schuylkill County—where 149,000 people live. Out of 149,000 people who live there, fully 38,000 of them subsist on Social Security checks. If those checks are delayed, if those people get hassled getting those checks because of this sequester, that is a crying shame.

We're talking about cuts to air traffic controllers, for those of us who have to fly around as part of our jobs. We're talking about cuts to airport security agents. All of this is going to mean longer waits, travel disruptions.

The consequences of more massive budget cuts are real. This isn't a game we're talking about. In fact, economic growth in the United States is going to slow because of this sequester. Hundreds of thousands of jobs will be lost and more people will have to rely on government assistance to meet their basic needs than ever before. This is exactly the opposite of what we need to be doing in the United States, and it's the opposite of what the American people asked for in the November election. It's time that our colleagues across the aisle—the Republicans—wake up to what is really about to happen to American families. It's time that we eliminate the sequester.

I want to talk to you a little bit about specific examples of what we expect to happen in my home State, the Keystone State of Pennsylvania. If sequestration was to take effect, we're talking about job losses to the Tobyhanna Army Depot, which is something that for the last 60 years has

provided electronic refurbishing to Army equipment. We're talking about command and computer and communications control to Army equipment that is refurbished right there in Tobyhanna, Pennsylvania, by as many as 5,400 dedicated, patriotic people supporting our warfighters for the last 60 years with this kind of electronic equipment.

□ 1740

We're talking about cuts to Tobyhanna Army Depot of \$309 million over 10 years as a result of this reckless and irresponsible sequester.

We're talking about teachers and schools. Pennsylvania is going to lose approximately \$26.4 million in funding for primary and secondary education, putting around 360 teacher and teachers' aide jobs at risk.

About 29,000 fewer students would be served and approximately 90 fewer schools would receive funding if this nonsensical sequester program goes through.

Head Start and Early Head Start services in Pennsylvania alone would be eliminated for approximately 2,300 children, reducing access to critical, critical early education.

And then children with disabilities on top. Education for children with disabilities: Pennsylvania will lose about \$21.4 million in funds for about 260 teachers, teachers' aides, and staff who help children with disabilities in school.

Even worse, protections for clean air and clean water. Pennsylvania would lose as much as \$5.7 million in environmental funding to ensure clean air and air quality, as well as prevent pollution from pesticides and hazardous waste.

In addition, Pennsylvania could lose another \$1.5 million in grants for fish and wildlife protection.

We're going to sacrifice our schools, we're going to sacrifice the environment, all in the name of stubbornness and wrongheadedness—mule headedness—on the part of the people who should be coming to the people, the Republicans, who refuse to engage in any sort of responsible revenue legislation whatsoever.

Finally, military readiness. In Pennsylvania, about 26,000 civilian Department of Defense employees would be furloughed, reducing gross pay in Pennsylvania alone by around \$150.1 million in total.

This isn't a joke. We talk about deadlines here in Congress; there are hard deadlines and there are soft deadlines. We have seen Congress only moves when there's a hard deadline, when there's an actual cliff we're about to go over.

This is irresponsible in itself because I think—it is the case that many here in this Chamber believe that March 1 is a "soft deadline" because all that's happening are furlough notices are

going out and people are not actually losing their jobs for another 30 days or so. For example, the Tobyhanna Army Depot, furlough notices are slated to go out in the middle of March for furloughs that actually take place at the end of April. There are those in this Chamber who think that's a soft deadline that doesn't really matter, it's just a furlough notice anyway.

Well, I'm here to tell you, Mr. Speaker, that furlough notices go to real families—real families who have to plan for their budgets, real families who have to plan on how they're going to feed their children and clothe them and pay the mortgage and keep the car running and keep gas in the car. They have to think about how they're going to do all these things when they're holding a piece of paper that says you're losing your job in 30 days. It's cold comfort for them, for those families, to hear that, well, this may not happen when they're holding it in black and white, a letter that tells them they're going to be out of work in 30 days.

This is no way to run a government; this is no way to make a budget; and this is no way to be responsible with the finances of the United States of America.

Mr. POCAN. Thank you, Mr. CARTWRIGHT, for continuing your fight for families in Pennsylvania and across the country.

When I listen to Mr. CARTWRIGHT and I listen to Mr. TAKANO and I listen to speakers throughout the day from the Democratic side of the aisle, I can't help but feel that there is an overwhelming—when you look at sequestration, you're really looking at what's happening right now in Europe, and it's called austerity. We know that right now, by doing these massive cuts in Europe like we're now trying to pattern right here in the United States, we know what the net effect is. Right now in England, they are facing a triple-dip recession—not just a double dip, a triple-dip recession. We look at where they are in unemployment; their unemployment is rising. We look at where their deficit is; it isn't going away. All they've done is taken away the very tools that stimulate our economy.

When you take away the jobs that Mr. CARTWRIGHT and Mr. TAKANO talked about, that means real people don't have money to spend and build the economy. When you take away the loan guarantees as this sequester will do, real small businesses don't have capital so they can grow and hire more workers. When you have the very effects that we are seeing done right now in Europe happen here, well, what effect do you think we're going to have? I can guarantee it's not going to be fixing that \$4 million TV station at the IRS that we heard about. Instead, it's going to have a real impact on every single family throughout the country that's not in the top 1 percent.

So at this point, I want to share a few statistics from the heartland, and then I've been joined by another colleague from Florida. We are literally going across the country and showing what these impacts have. But let me share some statistics from my State.

We know from a George Mason University study that over 2 million people in this country could lose their jobs because of the sequester. That's 36,000 jobs in Wisconsin, a State that, unfortunately, thanks to our Governor, we have not bounced back like other States in our region. It's those failed economic policies that we've had in Wisconsin by our Governor that have already held back our economic growth, and now we're going to jeopardize 36,000 more jobs in my home State.

Wisconsin is going to lose millions of dollars—\$19 million for education just for disadvantaged students and for special ed. That's going to affect tens of thousands of students in our State.

Head Start funding, while we know the impacts that are going to happen nationwide that Mr. CARTWRIGHT talked about, it's going to have hundreds of kids who are not going to have that funding in my State of Wisconsin.

The University of Wisconsin-Madison—which is one of the most important public universities in this country, it is a world-class institution for research, for stem cell research, for all sorts of biotech and high-tech innovations, one of the best graduate programs in almost every program in the entire country, and yet we know they're going to see about \$36 million lost that would go into research and development and financial aid and other programs that will affect real people and real jobs in my State.

I have had doctors come and medical schools come to us in the State of Wisconsin and say they are going to lose the ability, because of the sequester, to have people in residence programs. I think it was 900 or 1,000 people won't have positions. And one of the best ways we keep doctors in Wisconsin, in the rural parts of Wisconsin where it's tough sometimes to keep those doctors, is by having residency programs. That will be cut because of the sequester.

Nine hundred thousand fewer patients will be served as a result of \$120 million in cuts to community health centers that are vital in those rural communities in Wisconsin. In my district, in Dane County alone, we have an agricultural economy that's greater than 15 States in this country—that's just one county in my district—and yet we're going to see those programs hurt and cut, as well as programs like Meals on Wheels. Four million meals may not happen in Wisconsin because of those cuts.

Finally, one of the areas that I think we hear lip service to from people on

the other side of the aisle—and you see real action from people on this side of the aisle—is what are we doing for small businesses, not the big businesses, not those who outsource jobs overseas, not those who domicile in other countries so they don't have to pay taxes. I'm talking about the small businesses like mine that I deal with on a daily basis.

For 25 years I've had a small business. It's the people who pay their taxes and who hire the workers who are the real economic engines for our community.

□ 1750

Well, thanks to the sequester, we could see up to \$900 million less in loan guarantees to help stimulate the economy. So what sequester is is nothing more than an austerity policy that's going to provide so many cuts and damages to the economy that we will see, according to what we've been told by the experts, could cut our economic growth in half in the next year. And we can't afford to have a double-dip recession, much less a triple-dip recession, like we're seeing right now in Europe.

With that, I would like to yield to yet another great freshman colleague of mine. This is a woman from southern Florida. Like myself, we've spent time in our legislatures. She is an expert in many areas, and she was a legislative leader in the State of Florida. I could think of no one better to tell us about the potential cuts in her State than Ms. FRANKEL from south Florida.

Ms. FRANKEL of Florida. Thank you, Congressman, and thank you for inviting me to join you today. I don't want to go through all the statistics. I guess I could because sometimes we forget that we're talking about real people. Let me just keep it very, very simple.

First of all, in the State of Florida, the beautiful State of Florida—I tell people I live in paradise—we're finally turning the corner with the economy. Over the last several years, we literally lost millions of jobs. Our construction industry went bust. Of course, the whole country was hurting, so tourism got hurt. And now we're starting to turn things around. The value of our homes is going up, the tourists are coming back, and people are finding work.

The worst thing that could happen right now—the worst thing that we could do here in Congress to our economy back home—is to remove so much money in such a quick time from our economy that it would put our job market in a tailspin. Outside analysts say that just in the State of Florida, over the next year, we could lose 80,000 jobs. Now, we're not talking about 80,000 government jobs. We're talking about the removal of government spending—that horrible government spending—from our economy. It will

mean 80,000 Floridians, mom and pops are not going to be able to pay their mortgage or send their kids to college. And they could be a teacher, or they could be a bus driver, or they could be a manager in a hotel. It's going to affect all walks of life.

Just like your State—and I heard Mr. POCAN talk about the effects where he lives—we will lose money from education, our science programs, and our transportation infrastructure. But what I want to talk about is a couple people today. I want to talk about real people.

I talked earlier today about Ruth. I don't know if you heard me talk about Ruth, but if you didn't hear me talk about Ruth, I want you to know about Ruth, because Ruth is 91 years old. Congratulations, Ruth, for getting that far along in life.

But let me tell you what happens when you get to be 91. I know. I'm not 91 yet, but I have a lot of constituents in Florida who have retired to the area where I live. Do you know what happens when you get to be 91? So many of the people who you love, so many of the people who you grew up with, your children, your friends, your neighbors, they pass on. And by the time you get to be 91 and you've moved away from your family—in Florida it happens often—you are left alone. So when Ruth came home from a stay in the hospital, she was alone. She had no ability, by herself, to shop and to cook, and she could barely get out of bed. She had nobody to help her, except she had us. She had us, the safety net of the United States of America.

With the safety net of the United States of America, she had delivered to her, on a regular basis, meals from a program called Meals on Wheels, so she could eat every day. It astounds me that on Friday—it's Friday, right? On Friday, we hit a phase of our history, what we call sequestration, which means that literally hundreds of thousands of our seniors like Ruth across this country face the prospect of not having a meal each day.

I'm going to tell you one more story, and then I'm going to yield back. This is a story of a young woman named Tanjee. And this is a good story, because Tanjee, when she was a young mother, a young single mother, when she was working really hard but not making a lot of money—a lot of people in this country work really hard but they don't make a lot of money—and she has four children. And in order for her to go to work every day to provide for those children, she needed to leave them in a safe, nurturing environment, and she did so in a location in my town called the YWCA. They had a Head Start program. And today, her children, one has become a teacher, one is in the military, and two are in high school. What would have happened to her children had the United States of America not been there for her?

I want everybody to know that it's not just about numbers. There's lots of numbers. This is about flesh-and-blood people who are going to be hurt by our inaction.

So, with that, Congressman, I want to yield my time back to you and thank you for inviting me to participate today. Let's keep fighting to stop the sequestration, and let's get our fiscal house in order in this country in a balanced way and not in a way to kick people out of jobs and take food from seniors and quality child care from children.

Mr. POCAN. Mr. Speaker, can I inquire how much time remains?

The SPEAKER pro tempore. The gentleman from Wisconsin has 25 minutes remaining.

Mr. POCAN. Mr. Speaker, the gentlewoman from Florida hit it exactly on the head. This is about real people. This is about the effects that sequestration will have on real people, the kind of people who, when they hear "sequestration," they think it's a medieval torture. Average people don't come up with a term that only Washington could devise, which is what we've done with the sequester.

Let me tell a real story from my district. There's a woman in Marshall, Wisconsin, who sent me an email. I'd like to share that with the American people.

Here's what she says:

It's being reported that the effect of the sequester on average Americans will be minimal. In the case of our family, this is not true. My son is a civilian firefighter at Offutt Air Force Base in Omaha. Today, he gave me a call to tell me that all the firefighters would be getting a letter Friday explaining that their shift crew size will go from 19 to seven immediately. As a firefighter, he must work 106 hours—versus 80 for the rest of us—to receive overtime. In addition, their overtime will be eliminated. That will result in a 40 percent reduction in pay for my son's family. His wife is in graduate school, and they had their first child in December 2012. There is a real face to the reductions. Please use your energy and Wisconsin progressive common sense to put a stop to this across-the-board reduction.

That's another real story of someone being affected. It's not about a \$4 million TV station at the IRS. It's about the real people in this country who will see the impact in the next month and the next month and the next month.

□ 1800

And as much as the Republicans tell us that they'll try to fix it a month from now—again, I don't know why you wouldn't just fix it instead of letting these devastating cuts come in.

I want to share another story that came in from Oregon, Wisconsin. This is from a case manager who works with seniors at Meals on Wheels. Let me read their story. They said:

I work in Beaverton, Oregon, as a case manager for seniors and people with disabilities. I work with seniors who live on \$700 a

month. That's all they have to pay for rent, utilities, food, and medication. If Congress cuts funding for the programs that my department administers, the seniors I work with could end up in the hospital, sick, or just living on the streets.

Budget cuts also affect our jobs. I'm a single parent with a child who goes to school. So if there are cuts, I might need assistance myself.

We see the faces of our seniors, we see their homes, and we see how they live on a very limited income. Some legislators say it's too much money and we can't afford it. But if we don't provide services, these people could literally die if we take away their life support. That's what our services represent to the seniors who I work with: life support.

Look, this isn't about pointing fingers and assessing blame on whose idea this was. Let's figure out how to get it done, how to fix this.

I can tell you, when I served on our finance committee in the State legislature in Wisconsin, I had the opportunity to serve on that for 6 years. I served on that 16-member committee when there were 12 Republicans and 4 Democrats; I served on that committee when there were eight Republicans and eight Democrats; and I served on that committee and chaired it when there were 12 Democrats and 4 Republicans. I've been on pretty much every configuration you can have. The way we did our budgeting was we would literally spend 3 days a week, 8 hours a day for 3 or 4 months just agonizing over every detail of the budget because it was important. Every single program we had, every single dollar we spent meant something to someone. We had to make sure that we were spending it in the most wise and efficient way possible.

I've heard a lot about how Federal Government spends too much, how there's waste, fraud, and abuse, but the sequester doesn't address that. The sequester addresses these across-the-board, indiscriminate, irresponsible cuts we would never do when we were actually laying out the budgets we did back in our State of Wisconsin.

I feel that these real cuts, these real effects that we're going to see could be stopped, but the only way we can do that is to actually have that impact right here in this House of Representatives. We need to get people to come back to the table. Stop the finger-pointing, stop the blaming, stop saying you'll fix something a month later, maybe.

I'll tell you, last week when I was back in Wisconsin, I have heard more than 10 or 20 times that people have no confidence in Washington. How many times have we just kicked the can on the debt ceiling? How many times have we faced a deadline and the days before maybe started talking? Here we are 2 days before these meat-ax cuts will take effect, and this House has done nothing.

We need to take a much wiser approach to this. We need to make sure

that we stop these cuts that are going to have real impacts to small business owners, to seniors, to parents with children who go to school, to health care for so many hundreds of thousands of people across this country, to the people who are going to medical school, to the people going to our universities, to the researchers, to everything that we've heard of just in the last 45 minutes. From California, to Pennsylvania, to Florida, to Wisconsin, you've heard the real impacts of the sequester. Now it's up to us, the House of Representatives, to act. Yet we haven't.

We've had our opportunities, and the Progressive Caucus and the Democrats have put forth real alternatives that will provide both cuts and revenue that will really deal with the amount of money that we have to face in the next 2 days to take care of, and yet no one has come to the table. There's no other plan in this room right now offered to deal with the sequester that we're going to face in the next 48 hours.

On behalf of the Progressive Caucus and our ability to talk today to the public, I hope you've heard the real impact of the sequester. I hope you'll contact your Representatives, no matter where they are across the country. Email them, call them and tell them. Go get the job done. You've got 48 hours to do that. I don't want cuts to the schools that my kids go to. I don't want my grandparent or my parent or my neighbor to lose their ability to get that Meals on Wheels. I don't want my neighbor who is a small business owner who is trying to jump-start the economy to lose access to capital.

You have to make that call because you're our bosses. So, please, in the next 24 hours, reach out to us and tell your Member of Congress to get to work. Our job is to end the sequester. If we don't, you'll be watching, and you expect more of us.

Mr. Speaker, with that, I yield back the balance of my time.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 27, 2013 at 1:57 p.m.:

Appointments:
Joint Committee on Taxation.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

GUN VIOLENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from California (Ms. SPEIER) for 30 minutes.

Ms. SPEIER. Mr. Speaker, I'd like to compliment the gentleman from Wisconsin and the freshman Members who participated in the last hour for a job well done in underscoring what the sequester means to Americans across the country.

I'm going to shift gears now as I'm joined by my good colleague from Virginia (Mr. MORAN). We're going to talk about gun violence.

Those of us who've been victims of gun violence see horrific pictures in our minds over and over again. Mine was over 30 years ago, but I am still haunted by visuals of that day: my leg being blown up, my arm being blown up, and really thinking that I was going to die.

When you look death in the eye, there's a certain clarity that comes to you, a certain clarity about what's important, a certain fearlessness to deal with issues that maybe you wouldn't have dealt with under other circumstances.

Now I am haunted by more recent events in Newtown. I'm haunted by the story told by Veronique Pozner about little Noah, her son.

Little Noah was shot 11 times. A little child was shot 11 times. She made a point of having an open casket at his funeral for one reason, because this is not just about numbers. This is about human beings. This is about visualizing what happens when someone is gunned down.

She had an open casket, and she invited the Governor of Connecticut to the funeral because she wanted the Governor to see this little cherub face. She said it's not little angels going to Heaven. This little boy had his mouth blown off and his jaw gone and his hand gone. She wanted the Governor to remember that little face when legislation came to his desk.

It's time for all of us here in this House to stop thinking about numbers and start thinking about people. Yes, over 1,800 people have died since Newtown, and over 500 of them have been children. If we do nothing else but focus on the children in this country, that should call us to action.

I'm going to talk about a child, a child from my district, an infant, a 3-month-old infant. This infant was named Izak Jimenez. He was just a little tyke. His parents had come from the baby shower, had put him in his car seat, and the mother and the father with the 4-year-old child were in the front seat.

□ 1810

It was mistaken identity. Gang members—two young kids, 16 and 17 years of

age—came and shot up their truck. They killed this little baby. They killed him. The parents were shot. The 4-year-old was spared. They were 16- and 17-year-old kids. When they were found, they had extra handguns. They're not legally allowed to have those handguns, but somehow they got them into their hands.

We are not debating the Second Amendment when we talk about gun violence prevention. The Second Amendment is secure. It's even more secure since the Heller decision, when the Heller Court said:

The Second Amendment guarantees every American the opportunity to have a gun for recreational purposes and to protect themselves in their homes, but having said that, it also provides government with the right to provide certain levels of regulation.

So what are those certain levels of regulation?

Why don't we start with something really simple, really straightforward, and that is universal background checks. Don't we want to make sure that people who go to gun dealers to buy guns legally have the right to buy the guns? That they're not felons? That they're not ex-felons? That they haven't been charged and convicted of drug trafficking? That they haven't been convicted of misdemeanor domestic violence, or that they haven't been adjudicated by a court as being mentally incompetent? Of course we do, and this number says it all. A Quinnipiac poll this month said that 92 percent of Americans believe that we should have universal background checks.

Why can't we come together—Republicans and Democrats, parents of small children and older children, people who have encountered on one level or another gun violence—and say, certainly, we can do this; certainly, we can have universal background checks so that guns don't get in the wrong hands, so that 16- and 17-year-old kids don't get a hold of a gun and then shoot up an innocent family?

So what does Wayne LaPierre say about that? This is pretty interesting.

Back in 1999, after Columbine, Wayne LaPierre was really clear about universal background checks. He said:

On behalf of the NRA, we think it's reasonable to provide mandatory instant criminal background checks for every sale at every gun show—no loopholes anywhere for anyone.

That's what he said in 1999.

Now, mind you, a recent poll by Frank Luntz—a Republican pollster—of just NRA members and non-NRA gun members, found that 74 percent of NRA members and 83 percent of gun owners support a universal background check. So did Wayne LaPierre in 1999.

What is he saying today?

Today, before Senator LEAHY, when asked, "You don't support background checks in all instances at gun shows?"

Mr. LaPierre responds, "We do not because the fact is the law right now is a failure the way it is working. None of it makes any sense in the real world."

I would submit to my good friend Mr. MORAN that this is the real world and that we are dealing with real people. I know that you would like to comment, from your perspective, on the state of gun violence and the lack of gun violence prevention in this country.

Mr. MORAN. I thank the very distinguished gentlelady from California.

Thank you for heroically sharing with us the horrific experience that you went through in your very early adulthood. That, understandably, continues to shape your view of gun violence. Hopefully, others will share that view without having to go through such a horrific experience, but thank you particularly for putting a face on the tragedy at Newtown and on the gun violence that we have experienced all too often in this country.

I do think that the tragedy of 20 tiny, little children being blown to bits has changed the conversation and has changed the attitude of the American people, as evidenced by the 92 percent who understand that universal background checks are appropriate. In fact, more than three-quarters of NRA members believe that to be the case, despite what Mr. LaPierre's official position is. It would seem that, perhaps, he is more interested in representing the gun manufacturers than the members of the association.

I also learned today, as many of us did, that the chair of our Judiciary Committee, out of concern for the inconvenience that it may cause gun purchasers, has decided that the Judiciary Committee is not going to be considering universal background checks.

Ms. SPEIER. Will the gentleman yield on that point?

Mr. MORAN. I yield to the gentlelady from California.

Ms. SPEIER. I was unaware that he had made that statement today.

In California, we have universal background checks. We have a universal background check for private sales in which you have to do it through a local gun dealer. Even with all of that burden, you might argue—if that's what the Judiciary chairman is arguing—that 600,000 guns were purchased last year in the State of California.

Mr. MORAN. I thank the gentlelady. I believe that California's laws are far more sane than the laws of many other States, particularly the laws of my own State of Virginia.

The situation we have today is that over 40 percent—almost half—of the guns purchased in this country don't have to go through a background check; 6.6 million firearm sales occurred at gun shows and through private arrangements that didn't have to go through a background check. That's

not even fair to the retail sellers, who have to require the background check and comply with the law.

It's almost as though you have two security lines at an airport—one in which you're going to have to stand and have the machine go around and check for metal and so on and then another line that you can just walk through without being checked. So which line would criminals choose?

Ms. SPEIER. And how is that equal protection under the law?

Mr. MORAN. It just doesn't seem to make sense.

This is a democracy. It would seem that we have some responsibility, regardless of our own views, to be responsive to the overwhelming opinion of the American people.

I'd like to share with my dear friend and colleague another interesting fact, and that is that auto deaths fell to 32,000 and that deaths from firearms, including suicides and accidents, are over 30,000. So they are roughly the same. The Centers for Disease Control estimates that by 2015 there will be significantly more deaths from firearms than deaths from motor vehicles. It has already occurred in Virginia. We had 875 reported firearm deaths in the last year compared to 728 motor vehicle deaths.

Now, with regard to motor vehicles, we have acted proactively in the form of seatbelt laws; we have improved safety standards for the manufacturers of the vehicles that are made in this country and for the vehicles that are sold in this country; we have harsher penalties for drunk driving, as well as having mandatory driver training classes. They've worked, and they've saved lives.

□ 1820

Why can't we do it with firearms? It seems wholly consistent with the appropriate way, the way that the American people want us to respond to a problem, and this is more than a problem. This is an extraordinary situation that demands action by this body.

So I would hope that regardless of the views of the chair of the Judiciary Committee, even of many of the Members, some of whom have an A rating from the NRA, that we would be responsive to the overwhelming majority of the American people, and even NRA members, and act responsibly.

In Virginia, we are one of the three States that are the principal source for trafficking of guns. Florida and Georgia are the other two. People go in oftentimes with straw purchasers, and they buy large quantities of guns. They put them in the trunk of their car and drive to a street corner in an urban area, and they sell them. And invariably they end up in criminal activity, oftentimes causing the deaths of people, many innocent people such as you observed earlier, Ms. SPEIER.

I want to thank the Congresswoman. She is a leader on this fight. It is a terribly important battle. We can't let it go. Time is not on our side. Time is on the side of the NRA. That's why invariably they have prevailed previously. We can't let that happen today. We can't let that happen now. The American people deserve more, and certainly the families of those very young victims at Newtown, Connecticut, deserve action on our part. I thank the gentle lady from California. You're a wonderful leader. Thank you for your courage and your leadership.

Ms. SPEIER. I thank the gentleman from Virginia for his articulate commentary about this issue.

You know, the time has come for all of us to stop quaking in our boots because the NRA leadership has spoken. You know, I've spoken to a number of my Republican colleagues over the last few weeks, and they are without any kind of rational reason for why they can't support one thing or another. Their beliefs have become so molded by what the leadership of the NRA says. Now the NRA leadership isn't reflecting the NRA membership, and that's what we've got to remember. The NRA membership supports universal background checks.

Let me share with you what Wayne LaPierre recently said, actually in a speech over the weekend, to continue to promote what I would call paranoia and fearmongering. He was talking about universal background checks, and he said:

It's aimed at registering your guns. And when another tragic opportunity presents itself, that registry will be used to confiscate your guns.

The American people know that's not true. A tragic opportunity, that's what he calls that horrific incident in Newtown, Connecticut. Opportunity? He has lost all sense of reality.

We owe it to every American to do something rational around gun violence prevention. And I am not going to stand here and be cowed by NRA leadership and not do what's right. And oh, yes, I have already gotten plenty of threatening Facebook pronouncements. I don't care. I owe it to Noah Pozner. I owe it to little Izak. I owe it to Gabby Giffords. I owe it to 32 Americans every day who get killed because of gun violence.

So let's move on and talk a little bit about an internal NRA memo. This memo lists national organizations with supposed antigun policies. Well, it's really kind of interesting when you look at this. This is the enemies list that the NRA has developed. There are lots of organizations and people's names on it. We just highlighted a few here.

The American Association of Retired Persons is on their enemies list. You've got to be kidding me.

Hallmark Cards. Now, I had to look long and hard to find out why Hall-

mark Cards would be on the enemies list for the National Rifle Association. I guess 20 years ago they contributed to an initiative to try and prevent a mandatory conceal and carry in a State, and that put them on the enemies list.

The YWCA, the Young Women's Christian Association; the Anti-Defamation League, and many other Jewish organizations, I might add; the League of Women Voters, the organization promoting all of the smart voting that goes on in this country, all of the opportunities for all of us to be able to access our legislators. And then the American Federation of Teachers and the National Education Association. These people, these organizations, can't all be wrong. But the NRA has put them on their enemies list.

Let me give you some other names you might find kind of interesting. These are celebrities, not organizations, but they include the likes of actress Lauren Bacall, Tony Bennett. Tony Bennett is on their enemies list. Is this taking us back to the McCarthy era? Sean Connery is on the enemies list. Michael Douglas, Billy Crystal, Kathie Lee Gifford, Leonard Nimoy, Mary Tyler Moore, John McEnroe, and Barry Manilow.

Now, come on. In this country, we would create a list, an organization would create a list of enemies because they support gun violence prevention?

Mr. Speaker, I'm dumbfounded by what goes on here from time to time. I'm particularly dumbfounded by the inability of this Congress and this House to stand up to the NRA leadership and stand up for America.

I'm going to close, Mr. Speaker, by memorializing two people in California that died yesterday, two Santa Cruz police officers in the line of duty, doing their job, going to a home to determine whether or not there had been some domestic altercation. Elizabeth Butler was a 10-year veteran with the Santa Cruz Police Department. Loran Baker, known as Butch, was a 28-year veteran of the Santa Cruz Police Department. It's a small town. It's a comfortable town. It's a loving town. It's an easy-going town. There are only 90 officers on their police force. They have never had a shooting death of a police officer in the history of that city. But yesterday, they lost two of them, by a man who had body armor on, loaded down with guns, who had been convicted in Oregon of a sex offense of sorts, and who had a gun and did not have a conceal permit. He comes down to California with his gun—shouldn't have had a gun because at that point he was an ex-felon—shoots two Santa Cruz police officers. Between them, they have five children.

Let's do it for the children of this country. Let's do it for law enforcement in this country. Let's do it for all of us so we can go to the mall and we

can go to church and we can go to school and not be in fear of being mowed down by violence

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ADJOURNMENT

Ms. SPEIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 28, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

533. A letter from the Under Secretary, Department of Defense, transmitting the Strategic and Critical Materials 2013 Report on Stockpile Requirements; to the Committee on Armed Services.

534. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Wayne County, PA, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

535. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Halifax County, NC, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

536. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Duval County, FL, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

537. A letter from the President and CEO, Corporation for Public Broadcasting, transmitting the Corporation's 2011 annual report regarding the activities and expenditures of the independent production service; to the Committee on Energy and Commerce.

538. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Developmental Disabilities Programs for Fiscal Years 2009-2010, pursuant to 42 U.S.C. 15005 Public Law 106-402, section 105; to the Committee on Energy and Commerce.

539. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting an extension of the waiver of the restrictions contained in Section 907 of the FREEDOM Support Act of 1992, pursuant to Public Law 107-115; to the Committee on Foreign Affairs.

540. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-647, "Consumer Protection Act of 2012"; to the Committee on Oversight and Government Reform.

541. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-643, "Autonomous Vehicle Act of 2012"; to the Committee on Oversight and Government Reform.

542. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-644, "New and Used Tire Dealer License Act of 2012"; to the Committee on Oversight and Government Reform.

543. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-645, "Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

544. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-646, "Pre-litigation Discovery of Insurance Coverage Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

545. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-631, "Public Vehicle-for-Hire Innovation Amendment Act of 2012"; pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

546. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-637, "Affordable Dwelling Unit Hardship Waiver Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

547. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-634, "Excise Tax Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

548. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-638, "Pipefitting, Refrigeration and Air Conditioning Mechanic Occupations Equality Act of 2012"; to the Committee on Oversight and Government Reform.

549. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-639, "Department of Parks and Recreation Revenue Generation Clarification Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

550. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-633, "Regulation of Body Artist and Body Art Establishments Clarifying Amendments Act of 2012"; to the Committee on Oversight and Government Reform.

551. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-640, "Foster Youth Statements of Rights and Responsibilities Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

552. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-641, "Criminal Fine Proportionality Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

553. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-642, "Basic Business License Renewal Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

554. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-648, "Workforce Job Development Grant-Making Authority Act of 2012"; to the Committee on Oversight and Government Reform.

555. A letter from the Deputy Secretary, Department of Commerce, transmitting the Chesapeake Bay Office Biennial Report for fiscal years 2011 and 2012; to the Committee on Natural Resources.

556. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Elkton Oregon Viticultural Area [Docket No.: TTB-2012-0005; T.D. TTB-111; Ref: Notice No. 130] (RIN: 1513-AB88) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

557. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Indiana Uplands Viticultural Area and Modification of the Ohio River Valley Viticultural Area [Docket No.: TTB-2012-0004; T.D. TTB-110; Re: Notice No. 129] (RIN: 1513-AB46) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DeFAZIO (for himself and Mr. CHAFFETZ):

H.R. 845. A bill to amend chapter 29 of title 35, United States Code, to provide for the recovery of patent litigation costs, and for other purposes; to the Committee on the Judiciary.

By Mr. OLSON (for himself, Ms. MCCOLLUM, Mr. ROSKAM, Mr. BARROW of Georgia, Mr. GUTHRIE, Mr. PALAZZO, Mr. ROE of Tennessee, Mrs. BLACK, Mr. COBLE, Mr. RIBBLE, Mr. HARPER, Mr. MCKINLEY, Mrs. BLACKBURN, Mr. PASCRELL, Mr. RENACCI, Mrs. CAPITO, Mr. NUNES, Mr. TIBERI, Mr. BILIRAKIS, Mr. LOEBSACK, Mr. MULVANEY, Mr. CRENSHAW, Mr. BUCSHON, Mr. PRICE of Georgia, Ms. JENKINS, Mr. OWENS, Mr. REED, Mr. AMODEI, Mr. KINZINGER of Illinois, Mr. SCHOCK, Mr. BRALEY of Iowa, Mr. BURGESS, Mr. HARRIS, Mr. ROGERS of Michigan, Mr. HECK of Nevada, Mrs. CAPPS, Mr. SHIMKUS, Mr. GRIFFIN of Arkansas, Mr. LATTA, Mr. WALDEN, Mr. BOUSTANY, Mr. MATHESON, and Mr. TERRY):

H.R. 846. A bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself, Mr. FARR, Mr. YOUNG of Florida, and Mrs. CAPPS):

H.R. 847. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture.

By Mr. THOMPSON of California (for himself and Ms. SPEIER):

H.R. 848. A bill to direct the Attorney General to make grants to States to develop sys-

tems to retrieve firearms from armed prohibited persons; to the Committee on the Judiciary.

By Mr. SMITH of Washington (for himself, Mr. BRADY of Pennsylvania, and Mr. GALLEGO):

H.R. 849. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the section 251A sequestrations and to reduce the security and non-security discretionary spending limits by \$320 billion from fiscal year 2014 through fiscal year 2021, and to suspend the statutory limit on the public debt until February 1, 2017; to the Committee on the Budget, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. POE of Texas, Mr. SHERMAN, Mr. CHABOT, Mr. CONNOLLY, Mr. SMITH of New Jersey, Mr. MEEKS, Mr. WILSON of South Carolina, Mr. KEATING, Mr. MCCAUL, Mr. CICILLINE, Mr. SALMON, Mr. SCHNEIDER, Mr. DUNCAN of South Carolina, Mr. KENNEDY, Mr. KINZINGER of Illinois, Ms. MENG, Mr. COTTON, Ms. FRANKEL of Florida, Mr. COOK, Mr. HOLDING, Mr. WEBER of Texas, Mr. PERRY, Mr. RADEL, Mr. COLLINS of Georgia, Mr. MEADOWS, Mr. MESSER, Mr. MARINO, Mr. SIRES, Mr. HIGGINS, Mr. VARGAS, Mr. ROHRABACHER, Mr. LOWENTHAL, Mr. STOCKMAN, and Ms. GABBARD):

H.R. 850. A bill to impose additional human rights and economic and financial sanctions with respect to Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Ms. SCHWARTZ, Mr. RANGEL, Mr. LEWIS, Mr. LARSON of Connecticut, Mr. KIND, Mr. NEAL, Mr. BECERRA, Mr. DANNY K. DAVIS of Illinois, Mr. LEVIN, and Ms. LINDA T. SANCHEZ of California):

H.R. 851. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. LEWIS, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RUSH, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mr. WATT, and Mr. VAN HOLLEN):

H.R. 852. A bill to posthumously award a Congressional gold medal to Shirley Chisholm; to the Committee on Financial Services.

By Mr. BUCHANAN (for himself, Ms. BROWN of Florida, Ms. CASTOR of Florida, Mr. CRENSHAW, Mr. DEUTCH,

Mr. DIAZ-BALART, Ms. FRANKEL of Florida, Mr. GARCIA, Mr. GRAYSON, Mr. HASTINGS of Florida, Mr. MILLER of Florida, Mr. MURPHY of Florida, Mr. NUGENT, Mr. POSEY, Mr. RADEL, Mr. ROONEY, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. SOUTHERLAND, Ms. WASSERMAN SCHULTZ, Mr. WEBSTER of Florida, Ms. WILSON of Florida, Mr. YOHO, Mr. YOUNG of Florida, Mr. HINOJOSA, Mr. CUELLAR, and Ms. BROWNLEY of California):

H.R. 853. A bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McCAUL:

H.R. 854. A bill to direct the Secretary of State to designate Iran's Islamic Revolutionary Guard Corps Qods Force as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL (for himself, Ms. SCHAKOWSKY, Mr. TERRY, Ms. LOFGREN, Mr. LOEBSACK, Ms. BONAMICI, Mr. DOGGETT, Mr. ELLISON, Mr. BLUMENAUER, Mr. CICILLINE, Ms. NORTON, Mr. KEATING, and Mr. WHITFIELD):

H.R. 855. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of optometrists; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Mr. SCHOCK, Mr. WESTMORELAND, and Mr. ROE of Tennessee):

H.R. 856. A bill to amend the Internal Revenue Code of 1986 to require the social security number of the student and the employer identification number of the educational institution for purposes of education tax credits; to the Committee on Ways and Means.

By Mr. COOK:

H.R. 857. A bill to amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the Department of Defense sequestration for fiscal years 2013 and 2014 and sequester such eliminated sums over a period of fiscal years 2015 through 2021; to the Committee on the Budget, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY (for himself, Mr. HINOJOSA, Mrs. CAPITO, Mr. WALZ, Mr. WOMACK, and Mr. COURTNEY):

H.R. 858. A bill to amend section 520 of the Housing Act of 1949 to revise the requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Financial Services.

By Mr. JORDAN (for himself and Ms. SPEIER):

H.R. 859. A bill to rescind certain excess conference costs from any agency that overspends on conferences, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Oversight and Government Reform, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. LEWIS):

H.R. 860. A bill to amend the Internal Revenue Code of 1986 to make qualified biogas property eligible for the energy credit and to permit new clean renewable energy bonds to finance qualified biogas property; to the Committee on Ways and Means, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. OWENS, and Mr. ELLISON):

H.R. 861. A bill to better protect, serve, and advance the rights of victims of elder abuse and exploitation by establishing a program to encourage States and other qualified entities to create jobs designed to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act; to the Committee on the Judiciary.

By Mrs. KIRKPATRICK (for herself and Mr. GOSAR):

H.R. 862. A bill to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mrs. BLACKBURN, Ms. NORTON, Mr. RANGEL, Ms. MOORE, Mr. MORAN, Mrs. DAVIS of California, Mr. HONDA, Mr. GRIJALVA, Ms. SPEIER, Ms. SCHAKOWSKY, Mr. CICILLINE, Ms. MATSUI, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Mr. PETERS of Michigan, Mrs. CAPPS, Ms. DELAUNO, Mr. MCGOVERN, and Ms. BROWN of Florida):

H.R. 863. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTYRE (for himself and Mr. JONES):

H.R. 864. A bill to direct the Secretary of Veterans Affairs to designate at least one city in the United States each year as an "American World War II City", and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NADLER (for himself, Mr. MEEKS, and Mr. RANGEL):

H.R. 865. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 866. A bill to establish a grant program to assist States to establish universal

prekindergarten in public schools and public charter schools; to the Committee on Education and the Workforce.

By Mr. PAULSEN (for himself and Mr. KLINE):

H.R. 867. A bill to prohibit and deter the theft of metal, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Ms. NORTON, and Mr. CLAY):

H.R. 868. A bill to authorize the Director of the Bureau of Justice Assistance to make grants to States, units of local government, and gun dealers to conduct gun buyback programs; to the Committee on the Judiciary.

By Mr. PITTS (for himself and Mr. CARNEY):

H.R. 869. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. CONYERS (for himself, Ms. CHU, Mr. CLAY, Mr. MCDERMOTT, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. BROWN of Florida, Mr. CUMMINGS, Ms. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLT, Mr. COHEN, and Ms. FUDGE):

H.R. 870. A bill to establish the National Full Employment Trust Fund to create employment opportunities for the unemployed; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 871. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Affairs.

By Mr. RANGEL:

H.R. 872. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 873. A bill to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUNYAN:

H.R. 874. A bill to award a Congressional Gold Medal in recognition of Alice Paul's

role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. SENSENBRENNER (for himself, Mr. HALL, Mr. WESTMORELAND, Mr. BROUN of Georgia, Mr. SMITH of Texas, and Mr. GRIFFIN of Arkansas):

H.R. 875. A bill to provide for a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 876. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes; to the Committee on Natural Resources.

By Mr. TURNER (for himself, Mr. HOLT, Mr. CICILLINE, Mr. LANGEVIN, Mr. HIGGINS, Mr. KEATING, Mr. BLUMENAUER, and Mr. STIVERS):

H.R. 877. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the rehabilitation of older buildings, including owner-occupied residences; to the Committee on Ways and Means.

By Mr. ROHRABACHER (for himself, Mr. SHERMAN, Mr. GERLACH, Mr. HIGGINS, Mr. POE of Texas, Mr. SALMON, Mr. STOCKMAN, Mr. HUNTER, Mr. GOMERT, Mrs. BACHMANN, Mrs. LUMMIS, and Ms. LORETTA SANCHEZ of California):

H. Res. 86. A resolution expressing the sense of the House of Representatives that Dr. Shakil Afridi is an American hero and that he should be immediately released from custody by Pakistan; to the Committee on Foreign Affairs.

By Mr. GRIFFIN of Arkansas (for himself, Mr. WESTMORELAND, Mr. BENTIVOLIO, Mr. HUIZENGA of Michigan, Mr. STIVERS, Mr. ROSS, Mr. BURGESS, Mr. LOBIONDO, and Mr. CRAWFORD):

H. Res. 87. A resolution expressing the sense of the House of Representatives that the President should suspend the delivery of F-16 fighter aircraft, M1 tanks, and other defense articles and defense services to the Government of Egypt; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself, Mr. MCCLINTOCK, Mr. WESTMORELAND, Mr. ROHRABACHER, Mr. COFFMAN, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. COHEN, Mr. DIAZ-BALART, Mr. SHERMAN, Mr. HIGGINS, Ms. ROSELEHTINEN, Mr. FALEOMAVAEGA, and Mr. COTTON):

H. Res. 88. A resolution amending the Rules of the House of Representatives to prohibit the consideration of any bill or joint resolution that appropriates foreign assistance for more than one country; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PASTOR of Arizona introduced a bill (H.R. 878) for the relief of Martha Palmillas de Morales; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DEFAZIO:

H.R. 845.

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8:

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; To constitute Tribunals inferior to the Supreme Court;

By Mr. OLSON:

H.R. 846.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution. The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. GERLACH:

H.R. 847.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 848.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vest by the constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18.

By Mr. SMITH of Washington:

H.R. 849.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 2, 14, 18

By Mr. ROYCE:

H.R. 850.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Article I, Section 8 of the U.S. Constitution

By Mr. PASCRELL:

H.R. 851.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RANGEL:

H.R. 852.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority of Congress to enact this legislation is provided by Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 5 (relating to the coinage of money)

By Mr. BUCHANAN:

H.R. 853.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. MCCAUL:

H.R. 854.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 3; and Article I, Sec. 8, Clause 18.

By Mr. HALL:

H.R. 855.

Congress has the power to enact this legislation pursuant to the following:

The reference to the Commerce Clause is applicable to this bill: "This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution"

By Mrs. BLACK:

H.R. 856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COOK:

H.R. 857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution:

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mr. FORTENBERRY:

H.R. 858.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. JORDAN:

H.R. 859.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

"No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

Article I, Section 8, Clause 18

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof"

By Mr. KIND:

H.R. 860.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. KING of New York:

H.R. 861.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mrs. KIRKPATRICK:

H.R. 862.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 7 Congress has the authority to pass bills for the good of the nation.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 863.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. MCINTYRE:

H.R. 864.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution."

By Mr. NADLER:

H.R. 865.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Ms. NORTON:

H.R. 866.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution.

By Mr. PAULSEN:

H.R. 867.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. PAYNE:

H.R. 868.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution

By Mr. PITTS:

H.R. 869.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Mr. CONYERS:

H.R. 870.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RANGEL:

H.R. 871.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

To regulate Commerce with Foreign Nations

By Mr. RANGEL:

H.R. 872.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

To regulate Commerce with Foreign Nations

By Mr. RANGEL:

H.R. 873.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

To regulate Commerce with Foreign Nations

By Mr. RUNYAN:

H.R. 874.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 875.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. SIMPSON:

H.R. 876.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. TURNER:

H.R. 877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

Mr. PASTOR of Arizona:

H.R. 878.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[Omitted from the Record of February 26, 2013]

H.R. 661: Ms. MOORE and Mr. CÁRDENAS.

H.R. 665: Mr. FALCOMAVEGA.

H.R. 671: Mr. PAYNE.

H.R. 679: Ms. BORDALLO, Mr. CONNOLLY, Mr. COTTON, Mr. HANNA, Mr. KLINE, and Mr. LOEBACK.

H.R. 683: Mr. TONKO, Ms. HAHN, Mr. CARTWRIGHT, and Mr. SWALWELL of California.

H.R. 684: Mr. QUIGLEY, Ms. LORETTA SANCHEZ of California, and Mr. DUNCAN of Tennessee.

H.R. 686: Mr. BRALEY of Iowa.

H.R. 688: Mr. HANNA, Mr. HUNTER, and Ms. LINDA T. SANCHEZ of California.

H.R. 695: Mr. JOHNSON of Ohio, Mr. STIVERS, Mr. BUCHSON, and Mr. LABRADOR.

H.R. 699: Ms. ESTY.

H.R. 712: Mr. GIBSON.

H.R. 719: Mr. MILLER of Florida.

H.R. 721: Mr. THOMPSON of Pennsylvania.

H.R. 728: Mr. TAKANO, Mr. POCAN, and Ms. CHU.

H.R. 732: Mr. JOHNSON of Ohio, Mr. BURGESS, Mr. COLLINS of New York, Mr. RENACCI, Mr. SIMPSON, Mr. ROE of Tennessee, Mr. FORTENBERRY, Mr. KLINE, and Mr. SCHOCK.

H.R. 736: Mr. CAPUANO.

H.R. 749: Ms. PINGREE of Maine, Mr. HURT, Mr. YOUNG of Alaska, Mr. LOEBACK, and Mr. PAULSEN.

H.R. 755: Mr. PAULSEN, Mr. KLINE, Mr. OWENS, Mr. ELLISON, and Mr. STIVERS.

H.R. 769: Mr. KEATING and Mr. NOLAN.

H.R. 780: Mr. CALVERT and Mr. VALADAO.

H.R. 792: Mr. HECK of Nevada, Mr. JONES, Mr. COFFMAN, and Mr. PITTINGER.

H.R. 793: Mr. RANGEL, Ms. ESHOO, Mr. LOWENTHAL, Mr. FARR, and Mr. HASTINGS of Florida.

H.R. 794: Mr. CONNOLLY.

H.R. 795: Mr. GOODLATTE and Mr. THORNBERRY.

H.R. 811: Mr. SERRANO, Mr. MEEKS, and Mr. RANGEL.

H.R. 816: Mr. HECK of Nevada, Mr. SENSENBRENNER, Mr. FLORES, Mr. KELLY, Mr. RODNEY DAVIS of Illinois, Mr. HUIZENGA of Michigan, and Mr. COLLINS of New York.

H.J. Res. 20: Mr. TIERNEY.

H.J. Res. 21: Mr. TIERNEY.

H.J. Res. 25: Mr. ELLISON and Mr. TIERNEY.

H.J. Res. 26: Mr. GOWDY.

H.J. Res. 31: Ms. TSONGAS and Ms. ESHOO.

H. Con. Res. 16: Mr. KIND, Mr. ROSKAM, Mrs. HARTZLER, Mr. CARNEY, Mrs. LUMMIS, Mr. YOUNG of Alaska, Mr. JOHNSON of Ohio, Ms. SCHWARTZ, Mr. GUTHRIE, Mr. DUNCAN of Tennessee, and Mr. FARENTHOLD.

H. Con. Res. 17: Mr. RICHMOND and Mr. SERRANO.

H. Res. 19: Mr. MCNERNEY, Mr. DEUTCH, Mr. GARAMENDI, and Mr. CLAY.

H. Res. 36: Mr. MEADOWS, Mr. HUNTER, and Mr. MCCLEINTOCK.

H. Res. 69: Ms. WASSERMAN SCHULTZ, Mr. RAHALL, Mr. PETERS of California, and Mr. GRAVES of Missouri.

H. Res. 71: Mr. HUIZENGA of Michigan, Mrs. BUSTOS, and Mr. TERRY.

H. Res. 72: Mr. SMITH of Washington.

H. Res. 77: Ms. LOFGREN and Mr. HONDA.

[Submitted February 27, 2013]

H.R. 180: Mr. COOPER.

H.R. 183: Mrs. CAROLYN B. MALONEY of New York and Ms. SHEA-PORTER.

H.R. 281: Ms. MOORE.

H.R. 303: Mr. HUNTER, Mr. TIBERI, Mr. PIERLUISI, Mr. ELLISON, Mr. MICHAUD, Mr. SCHRADER, and Mr. KILMER.

H.R. 318: Mr. ROE of Tennessee and Mr. AL GREEN of Texas.

H.R. 322: Mrs. NOEM.

H.R. 324: Mr. AUSTIN SCOTT of Georgia, Mr. PETRI, and Mrs. HARTZLER.

H.R. 335: Mr. MILLER of Florida, Mr. HUFFMAN, and Mr. TIBERI.

H.R. 351: Mrs. McMORRIS RODGERS and Mrs. NOEM.

H.R. 354: Mr. DIAZ-BALART, Mr. RODNEY DAVIS of Illinois, Mr. CARTER, and Ms. WASSERMAN SCHULTZ.

H.R. 375: Mr. OWENS.

H.R. 377: Mr. VEASEY, Mr. BERA of California, Mr. FALCOMAVEGA, Mrs. KIRKPATRICK, Ms. DUCKWORTH, and Mr. HORSFORD.

H.R. 445: Mr. CICILLINE, Mr. DINGELL, and Mr. PETERS of Michigan.

H.R. 508: Mr. FINCHER.

H.R. 523: Mr. GENE GREEN of Texas and Mr. PETRI.

H.R. 525: Mr. WELCH and Mr. YOUNG of Indiana.

H.R. 530: Mr. LOEBACK, Mr. HIGGINS, Mr. GRAYSON, and Mr. CROWLEY.

H.R. 537: Mr. BLUMENAUER.

H.R. 539: Mr. BARTON.

H.R. 571: Mr. FRANKS of Arizona, Mr. STIVERS, Mr. GIBBS, and Mr. PASCRELL.

H.R. 572: Mr. GIBBS, Mr. STIVERS, Mr. PASCRELL, and Mr. ROONEY.

H.R. 582: Mr. LAMALFA, Mr. PETRI, and Mr. CARTER.

H.R. 593: Mr. WENSTRUP, Mrs. ROBY, and Mrs. BLACKBURN.

H.R. 596: Mr. DAINES, Ms. TITUS, Mr. GARDNER, Mr. PERLMUTTER, Mr. PEARCE, and Mr. HUFFMAN.

H.R. 621: Mr. GRAVES of Georgia and Mr. REED.

H.R. 627: Mr. ELLISON.

H.R. 629: Mr. AL GREEN of Texas.

H.R. 634: Mr. OWENS and Mr. FINCHER.

H.R. 635: Mr. WALDEN.

H.R. 641: Mr. PIERLUISI.

H.R. 649: Ms. CHU, Ms. WILSON of Florida, Mr. VARGAS, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, and Mr. McDERMOTT.

H.R. 661: Mr. ELLISON.

H.R. 664: Mr. OWENS, Mr. VARGAS, and Mr. ISRAEL.

H.R. 670: Mr. ANDREWS.

H.R. 671: Ms. TITUS.

H.R. 684: Mr. GRIJALVA and Ms. SCHKOWSKY.

H.R. 688: Mr. BRALEY of Iowa, Mr. MILLER of Florida, Mr. HASTINGS of Florida, Mr. MAFFEI, Mr. DENHAM, Mr. HUIZENGA of Michigan, Mr. SERRANO, Mr. ROHRBACHER, and Mr. DINGELL.

H.R. 693: Mr. SENSENBRENNER.

H.R. 699: Mr. BRADY of Pennsylvania.

H.R. 719: Mr. MAFFEI.

H.R. 730: Mr. GRAVES of Georgia.

H.R. 749: Mrs. HARTZLER, Mr. WALBERG, and Mr. PERLMUTTER.

H.R. 755: Mr. TERRY, Mr. HALL, Mr. CALVERT, and Mr. VAN HOLLEN.

H.R. 756: Mr. THORNBERRY and Mr. STEWARD.

H.R. 762: Mr. WESTMORELAND, Mr. STIVERS, and Mr. ROGERS of Michigan.

H.R. 763: Mr. DESJARLAIS, Mr. GIBBS, Mr. RIBBLE, Mr. LONG, Mr. JONES, Mr. WILSON of South Carolina, Mr. SCALISE, Mr. GRIMM, Mr. POE of Texas, and Mr. PETRI.

H.R. 766: Mr. CONYERS, Mr. WELCH, Ms. SHEA-PORTER, Mr. ENYART, Ms. CHU, and Mr. DOGGETT.

H.R. 780: Mr. HUDSON.

H.R. 782: Mr. WESTMORELAND and Mr. BENTIVOLIO.

H.R. 792: Mrs. BLACKBURN and Mr. GRIFFITH of Virginia.

H.R. 811: Mr. MAFFEI and Mr. CROWLEY.

H.R. 816: Mr. POE of Texas, Mr. SOUTHERLAND, Mr. SCHRADER, Mr. YOHO, Mr. STEWART, and Mr. GOHMERT.

H.R. 828: Mr. MCKINLEY, Mrs. BLACK, and Mr. RENACCI.

H.R. 833: Mr. COFFMAN, Mr. PALAZZO, Mr. GRIMM, Mr. YOUNG of Florida, and Mr. CALVERT.

H.R. 840: Mr. FALCOMA.

H.J. Res. 20: Mr. LYNCH and Mr. RYAN of Ohio.

H.J. Res. 31: Mr. KEATING.

H. Res. 30: Mr. GARAMENDI, Mr. PAYNE, Mr. MORAN, Mr. COOK, Mr. QUIGLEY, Mr. RICHMOND, Ms. BROWNLEY of California, and Mr. CROWLEY.

H. Res. 35: Mr. YOUNG of Florida.

H. Res. 36: Mr. WHITFIELD and Mr. GRAVES of Georgia.

SENATE—Wednesday, February 27, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Reverend Ronald Derrick, National Chaplain for the American Legion of Rigby, ID.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, thank You for this day. Grant us Your presence. We stand in a room representing power and authority given by Your hand. Keep us mindful that one day we shall stand in a greater room and give an accounting of the decisions made this day. Therefore, I pray with words that have been spoken down through the ages that You, O Lord, will grant to these leaders of our Nation health, peace, concord, and stability that they may administer the government without failure.

Direct their counsel according to that which is good and well pleasing in Your sight. May it be said of them that they performed the duties of their office faithfully and impartially.

Bless each individual present here today, for by blessing the individual, You have blessed this Nation. To You be the glory.

In Your most Holy Name I pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY.)

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 27, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in a period of morning business with the majority controlling the first 30 minutes and the Republicans the final 30 minutes.

Yesterday, the Finance Committee reported the nomination of Jacob Lew to be Treasury Secretary. We hope to reach an agreement to move this nomination forward today.

In addition, I filed cloture on the motion to proceed to the American Family Economic Protection Act. If no further consent is reached, that cloture vote will be tomorrow morning.

I will now yield to my friend from Idaho. Senator CRAPO.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

WELCOMING THE GUEST CHAPLAIN

Mr. CRAPO. Thank you, Senator REID.

I rise today to thank Chaplain Ronald L. Derrick for joining us today to offer the Senate's opening prayer. I am honored to have the privilege of welcoming this esteemed Idahoan to the U.S. Senate to serve as our guest chaplain.

Chaplain Derrick, who is joining us from Rigby, ID, has many years of service to our community and our Nation. He served our Nation in the U.S. Army from 1966 to 1968. He retired from his Bonneville County, ID, job after 23 years as a printer and mail clerk and he is also a former county coroner, Driggs Chamber of Commerce president, and volunteer EMT firefighter. In 1987, the American Legion recognized Chaplain Derrick as Idaho's firefighter of the year.

Chaplain Derrick was ordained into the ministry in 1979 through the Solid Rock Pentecostal Church, and he continues to serve in various aspects of ministry. Reflecting his long spiritual contributions to the community, he was given the high honor of serving as National Chaplain of the American Legion for the 2012–2013 term. Through this position, he performs and oversees services and provides prayers and guidance for the Legion's 2.4 million members. As a 40-year member of the American Legion, he has a strong connec-

tion with his fellow veterans, servicemembers, and the communities he serves. In addition to serving as National Chaplain, he has served at a number of other leadership positions in the American Legion. Truly, his devotion to those in his community and his Nation has touched the lives of many in civic and spiritual ways.

Chaplain Derrick has been married for 45 years to his wife Bird, who serves as the Department of Idaho Auxiliary Chaplain. They have three children: Tim, Andrew, and Dana Sue, and nine grandchildren.

Chaplain Derrick, thank you for your dedication and service and the blessing you are bringing to the Senate today. This Congress and our Nation have considerable challenges ahead. These challenges require fortitude and understanding. I join you in praying for our country, and greatly value your prayer today and your service.

The ACTING PRESIDENT pro tempore. The majority leader.

THE SEQUESTER

Mr. REID. Mr. President, this week, Speaker BOEHNER made some harsh accusations. I will not repeat them here on the Senate floor. Suffice it to say he thinks the Senate isn't moving quickly enough to avert the sequester—the across-the-board-cuts that will cost 750,000 Americans their jobs unless Congress acts and acts quickly.

The Speaker's charge is really weak sauce, considering that House Republicans spent 2 months refining the art of doing nothing. The allegation is stranger still given the Speaker doesn't even have his own proposal to prevent the deep cuts that will strike within 2 days. In fact, the House Republicans' entire strategy for the Congress is to sit on the sidelines.

And Republicans won't work with Democrats. The Republicans have failed to make their own proposals and refuse to compromise on a balanced plan to avoid harsh austerity measures. Democrats, on the other hand, have proposed a balanced solution to this sequester—a proposal to reduce the deficit by making smart spending cuts, closing wasteful tax loopholes, and asking multimillionaires to pay a little bit more.

We will vote this week on our plan—a plan supported by three-quarters of Americans and almost 60 percent of Republicans. But once again, Republicans are too busy fighting amongst themselves to unite behind a course of action. They are, instead, doing nothing—zero.

Benjamin Franklin once said:

The man who achieves makes many mistakes, but he never makes the biggest mistake of all—doing nothing.

Republicans appear poised to make the biggest mistake of all. They are prepared to let the sequester's painful arbitrary cuts take effect.

Across the country, meat inspectors, air traffic controllers, FBI agents, and Border Patrol agents will be furloughed and 70,000 boys and girls will be kicked out of Head Start.

These cuts will not be felt in the next few days, but they will start quickly, Lord knows. The notices that go out in 90 days will cut off all contractual payments to whoever gets a warning notice. So within a matter of weeks, we are going to feel these cuts and feel them really painfully.

As I said, 70,000 boys and girls will be kicked out of Head Start, thousands of researchers working to cure diseases such as cancer, Alzheimer's, and other dread diseases will be laid off, hundreds of thousands of Defense Department employees will take forced furloughs, creating hardship for their families and threatening national security.

To make sure everyone understands, this is not President Obama's sequester, because 174 House Republicans voted for this and 28 Republican Senators voted for this. That is 60 percent of Republican Senators and 75 percent of the House Republicans Members who voted for this. Congress has the power to avoid these self-inflicted wounds, but Democrats can't do it alone. Republicans must do their part. Compromise is never easy, but surely it is better than doing nothing at all.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE SEQUESTER

Mr. McCONNELL. Mr. President, for months now I have been coming to the floor to urge my colleagues on the other side to help us replace the President's sequester proposal. Yet here we are, just 2 days to go until the cuts hit, and the Democrats who control Washington still haven't put forward a serious bipartisan plan—not the President and not his allies in Congress. They prefer to keep it alive as a political issue instead. Now, less than 48 hours before the clock runs out, all we are offered is a gimmicky tax hike that is designed to fail.

Look, I hope they are not expecting a round of applause for this particular act of political bravery. Is it any wonder the American people are so fed up with Washington? The American people didn't send us here to play games, they sent us here to solve problems. That

means getting spending under control and putting the economy back on track.

The American people are clearly tired of the gimmicks. I can't tell you how many letters and e-mails and phone calls I have received about this sequester issue in particular, and the messages my constituents keep sending are simply this: Replacing spending cuts that both parties already agreed to, and to which the President already signed into law, with tax hikes is simply unacceptable.

One Kentuckian from Springfield put it this way:

Hold strong and do not give in to more spending . . . Normal folks must adjust their budgets . . . so must the government.

Another constituent said it was important to stand firm in the face of the President's endless campaigning. "Make him keep his promise of a balanced approach," she wrote, and that means one thing: "Cut spending."

A woman from Bowling Green urged me to "hold firm against spending and kicking the can down the road."

She wants me to hold firm against that—spending and kicking the can down the road. She said:

I have had to cut, cut, cut. The least our government should do is seriously make cuts.

And, of course, she is entirely right. It is absurd to think the government cannot get by with a little more than a 2-percent reduction in spending when every working American had to figure out how to make do with 2 percent less in their paychecks just last month.

Some have raised concerns about a proposal that would give agency heads more discretion in prioritizing these cuts. I understand those concerns, but let's be clear about the goal here. The goal isn't to hand over congressional authority, it is to make sure these cuts actually happen and that we don't cut a penny less than we promised the American people we would cut a year and a half ago.

Look, we know most Americans think Washington's spending problem should be addressed by cutting spending. So when the President goes off on a campaign for higher taxes instead of working with Republicans to replace the sequester with smarter cuts, and when Senate Democrats put forward a tax hike gimmicks instead of negotiating serious spending-cut solutions, Americans feel as though they are not being listened to.

And they have reason to be upset. They sent a divided government here to Washington, but they expect it to work. The President may not like that fact. He may wish things were different. But he wasn't elected to work with the Congress he wants, he was elected to work with the Congress he has, and that means working with both parties to get things done. It means leaving the gimmicks behind and work-

ing with us to hammer out a smarter solution to his sequester.

Republicans have been calling for Democrats to work with us on the sequester over and over. We are still ready to work with them to get something responsible passed, but we can't do it alone. The President's party runs Washington. It is time they got off the campaign trail and started working with us to govern for a change.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Maryland.

SEQUESTER IMPACT

Ms. MIKULSKI. Mr. President, today I rise to speak on the impact of sequester on the American people, on their safety, their security, our economy, and the way local and State governments can use wise resources to protect their people.

I know we have each been assigned 10 minutes. I have a robust number of Appropriations Committee members who want to speak. I will ask the Chair to let me know when I have used 5 minutes, and if Senator LANDRIEU arrives, I will then yield to her.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

Ms. MIKULSKI. I come today not only as the chair of the entire Appropriations Committee but as the chair of the subcommittee that funds the Commerce Department, Justice Department, and the majority of our science agencies.

I wish to talk about the impact on public safety and our future, but you have to know I come with a heavy heart.

I note and bring to the attention of my colleagues that a guard was killed in a Federal prison on Monday. This guard worked at the Federal penitentiary in Canaan, PA. He was stabbed and attacked by a prisoner with homemade weapons. The entire Justice Department, the Office of Prisons, the union people who represent them, all mourn at Mr. Eric Williams' death. We don't know the full extent, and I will be asking for a report on the investigation on how this happened. But one of

the things I do know as the chair of the committee, we face prison overcrowding. We have Federal prisons, some we don't even open because we refuse to put the money in.

You can say: Well, Senator BARB, you are on the committee. Why don't you put the money in? We are in gridlock, deadlock, hammerlock on not being able to move our bills in regular order with due diligence and oversight. That is why we are at this crisis of sequester: Oh, boy. Can't we just cut 2 percent like American families?

American families don't run prisons. They don't build their own roads. They don't have to put out their own local police department. They depend on their government to do that. They are willing to expend revenue, pay taxes so they are protected. There are reasons people are in Federal prison. They were bad guys and gals who did bad things, and when they are in prison, they still want to do bad things, such as attack a prison guard. Do you know what sequester will mean? Across-the-board cuts. It will have a direct impact on America's prisons.

Oh, sure. The prisoners will still have their food. They will still have their hour to be able to do their exercise. But the prison guards will face furloughs, layoffs, and even reductions in the workforce. We are placing them at risk while they protect us from risk. Where are our national priorities?

One of the ways we can honor this man is to get serious about our appropriations process. I wish to cancel the sequester and come up with a balanced solution of revenues and strategic, targeted cuts, not across-the-board cuts to 1,300 correctional guards who might face layoffs.

About our Federal prosecutors. We in Maryland have one of the best U.S. attorneys going after violent gangs, drug cartels, child predators, mortgage frauds. But we are going to say to those smart lawyers who can make megabucks in law firms, stick with us. But when you do, you can be laid off and furloughed. Why is it that the criminals are able to hire the lawyers, but the Federal Government doesn't want to pay for them? Priorities.

We need to be able to have the right law enforcement at the Federal and State level to catch the bad guys, whether it is white-collar crime, such as mortgage fraud, or street crime, or despicable crimes such as trafficking in women and children.

We have to look out for our FBI, our major force in counterterrorism. They face, again, layoffs, and it will go to our local law enforcement. We will be cutting the funds for things such as the Byrne grants, which enable local law enforcement to put cops on the beat and buy the equipment they need to protect themselves. There is a program here that we have a line item. It is not the biggest thing in the Federal budg-

et, but it is the biggest thing to cops. Why? Because it buys bulletproof vests.

The ACTING PRESIDENT pro tempore. I advise the Senator she has consumed 5 minutes.

Ms. MIKULSKI. I could talk another 55. I could talk another 505. But I want everyone to get the point that cuts have consequences. So things such as, oh, why don't we cut the budget as families do—well, let's do what families do. They, first of all, make plans and stick to them. I think it is time we have a regular order.

I want to deal with this sequester now. I want to look at this thing called the continuing resolution so it resolves the funding for fiscal 2013, for fiscal 2014, to work on a bipartisan basis across the aisle and across the dome. Let's look at our spending, how we protect the American people, and make public investments that help create jobs today and jobs tomorrow.

In conclusion, before I turn to my most able subcommittee chair on Homeland Security, Senator LANDRIEU, I just wish to say to the family of Officer Eric Williams, the entire Senate wishes to express its condolences to the family. I believe we can show our deepest sympathy by making sure it doesn't happen in our Federal prisons. Let's get on and solve the problem of sequester. Let's work together and get the job done.

I yield to Senator LANDRIEU, the chair of the Subcommittee on Homeland Security, a very crucial committee.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I appreciate—and we all do—all the Senators, even Senators on the other side of the aisle I think admire her tenacity and her leadership and, most importantly, her knowledge and understanding of the importance of the Federal budget on the private sector economy. Obviously, the Senator from Maryland understands its impacts on Maryland, but she also understands the impacts to our Nation.

No one speaks more passionately and more knowledgeably about the challenges before families than Senator BARBARA MIKULSKI from Maryland, from a working-class family herself. Her parents and grandparents, immigrants to this country, operating a small business, a bakery—a wonderful business—not only understanding how to run their own business themselves but for all the neighbors who came in every day to talk about their problems.

When the Senator says she knows what families do in tight budget times, she is correct. Families do cut back, but they plan their reductions. They don't pull the rug out from underneath the college tuition for their kids. They don't kick grandma out on the street and put her in a homeless shelter. They make smart decisions about budgets.

Let me say to my colleagues on the other side who fail to understand the other part of the equation, they also try to bring in more revenue to the family base. Either the wife gets a job or the husband gets a job or the wife goes back to school to get a nursing degree so instead of making \$6 an hour, she can bring in \$16 or \$18 an hour.

Families work on both sides of the equation. But for some reason, we have half this Chamber that only wants to work on one side of the equation. It is only about cuts, cuts, and more cuts, even though they are senseless, they are dangerous, they do not make sense for our country, and they most certainly don't just impact the government—of course, which is the enemy of the other side—they impact our economy. They impact our ability to grow this economy. Every cut that comes down in a senseless way, and even cuts that are planned, are harmful to the private sector.

I know this not only as a Senator from Louisiana and chair of the Homeland Security Committee but particularly as chair of the Small Business Committee. Our phone has been ringing off the hook with small businesses—not government workers but private sector workers and contractors—that are afraid, and have every reason to be, about the results of this sequester to their bottom line because they are providing the government a good service or a product the government needs, whether it is in health care, whether it is in education or whether it is in homeland security. But I digress a little bit. So let me get back to the central message as chair of Homeland Security.

I rise to speak in opposition to the damaging sequester that is scheduled to take effect this Friday. There is no question Congress must act to reduce our annual deficits—must continue to act. Let me underline “continue.” We have been reducing spending. We have set targets of spending lower than what would have normally been set because we are tightening our belts. We were trying to tighten our belts even at a time when the economy was shrinking. Most economists will tell us that in times of economic constriction, governments need to spend more money to try to prime the pump to get the country moving in the right direction. The President has led in this direction. We have helped to follow his lead; therefore, avoiding the worsening of a depression and a recession.

But contrary to the evidence all over the place that this is working, the other side is going to ratchet it down with these senseless reductions—and even well-planned reductions at this point are very difficult—and rejecting a balanced approach which Democrats have called for. Most independent observers understand we have to have an increase of revenues coming in because

we are at the lowest level to the GDP since Eisenhower was President and some continued reductions. But they are rejecting that and going cuts only, cuts only. They said: We raised revenues. That is it. We raised \$600 billion. We can't go any more. I am here to tell you, we have to go a little bit more, and the sooner we do that, the better we are going to be.

There are people who make over \$1 million in this country or companies that are enjoying loopholes they shouldn't be enjoying at the expense of the middle class and at the expense of the economic growth potential of this country, which is substantial, contrary to the laments on the other side of this aisle that the sky is falling.

Every businessperson I talk to says: You know what, Senator. There is such promise out there. This energy industry is getting ready to boom. Natural gas is a great blessing to our Nation. But we may not experience any of that because we can't get 5 cents to invest in an airport or dredge one of the bayous or rivers in my State because of the tightening down of these spending cuts.

The other side of the aisle, despite the mounting evidence, continues to argue against any revenues. Their cuts-only approach, cut it all, cut it now; don't worry about what you cut, just cut it, is not going to lead this country to economic prosperity.

The reality is our deficit reduction so far has been completely lopsided: 72 percent has come from spending cuts, only 28 percent from revenues. It is not balanced, and we have to find a balance. We have already cut \$1.5 trillion from discretionary spending over 10 years. In recent years, revenues coming in to the Federal Government as a percentage of GDP were at the lowest levels since Eisenhower. I said 16 percent. My notes say 15.1 percent. So let me correct myself. I didn't realize it was that low. I thought it was 16.7.

So while I support cuts—and have supported them in the past and continue to try to find them in my own budget, \$42 billion for Homeland Security—we must have a balance.

This sequester that is going to go into effect in Louisiana will cost us \$15.8 million in funding for primary and secondary education. Early Head Start services will be cut to over 1,400 children who desperately need a better start in life. Our ability to develop oil and gas will slow down due to Interior Department cuts. Louisiana's Department of Defense civilian employees—over 7,000—will be furloughed, costing Louisiana residents \$36 million in gross pay.

As chairman of the committee, I am asking for the Senate to consider the impacts of these cuts on securing our homeland. We have made a tremendous amount of progress. We have avoided attacks, and some have been very close

calls. This is not done because of a wish and a prayer. This is done because of smart research, investing in border security, investing in cybersecurity, investing in training of local police officers who can identify threats on the ground, whether it is in New York or Baton Rouge or New Orleans. We have avoided some attacks. As the Senator from Washington State knows, this does not just happen by magic. This happens because we are making investments in people, in their training. This is at risk today.

The sequester would effectively decrease the number of Border Patrol agents by 5,000.

I wish to make a statement and ask for 2 more minutes. I understand the Senator from Arizona, Mr. McCAIN, and the Senator from South Carolina, LINDSEY GRAHAM, met with the President to talk about immigration reform. I am very glad we may make some progress on bipartisan support for immigration reform. Clearly, the country is asking for it, the business community needs it, our agricultural sector needs it, and the Latino population deserves it. But are we going to try to do education reform on a reduced budget in Homeland Security? What do they expect us to do in a Homeland Security budget without giving us some additional resources to hire the additional judges who are going to be needed, the additional patrols, et cetera? So I ask Senator McCAIN, how are we going to afford this in the Homeland Security budget? I look forward to having that discussion with him. On cyber security, the sequester would delay for a year the ability of the Department of Homeland Security to deploy technology to protect our Federal computer systems from attack.

In the last minute I have, I ask unanimous consent to have printed in the RECORD a letter we received this morning from Secretary Napolitano, who is preparing her agency for difficult tasks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF
HOMELAND SECURITY,
Washington, DC, February 26, 2013.

Hon. MARY L. LANDRIEU, Chairman,
Subcommittee on Homeland Security Appropriations,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LANDRIEU: Thank you for your comments during the Senate Appropriations Committee's February 14, 2013, hearing on sequestration. I share your deep concerns and wanted to follow up on your request to identify impacts to our Nation's economy and international trade activities that this unprecedented budget reduction to the Department of Homeland Security (DHS) would have.

Sequestration would have significant impacts on our economy, including travel, tourism and trade. Reductions mandated under sequestration would require furloughs and reduced staffing at our Nation's ports of entry and airport security checkpoints,

which would have serious consequences to the flow of trade and travel throughout the country.

Trade and travel is absolutely essential to our economy. According to the U.S. Travel Association, one new American job is created for every 33 travelers arriving from overseas. DHS's U.S. Customs and Border Protection (CBP) staff and operate 329 ports of entry across the country, welcoming travelers and facilitating the flow of goods essential to our economy. Each day, almost one million people arrive at these ports of entry by land, sea, and air. In Fiscal Year 2012 alone, DHS processed more than 350 million travelers, including more than 98 million international air travelers as well as \$2.3 trillion worth of trade.

The automatic budget reductions that could be implemented on March 1, 2013 would be disruptive and destructive to our Nation's security and economy. At major gateway airports average wait times will increase by 30-50%. At our busiest airports, such as John F. Kennedy International, Los Angeles International, and Chicago O'Hare, peak wait times could grow to over four hours or more during the summer travel season. Such delays would affect air travel significantly, potentially causing thousands of passengers to miss flights with economic consequences at the local, national, and international levels. New flights that bring in hundreds of millions of dollars to the U.S. economy would be delayed or potentially denied due to reduced staffing.

Sequestration will also impact our Nation's land borders. For example, daily peak wait times at the El Paso Bridge of the Americas would increase from one hour to over three hours. Peak wait times at the Port of Buffalo Lewiston Bridge would increase by nearly six hours, significantly slowing travel across the northern border. Midsize and smaller ports would experience constrained hours of operation, affecting local cross-border communities.

At our seaports, delays in container examinations would increase to up to five days, resulting in increased costs to the trade community and reduced availability of consumer goods and raw materials. At cruise terminals, processing times could increase to up to six hours, causing passengers to miss connecting flights, delaying trips, and increasing costs.

Last year, the Transportation Security Administration (TSA) screened approximately 640 million people and their carry-on items at checkpoints, and more than 426 million checked bags. DHS also screened over 629 million pounds of cargo with TSA proprietary canine teams. Sequestration would require TSA to reduce overtime and not backfill vacant Transportation Security Officer positions, leading to increases in airline passenger wait times by as much as an hour during peak travel periods at our Nation's largest and busiest airports.

Additional effects of sequestration would be felt by the American public from reductions to U.S. Coast Guard (USCG) fisheries law enforcement, aids to navigation, and other important activities that help ensure the safe flow of commerce along U.S. waterways and the protection of natural resources. These reductions will impact the Coast Guard's ability to respond to issues impacting the U.S. Marine Transportation System that generates more than \$3.2 trillion of total economic activity, moves 78% of foreign trade, and sustains over 13 million jobs each year. USCG also will have to reduce its patrols of the 3.4 million square mile

U.S. Exclusive Economic Zone—impacting fisheries enforcement and resulting in more incursions by foreign vessels, exploiting our natural resources. Reduced Coast Guard presence protecting the U.S. fishing industry would impact an industry which generates \$32 billion in income and supports over one million jobs annually.

The Department appreciates the strong support it has received from Congress over the past 10 years. As we approach March 1, I urge Congress to act to prevent sequestration and ensure that DHS can continue to meet evolving threats and maintain the security of our Nation and citizens. Should you have any questions or concerns at any time, please do not hesitate to contact me at (202) 282-8203.

Yours very truly,

JANET NAPOLITANO.

Ms. LANDRIEU. I ask for 30 seconds to complete my remarks.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Ms. LANDRIEU. One of the issues I have been very focused on is international travel. I do not have the time to go into the details. It is an important industry for our country, not just for Louisiana and New Orleans, which are way up on the list of places people want to come. The travel industry is important.

Last week Roger Dow said:

Travel has led the nation's economic recovery—generating more than 50 percent of all jobs created since the beginning of the recession. The indiscriminate sequester cuts threaten to derail travel-led recovery. These across-the-board cuts may punish travelers with flight delays, long security lines at [TSA] checkpoints and multi-hour waits to clear Customs and Border Protection.

This is not a time to cut back on investments we have made in increasing travel, 10 years after 9/11 ground this industry to a halt. Now is not the time to put up a yellow light or a red light, and that is what the sequester is going to do—it is going to be blinking yellow at a time when we need green all the way.

We need to find a way to break through. This Senator is willing to compromise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise as chairman of the Interior Appropriations Subcommittee to highlight the urgency and importance of addressing sequestration. These imminent cuts will have real impacts on the environment and on thousands of jobs related to infrastructure investment and environmental protection.

The reductions required by sequestration will also come on top of other deep cuts these programs have already absorbed over the last 2 years. Even though Interior bill programs make up less than 3 percent of total Federal discretionary spending, we have already seen more than \$2 billion in cuts to environmental programs over the past 2 years. If sequestration moves forward,

it will mean an additional \$1.6 billion in across-the-board cuts to the Interior bill.

We have already been forced to take \$1 billion out of water infrastructure funding. Under sequestration, EPA's State Clean Water and Drinking Water Revolving Fund Programs will lose another \$130 million. In addition to potential public health impacts, these cuts will mean 7,000 fewer construction jobs at a time we need to put more people to work. These cuts will be made worse by more than \$50 million in additional reductions to grants that help States run their environmental agencies, including supporting clean water programs. The consequences will fall squarely on communities such as those in my home State of Rhode Island that are already struggling to keep pace with their infrastructure needs.

Just as we cannot place the burden of our Nation's growing financial debt on our children, we cannot place the burden of repairing our failing infrastructure on the next generation also. We have immediate needs that require immediate investment.

I am also concerned about cuts to our Nation's land management agencies, including the National Park Service, which is slated for \$130 million in cuts. Sequestration will affect all 398 of our national parks, from the largest to the smallest. It means fewer seasonal personnel to assist visitors, which means fewer jobs. It also means fewer visitor services, more facility closures, and less upkeep and maintenance of our Nation's premier public lands.

These cuts are obviously bad news for the millions of people who visit our national parks every year, but it is worth pointing out that these cuts are also bad news for local economies that depend on national parks. Nationwide, parks support more than 250,000 private sector jobs and contribute almost \$13 billion annually to local economies. Even Roger Williams National Memorial in my home State of Rhode Island attracted nearly 51,000 visitors in 2011, with nonlocal visitors adding more than \$3.2 million to the local economy. The Roger Williams National Memorial is one of the smallest of our national parks. Even this small park is a major factor in my community. These closures and cutbacks will certainly affect the bottom line of communities across this Nation if fewer families are able to visit and enjoy our Federal lands and our national forests.

Sequestration will also impact programs that generate revenue for the Federal Government. The Interior Department oversees onshore and offshore energy development and expects those activities will be slowed dramatically.

The trial for the 2010 Gulf of Mexico oil spill—and my colleague from Louisiana was so effective and so critical to the response of the Federal Government for her home State of Louisiana

and the whole gulf coast—that started on Monday is an important reminder of how critical these activities are to preventing these disasters rather than somehow try to recoup losses after the fact. Yet the Department will be forced to furlough employees who conduct lease sales, issue permits for new development, conduct environmental reviews, and inspect operations. That is no way to run a railroad or a national Department of Interior.

These cuts could result in 300 fewer onshore oil and gas leases in Western States and processing delays for the 550 offshore exploration and development plans expected this year. Companies may decide that development is not worth it because of the uncertainty, which will lead to less production and smaller royalties for the Treasury. In other words, the cuts required by sequestration could actually end up costing the government money rather than saving money and could take away from the developing ability of the United States to become more and more energy independent through production within the country rather than buying petrochemicals and petroleum products from overseas.

The sequester is a real problem for environmental programs in the Interior bill and throughout nearly all government programs. But there are ways to prevent this meat-ax approach to addressing the budget. Indeed, Democrats have put forward a specific and clear plan—half cuts and half revenue—to replace the sequester. Simply, we have put a plan forward that puts jobs first by cutting specific wasteful spending and closing dubious tax loopholes. This bill gives the economy more breathing room by offsetting the sequester with smart policies that should be enacted even if there were no threat of sequester.

Let's be clear what is at stake. The Director of the nonpartisan Congressional Budget Office recently testified that the 2013 sequester will result in 750,000 lost jobs and a 0.6-percent reduction in GDP for 2013. Lost jobs and lower growth—that is what sequester is going to produce. I don't think the people of Rhode Island or anyone else in the United States wants to have Congress support policies that mean fewer jobs. We have a crisis in Rhode Island, a jobs crisis that should be addressed before anything else.

We hear from the other side of the Capitol that we must have a sequester to address the budget. But over the last few years, as my colleagues have pointed out, we have slashed the deficit by \$2.4 trillion over the next 10 years. The bulk of that reduction, \$1.7 trillion, has come through spending cuts. We have been cutting. Indeed, my Republican colleagues have repeatedly held the economy hostage in order to cut spending that benefits the vast majority of Americans and protect tax cuts that

benefit the wealthy few. That is not economically efficient, and that is not fair.

We see the results in my home State of Rhode Island—a 10.2-percent unemployment rate. That is unacceptably high. And 12.3 million Americans across the country are still unemployed. This Republican agenda of protecting the wealthiest and not investing in job creation is out of step with the majority of Americans. Most Americans would prefer right now that we address the jobs crisis. And by the way, more people working means we also address the deficit. They pay taxes, they don't qualify for unemployment insurance, and they don't apply for other programs. That is the smart way and the way we should deal, at least in part, with our deficit problem.

We should not be jeopardizing our economy. We should not be allowing these loopholes to exist that allow multinational corporations to ship our jobs overseas. We should not let these loopholes that give benefits to oil and gas companies that are recording historic profits linger, all ultimately at the expense of investing in programs like those that will put Americans to work in the parks and rebuilding our infrastructure across America. More austerity—and that is what this sequester is all about, especially in the form of these reckless cuts—will hurt the economy. We should instead be working to create jobs.

We should also recall that we are here today as a legacy of the Republican brinkmanship of threatening to allow the United States to default on its national debt. That is why we are here. Let's not forget that. The sequester was a means to avoid what would have been a catastrophic default.

Now we have the opportunity to change course, to invest in our people and invest in growth and do it in a balanced way. We cannot cut our way to prosperity. The President said that. These contractionary policies—this austerity the Republicans are urging upon us—will reduce economic growth at a time we need to expand economic growth, not only to create jobs but to truly address the deficit in a responsible, reasonable way. We have come through the threat of default on the debt with severe and unbalanced spending cuts. Now is the time to have a balanced approach. I urge that this balanced approach be adopted quickly.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. How much time remains on our side?

THE PRESIDING OFFICER. The majority has 2 minutes remaining.

Mrs. MURRAY. Madam President, I have come today to join the other Appropriations subcommittee chairs to really implore the Senate and this country to take a look at what will happen if sequestration occurs.

In just one day, unless Republicans drop their opposition to our compromise bill, sequestration will be a reality.

Now, we have heard from a wide range of economists and other experts about how harmful these cuts will be to our economy. They will hurt job creation, reduce our economic growth, and impact the most vulnerable among us.

According to HUD, the cuts required under sequestration would put 125,000 tenants at immediate risk of losing their housing vouchers, leaving low-income residents facing higher rents, eviction or homelessness.

At the same time, communities would be left with fewer ways to help the homeless.

In fact, the cuts would place formerly homeless people back on the streets, since HUD estimates that the cuts would threaten housing or access to emergency shelter for 100,000 people.

Sequestration will also disrupt some of the most fundamental work of our government, such as its management of the air transportation system.

Every year, U.S. airlines carry hundreds of millions of passengers, many of them travelling for business or tourism. And our aviation system carries freight valued at hundreds of millions of dollars every year.

This is possible because the FAA is a world leader in managing air traffic and protecting the safety of our skies.

These cuts will force them to furlough their entire workforce, including each and every air traffic controller and safety inspector.

With these furloughs, we can expect that every FAA facility and every air traffic control tower will be short-staffed every day of the week through the rest of this fiscal year.

In order to protect the safety of our skies, they will be forced to reduce the level of air traffic.

For these reasons and so many more, sequestration is the wrong answer to the fiscal challenges facing the country.

The cuts will hurt the most vulnerable in our society, and it will hurt our ability to compete in the global economy.

There is no question that we must address our deficit, but we must be smart about how we do it.

That is why Democrats have put forward a credible, responsible plan to replace sequestration.

Our legislation builds on the precedent set in the year-end deal, and it is in line with the balanced approach the American people favor.

It would replace half of the first year of sequestration with responsible spending cuts, and half of it with revenue from those who can afford it most.

Our bill calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as

middle-class families pay, and would eliminate needless tax breaks for oil and gas companies and companies shipping jobs overseas.

At the same time, it would make responsible cuts.

Our bill would eliminate direct payments to farmers that have been paid out even during good times, and for crops farmers were not even growing.

And as the drawdown from Afghanistan is completed, our bill will make adjustments to our military that are in line with a strong 21st century strategy.

This legislation meets Republicans halfway.

It would protect the families and communities we represent from slower economic growth, fewer jobs, and weakened national defense.

And it would allow us to move past sequestration, towards working on a fair, comprehensive budget deal that provides certainty for American families and businesses.

So I would like to ask my Republican colleagues to seriously consider our proposal.

The American people want a balanced deal. Let's deliver.

We have heard people talk about job creation being impacted, reducing our economic growth, impacting the most vulnerable among us. In my subcommittee that oversees transportation and housing, we are going to see incredible impacts. HUD housing would have to put 125,000 tenants at immediate risk of losing their housing vouchers and putting them back on the streets at a time when we are just starting to really focus on our veterans and that growing number of veterans who are on our streets and making an impact across the spectrum. We will see a huge impact on housing.

On the transportation side, every sector we oversee will be impacted. We have heard a lot of talk about our U.S. airlines. They carry hundreds of millions of passengers every year. It is a huge impact on our economy. Our FAA is a world leader in managing air traffic and protecting the safety of our skies. These cuts will force the FAA to literally furlough every single employee and impact our air traffic control and safety systems.

It does not have to be this way. The Senate majority has put forward a very balanced approach to replace sequester, and in the longer term, as budget chair, we are working now to bring to the Senate a 10-year budget plan that will replace sequestration in a responsible way, work us to a manageable debt and deficit, and invest in our country again so we can grow. Let's get out of this crisis-management mode, pass a replacement to sequestration in the short term that we have offered, and get back to the regular order in the Senate. That means our country can get back to managing their families and their businesses and communities in a responsible way. We can do

that by voting to put in place our replacement. I urge our colleagues to do that tomorrow morning when we have a chance to vote on that.

Mr. LEAHY. Mr. President, I want to thank the Senator from Maryland and commend the very energetic way she has taken on her new responsibilities as Chairwoman of the Appropriations Committee. She has played a leading role in educating other Senators and the American people about the real impacts of sequestration.

While most of the media has focused on the projected consequences for programs and jobs here at home, there are also consequences for the budget of the Department of State and foreign operations, which is directly related to the national security of the United States.

It might interest people to know that the entire Department of State and foreign operations budget amounts to one percent of the Federal budget, not the 15 or 20 percent many mistakenly believe.

That one percent is what we have to operate our embassies and consulates in over 290 countries, to process visas, carry out diplomacy, respond to humanitarian crises, and build alliances with security and trading partners. There are dozens of examples of how sequestration would harm these efforts, but I will mention just three:

Cuts in diplomatic security at a time when everyone agrees we need to do more to protect our Foreign Service Officers overseas. Funding for local guards, diplomatic security personnel, and embassy security would be reduced by \$181 million from the current level.

This would force the Department of State to choose between reducing the number of local guards at overseas posts, delaying maintenance at existing facilities, or postponing construction of secure facilities to replace those that do not meet current safety standards at a time of increasing attacks against U.S. overseas diplomatic posts.

Global Health programs that prevent the spread of AIDS and pay for vaccines for children, women's health, and to combat malaria and tuberculosis, would be cut by \$468 million from the current level.

A reduction of this size would end life-saving drugs to more than 165,000 people infected with the AIDS virus. It would result in thousands more deaths from malaria. Tens of thousands of people infected with TB will not receive treatment. And the health of millions of Americans who travel, study, work, and serve in our Armed Forces around the world would be put at greater risk.

Funding for disaster and refugee aid would be cut by \$156 million from the current levels. With 750,000 Syrian refugees and 5,000 fleeing the country each day, now is not the time to cut these programs. Other funds to help victims

of drought, famine, and extremist violence in Mali, Somalia, and Sudan, and to prevent those crises from getting worse, will also be cut.

These are just a few examples of the real world consequences, not only for the people of those countries but for the security of the United States. People need to know what is at stake.

As has been pointed out repeatedly, sequestration was included in the Budget Control Act as an incentive to negotiate. The idea was that it would have such catastrophic consequences that rational minds would replace it with a thoughtful and balanced approach to deficit reduction.

That has not happened. To the contrary, just days before the sequester is to take effect our friends in the minority party whose only answer is to slash government programs and particularly those that help the neediest, have apparently decided that sequestration is not so bad after all.

MILITARY CONSTRUCTION AND VETERANS PROGRAMS

Mr. JOHNSON. Mr. President, I thank Chairwoman MIKULSKI for organizing this colloquy among Appropriations Subcommittee Chairs regarding the real consequences of the upcoming sequester on this Nation.

Fortunately, America's veterans are spared from the direct impact of the sequester, as all programs funded through the Department of Veterans Affairs are exempt. Veterans hospitals and clinics will continue to operate normally, veterans benefits will be processed and paid, and other veterans services will continue uninterrupted.

But make no mistake about it; veterans are no more immune than any other American from the collateral damage that these senseless automatic spending cuts will inflict. Bear in mind that veterans are parents and teachers, firefighters and law enforcement officers, border patrol agents and small business owners. A large number of civilian jobs at the Departments of Defense and Homeland Security, among other federal agencies, are held by veterans. In fact, veterans comprise 44 percent of the Defense Department's civilian workforce. Veterans are subject to the same risk as any other government employee of being furloughed or laid off because of the sequester, and veteran-owned businesses face the same risk as any other small business of losing crucial government contracts.

This is not some abstract inside-the-beltway issue. Eighty-six percent of the Defense Department's civilian workforce resides outside of the Washington metropolitan area. In my home state of South Dakota, approximately 1,000 Defense Department civilian employees are slated to be furloughed, reducing gross pay by about \$6.3 million. This loss in income will surely reverberate throughout the local economy.

The ripple effect of the sequester on the economy and job market nation-

wide is particularly worrisome for veterans of the Iraq and Afghanistan wars, who already face higher unemployment rates than the general population. According to the Bureau of Labor Statistics, veterans of these two wars are dealing with an unemployment rate of 11.7 percent, compared to a national unemployment rate of 7.9 percent. The employment picture for Iraq and Afghanistan-era women veterans is even bleaker: 17.1 percent compared to a national unemployment rate for women of 7.4 percent. Furloughs, layoffs, and civilian hiring freezes have the potential to make a bad problem far worse for these veterans.

So yes, the VA is spared a direct hit from the budget axe triggered by the sequester, but veterans are not.

Another impact of the sequester that will be felt across this country is funding for military construction, which is poised to lose more than \$1 billion as a result of sequestration. Like other agencies, the Defense Department does not have the flexibility to choose where to cut military construction every single project planned for construction in fiscal year 2013 will be forced to take a funding cut of approximately 9 percent.

The fiscal year 2013 program comprises more than 250 military construction projects in 42 states, the District of Columbia and overseas. As a result of sequestration, every one of those projects will have to be reassessed to determine if it can be executed at the lower funding level, or if it will need to be delayed or cancelled. The Defense Department can shift funding from one project to another through a congressional reprogramming, but that means the Department will be the sole arbiter of choosing winners and losers among the projects that Congress has already authorized. Moreover, reprogramming actions are time consuming and labor intensive, and at a time when the Department will be understaffed due to furloughs and a hiring freeze, the likelihood of delays or deferrals of military construction projects is high. Not only does this affect mission critical and quality of life projects on military installations, but it also impacts the local construction industry, and thus the local economy, in hundreds of communities throughout the Nation.

Carpet bombing the federal budget with across-the-board spending cuts is neither wise nor prudent. It's about as smart as a surgeon performing heart surgery with an axe. There will be casualties, and veterans and military families will be among those casualties.

Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, I thank my colleague from South Dakota, the Chairman of the Military Construction and Veterans Affairs Subcommittee, for presenting a stark and compelling explanation of the impact

of sequestration on veterans and military installations, and the consequences these ill-advised budget cuts will have on local communities.

I am particularly troubled by the impact these cuts could have on Iraq and Afghanistan war veterans who are already struggling to find jobs, many of whom are also coping with combat-related physical and mental health issues. The unemployment rate among women veterans is truly shocking. These brave Americans have served on the frontlines of our war on terrorism, and they should not be subject on their return home to a manufactured budget meltdown that could further complicate their job prospects and job security.

Of course we need to rein in the federal debt, but we need to do so in a thoughtful, constructive way that brings both reasoned budget cuts and additional revenue to the table. The President has called for, and Senate Democrats are proposing, a balanced way forward.

NNSA AND CCE

Ms. MIKULSKI. As the Chairman of the Energy and Water Development Appropriations Subcommittee, I would ask the Senator from California to describe the impact of sequestration on the Department of Energy and the Corps of Engineers.

Please provide specific examples that would help Members of Congress and the American people understand the consequences of sequestration on basic and applied research for future energy technologies, nuclear weapons modernization and nonproliferation activities, and maintaining critical water infrastructure.

Mrs. FEINSTEIN. I thank the Senator for her leadership on bringing much needed attention to the arbitrary and damaging cuts of sequestration on important government programs.

I would like to start by highlighting the impact of sequestration on national security activities. A semi-autonomous agency within the Department of Energy, known as the National Nuclear Security Administration, or NNSA, is responsible for safeguarding the country's nuclear weapons stockpile.

NNSA has recently embarked on a major modernization effort. The purpose is to upgrade aging infrastructure and replace aging components in nuclear weapons. These investments are being made so that NNSA can reduce the size of the stockpile, consistent with New START Treaty obligations, and certify each year that nuclear weapons remain safe, secure, and effective without underground nuclear testing.

Sequestration would cut close to \$600 million from the nuclear weapons program, essentially freezing and reversing modernization efforts. Specifically, cuts in funding would put at risk

NNSA's ability to refurbish nuclear weapons that are needed by the Air Force and Navy to meet nuclear deterrence missions, delay construction of facilities needed to replace old facilities that do not meet modern health and safety standards but are necessary to manufacture critical nuclear weapons components, result in furloughs and/or lay-offs of up to 5,000 contractors at the eight NNSA sites across the country, and reduce oversight of NNSA nuclear facilities resulting in less frequent and thorough audits and evaluations of security at the sites. This would come at a time when security lapses have occurred at a major site storing nuclear weapons materials.

Ms. MIKULSKI. It is my understanding that NNSA also funds non-proliferation activities. Would sequestration undermine the 4 year goal of securing all vulnerable nuclear materials around the world by the end of December 2013?

Mrs. FEINSTEIN. NNSA has sufficient funding to meet the 4 year goal, but securing materials is not the same as permanently removing and disposing of them. Even with the 4 year goal nearly complete, thousands of kilograms of highly enriched uranium and plutonium enough materials for dozens of nuclear weapons still present a terrorism risk. Terrorists are indifferent to sequestration.

The sequester would impose cuts of nearly \$200 million from the non-proliferation program. Efforts to remove additional nuclear materials would be delayed. In addition, NNSA would not be able to deploy additional radiation detection equipment at border crossings that are most vulnerable to nuclear and radiological smuggling. Of particular concern is NNSA missing the deadline to build and deploy new, more accurate sensors that can detect other countries' nuclear weapons tests. NNSA would not be able to build the sensors before the Air Force is scheduled to launch its satellites.

Ms. MIKULSKI. Equally important to our national security are efforts to reduce U.S. dependency on foreign oil and mitigating the effects of global warming. What impact will sequestration have on basic research needed to accelerate future energy technologies?

Mrs. FEINSTEIN. The Department of Energy maintains U.S. leadership in scientific and technological innovation by supporting basic research through its Office of Science. The goal is to advance energy technologies and operate world-leading facilities to accelerate scientific discoveries.

Sequestration would cut about \$250 million from the Office of Science. Specifically, these cuts would result in hundreds of layoffs at national labs, universities, research facilities, and private sector companies that rely on Office of Science funding grants for energy research, reduce operations of

major scientific facilities, meaning less research and development in one of the highest priority research areas designing novel materials which is critical to advancing energy technologies, stop almost all construction projects that are replacing aging infrastructure at the national labs that are needed to support science missions and attract the best scientists from around the country and the world, and allow no, or very few, new awards to advance high performance computing to stay ahead of Chinese competition and develop the next generation system, known as exascale, before the U.S. reaches the limits of current technology.

These cuts would come at a time when many other countries are making significant investments in energy research and development. Many experts are already warning that current investments are not sufficient to maintain U.S. competitiveness in energy technologies.

Ms. MIKULSKI. Before our time is up, let's also discuss the impact of sequestration on water infrastructure. What will be the impact on the Civil Corps of Engineers?

Mrs. FEINSTEIN. With sequestration, the Corps would likely have to close 57 recreation areas and partially close 186 recreation sites. There would also be no funding for 52 ongoing studies that were funded in FY 2012, 65 construction projects that were funded in FY 2012, and 43 dredging projects that were funded in FY 2012.

As the studies and construction projects are cost shared with non-Federal sponsors, over 115 local sponsors would be left with no Federal share to match their contributions for these studies and projects, further delaying completion of these studies and projects. In addition, only the bare minimum funding for dredging of ports and harbors will be available. This will lead to inefficiencies in transportation due to required light-loading which will ultimately lead to increases in consumer costs.

The long-term effect of these delays is increasing the costs of construction projects. More money needed to complete current construction projects means less or no funding for future projects already planned.

I thank Senator MIKULSKI for the colloquy today on this issue.

Ms. MIKULSKI. I thank Senator FEINSTEIN for her sobering assessment of the impacts of sequestration.

AUTHORIZING THE REPORTING OF COMMITTEE FUNDING RESOLUTIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 58, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 58) authorizing the reporting of committee funding resolutions for the period March 1, 2013 through September 30, 2013.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 58) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

Mrs. MURRAY. Madam President, with that, I know the Republican leaders are on their way and ready to discuss this. I hope tomorrow morning we take the responsible tack of replacing the sequester and getting our country back on track.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

FISCAL POLICY

Mr. CORNYN. Madam President, I want to start with some numbers that help put our spending budget debate in perspective.

Since President Obama became President of the United States, our gross national debt has gone up by 56 percent—56 percent. Over the next decade, unless we act responsibly, it is projected to rise by another 57 percent and reach a staggering \$26.1 trillion. I don't know anyone who can actually comprehend numbers that big, but that is what it is.

By comparison, the sequester—the much-dread sequester that is supposed to go into effect on Friday—would cut only 2.4 percent out of Federal spending for this next year. It would authorize \$85 billion in cuts for the current fiscal year, which, as I said, is only 2.4 percent of the total Federal budget—2.4 percent. Yet the President is now traveling around the country on Air Force One, telling us that a 2.4-percent spending cut will have a catastrophic effect on our economy and on jobs. Of course, this part is predictable: The only solution he seems to offer is raising taxes once again.

We saw in December during the debate over the fiscal cliff—and I know the American people must be getting nauseated with us lurching from one financial crisis to another, with the fiscal cliffs, sequestrations, debt ceiling, government shutdown threats. It is no wonder the American people look at Washington and wonder: Can't you guys get your act together? But the solution is not to keep on keeping on and spending money we don't have and

racking up more debt and deficits, nor is the solution to continue to raise taxes on the very people we are depending upon to invest in new jobs and grow their current businesses to create jobs and opportunities for middle-class families.

Rather than the nightmare scenario the President likes to talk about, Republicans and Democrats would be happy to give the President and the administration some flexibility in how it implements these 2.4-percent cuts. Unfortunately, that doesn't seem to be what the President is looking for. He doesn't seem to want to figure out how to manage these cuts as every family and every small business in America who is left with less income coming in the front door would have to do. He doesn't seem to want to manage it; he seems to want to use this to scare people in order to grow the size of government by raising more taxes. He seems to believe that only Washington and only the Federal Government can revive strong economic growth by steadily raising our levels of taxation and spending. That is sheer fantasy. The President either doesn't realize or he doesn't care that Federal spending levels are already unsustainable. Everybody knows this. This is not a mystery to anyone who has been paying attention.

For example, a single Federal program, Medicare, which our seniors rely upon to provide them the health care they need, already has \$37 trillion in unfunded liabilities; again, an astronomical number that I doubt any of us can fully comprehend. But \$37 trillion in unfunded liabilities is big. America's total unfunded liabilities—this is all the promises we have made which we have no current ability to pay for—exceed \$100 trillion. Meanwhile, the national debt keeps going up. It is now roughly \$16.5 trillion.

We are fortunate enough to now see interest rates that we have to pay on that debt at a historically low figure, but each additional percentage point of interest we would have to pay—if interest rates were simply to go up to their historic norms—would increase the cost of our service on that debt by trillions of dollars. Simply put, we cannot spend our way back into prosperity.

There are things the Federal Government can and should do to boost economic growth. We all understand this. The fact is the government is not what creates jobs. It is the private sector, small businesses in America, entrepreneurs, and the people who take a risk to start a new restaurant or open a hardware store. Actually, those small businesses are the ones that actually create many more jobs on a percentage basis than do the large Fortune 500 companies.

All we have to do is look around the country, and I know the Presiding Officer understands what is happening. We

see some parts of the country that are growing fast and where jobs are plentiful. One of those is Texas, another one is North Dakota. There are some common elements in our story that I will talk about in a minute, but for the past 8 years "Chief Executive" magazine has ranked the best States in the country to do business. I would not have brought it up if it were not true, but the No. 1 State is the State of Texas. This week Forbes ranked the 10 best cities for good jobs, and half of those cities were in Texas—including Austin, Dallas, Fort Worth, Houston, and San Antonio.

Texas has nearly 32 percent more jobs today than it did in 1995—32 percent. Over the same period the total number of jobs nationwide increased by only 12 percent. I would think curious people would wonder why. Our State accounts for 8 percent of the U.S. population, but we accounted for almost one-third of all private sector jobs in high-paying industries between 2002 and 2011. Let me say that again so everyone is clear. Our State accounts for 8 percent of the national population, but we accounted for almost one-third of all private sector job growth in high-paying industries between 2002 and 2011. That is remarkable.

Some might wonder what the secret is, and thank goodness the States still are the laboratories of democracy where we can demonstrate the policies that actually work rather than trying to mandate a one-size-fits-all policy from Washington, DC, that doesn't work.

The secret in my State is that we have, for example, no State income taxes. We are a relatively low income tax State, although people still pay sales and property taxes. We have minimal and sensible regulations because we know that not only do taxes depress economic growth, we know government—either State government, local government, or Federal Government—that issues punitive regulations can actually dampen economic growth and job creation.

We also have a relatively low level of per capita government spending. People don't come to Texas because they want handouts. They come to Texas because they want an opportunity to work, to achieve, and to live their dreams and in the process creating a lot of jobs and opportunity for other people. We are also—and I know this is where the Presiding Officer can identify with this statement—unapologetic about harvesting our State's abundant oil and gas reserves. Indeed, Texas oil production increased by 94 percent between September 2008 and September 2012. Shale gas is natural gas that is produced by hydraulic fracturing and horizontal drilling. It has been around—actually fracking—for roughly 60 years now. When done properly, it is safe and does not damage the water

supply. The shale gas now available due to horizontal drilling and hydraulic fracturing has produced a shale gas revolution in this country.

The truth is that if we get out of the way and sensibly regulate this industry, open the Keystone XL Pipeline—which the President could do, but he has not yet done—it would not only create thousands of new jobs, it would create the potential for North American energy independence. Imagine how that would change the geopolitics of the planet. In instances where the Iranian regime threatens to shut down the Strait of Hormuz and block 20 percent of the world's oil supply, it would not have nearly the impact because our country would be North American energy independent within a decade or so.

Well, I should also footnote the fact that down in Eagle Ford Shale—which is south of San Antonio, and where I am from—they had some of the highest unemployment rates in our State. Much like the Bakken Shale, anybody who can get a commercial driver's license and pass a drug test can earn a lot of money. As a matter of fact, commercial truck drivers in south Texas now can earn over \$100,000 a year, and it is hard to find workers. They were suffering a shortage of workers because of the economic activity caused by natural gas exploration production.

The President should also reject misguided policies by the Federal Government that are killing jobs and threatening to put many oil and gas producers and refiners out of business. He should loosen restrictions on Federal lands and offshore drilling, and he should certainly issue more drilling permits. Expanding domestic energy production and eliminating harmful regulations would promote job creation and reduce unemployment, just as it has in my State.

In a larger sense, embracing this model would help the United States gain much of its economic competitiveness and fiscal credibility that we have recently lost. It would send a clear message that we are serious about rejuvenating our economy and reducing our long-term debt burden. Above all, embracing this model would show that Washington has discovered our founding principles of limited government, individual freedom, and personal responsibility.

I will close on this and say that I have not heard the President talk recently about 7.9-percent unemployment in this country, nor have I heard the President talk about the reduced number of people who are actually still looking for jobs. That number would be much higher because there are people who have lost their jobs and are still actively seeking jobs. Notwithstanding that, we know from the Congressional Budget Office that the unemployment rate will actually get worse by the end of the year. This is very urgent. It is

not just about statistics; it is not just about numbers; it is about people who are hurting because they are out of work and unable to provide for their families.

One would think this would be a cause we could all come together on and address to the best of our ability using some of the powerful examples in States such as North Dakota and Texas.

I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Madam President, we are hearing a lot of discussion here in Washington and around the country this week about the so-called sequester, which I think bears some explanation. Oftentimes we talk in terms and in such a way that I think ordinary Americans have a hard time understanding the arcane world and arcane lexicon we have here in Washington, DC. Basically we are talking about these spending cuts—across-the-board cuts—that will take effect at the end of this week. It was a process that was put in place many months ago. In fact, if we go back to the Budget Control Act, which passed in August of 2011, we won't find very many people now who will claim paternity of that idea.

In fact, there is a big debate and a lot of finger pointing about whose idea this was and whose fault it was that we are where we are. I would simply point out that I think there are a lot of Republicans and Democrats who voted for the Budget Control Act, so clearly many of us voted in support of that as a last resort. Many of us didn't want that to happen. We wanted to see a deal worked out where we would actually address the major problems facing this country with regard to our spending and debt. But since that couldn't be negotiated between the President and the leadership of Congress, we ended up with this process where we had some immediate spending cuts taking effect—about \$900 billion, with another \$1.2 trillion to follow—hopefully achieved through reforms, including tax reform, entitlement reform, by a so-called supercommittee that met and convened for a while. However, when that committee failed to reach a conclusion, it set in process, set in motion, what we know today as sequester.

It was actually built to go until the 1st of January, in which case all of these things would take effect if nothing had happened. Clearly, nothing had happened. So when January rolled

around, we ended up with this process we now know as sequester.

I wish to point out that the President has been running away from this; somehow this just imaginarily appeared, this idea of sequester. But if we go back and look at the origin of this, we see it was clearly something the President and his people put forward. Fine points have been laid out by Bob Woodward in his book and subsequent op-ed this last weekend in which he stated very clearly this was an idea that originated with the White House. In fact, Jack Lew, in his confirmation hearing before the Senate Finance Committee, actually mentioned the fact that when they were looking at something they could use—a trigger, if you will—they drew upon the Gramm-Rudman-Hollings agreement that was agreed to back in 1985 by the Congress, and that incorporated this idea of a sequester, which included an across-the-board spending cut. So, basically, it came from the White House. It came from the President and his people. That is where the idea of sequester originated. So to suggest now that somehow they didn't know about this or they didn't have anything to do with it, that it isn't their responsibility, is completely contradictory to the facts, as has been delineated by Bob Woodward in his book and many others who are familiar with those discussions.

The point, very simply, is we have a process that was put in place a long time ago. We can go back to August 2011 when the Budget Control Act was passed to find out why we are where we are today.

The other thing that is interesting to me, which I think has now added to the narrative of trying to reconstruct the history of all this, is the idea that somehow there should have been taxes incorporated in this, that we needed to have a “balanced approach” in the sequester. That was never contemplated. This was all on the spending side. If we look at the history of this and we actually listen to, again, the people who are familiar with those discussions—and Bob Woodward, this weekend in his op-ed said: The President is moving the goalpost. The revenues and taxes were not a part of this. But now, all of a sudden, the White House is insisting upon: We want taxes to be a part of this.

What is ironic about that is they got taxes. They got a big fat tax increase on January 1 of this year. That wasn't balanced. There were no spending cuts. That was all taxes: \$620 billion. So from our perspective, the tax issue has been dealt with. The President got revenues—revenues that weren't contemplated by the sequester in the first place. Yet, today, he gets up and argues that this needs to be a “balanced” plan, which is a euphemism around here for: We want more of your tax dollars. We want more taxpayers' money to come to Washington, DC. We want

higher taxes. That is what that message is essentially saying.

When the President and many of his allies on Capitol Hill say: We want a balanced plan, that means they want tax increases—on top of the \$620 billion in new taxes the President got on January 1 of this year.

Now, what is interesting to me about this whole process is it was reported this morning that the President has called a meeting on Friday. He now wants to convene a meeting on Friday to talk about these Draconian cuts that are going to go into effect, and he has been traveling all over the country picking the most high-profile, highly visible items he can that would suggest this is going to have this profoundly dramatic impact on people around this country. So now he is coming back to Washington. When? March 1. When is that? It is the day the cuts are designed to go into effect.

Where has the President been for the last year and a half? Where is the leadership in waiting until the very day these cuts are supposed to go into effect to say: Oh, let's have a meeting to talk about what we might be able to do to avoid the impact of these across-the-board spending reductions.

So March 1. OK, here we are, eleventh hour, once again, at the last minute, the President sweeps in and says he wants to do something to try to avert this sequester. But, again, remember: We have known about this for a year and a half. This is not a new revelation. We have known this was coming for a very long time.

The supercommittee failed to produce a result in November 2011. So it is almost a year and a half now we have known the sequester is coming. In fact, last summer we passed legislation in Congress that asked the administration to give us some detail and some specificity about where these cuts were going to take place, and we got some vague outline about that. We didn't get any report from the President that enumerated these because, frankly, I don't think they had gone through the process of trying to figure out what they were going to do with it.

So here we are now 18 months later, at the eleventh hour, and the President all of a sudden says: Let's have a meeting and talk about what we might be able to do to avoid the impact of these across-the-board spending reductions. Where is the leadership in that? Why weren't we doing that 12 months ago, 11 months ago, 10 months ago, 1 month ago, last week? Why weren't we talking about this earlier? Why do we have to wait until the very last day to have a discussion about this?

Well, evidently, the President is better at campaigning than he is at governing because he has been driving all over the country—I shouldn't say driving, flying all over the country, over 5,000 miles—over 5,000 miles—cam-

paigned on this issue to try to scare people into believing that an \$85 billion across-the-board spending reduction, which represents 2.4 percent of Federal spending this next year, is somehow going to be disastrous for our economy and for our country.

Frankly, I am not in any way diminishing the impact of spending reductions. Spending reductions will have some impact—there is no question about that—for sure. But to go out and say we are going to have 90-minute lines at airports, and we are not going to have meat inspectors, and all these things they are trying to put out there to scare the American people, to dramatize and, frankly, to traumatize the American people about a 2.4-percent reduction in overall Federal spending?

Now, if a person is a member of an average American family or an American business or anybody in this country, and they know they are going to have 2.4 percent less to work with next year, what do they do? They sit down around their kitchen table and figure out what those things are they spend money on that they can live without. It is a fairly simple exercise. In most cases, people are going to pick the low-priority items. They are going to pick the things they can probably live without. They are not going to pick the things they really need and rely upon and depend upon. But I think most Americans would agree they could find a 2.4-percent reduction in their annual spending if they had to. I think that is something ordinary, average Americans have to deal with all the time: Let's just tighten our belts a little bit; let's figure out how we can get along with 2.4 percent less spending.

Well, we are talking about 2.4 percent less spending on a \$3.6 trillion annual Federal budget. What does that represent? So \$85 billion is a lot of money. It is a lot of money anywhere. It is a lot of money in my State of South Dakota. In the small town I grew up in, those are dimensions we didn't even contemplate in most cases.

But we think about it this way: \$85 billion, the amount of money we are asked to reduce in terms of the overall Federal spending this next year, is the equivalent of how much our country borrows every single month. Every 28 days, we borrow \$85 billion. So every single month, we borrow—we put on the backs of our children and grandchildren—as much money as the Federal Government is being asked to live without for an entire year: 2.4 percent of annual Federal spending.

To be fair, people will say: Wait a minute. It is not 2.4 percent because it is just affecting a certain area of the budget, and they are right. It will represent a bigger percentage simply because so much of the budget has been walled off from this, the area where the real Federal spending is; where three-fifths to two-thirds of all Federal

spending has essentially, for all intents and purposes, been protected or insulated from this. There is a small 2-percent cut that would occur in some of the mandatory areas of the budget, but for all intents and purposes, what really drives Federal spending year in and year out and what is going to represent, according to the Congressional Budget Office, about 91 percent of all Federal spending 10 years from now—Social Security, Medicare, Medicaid, food stamps; mandatory Federal spending entitlement programs—that is pretty much walled off.

So we are increasingly shrinking the discretionary part of the budget, which represents a smaller and smaller portion of Federal spending each and every year. But the reality is it still is 2.4 percent out of a \$3.6 trillion annual budget that we are talking about. So it seems to me, at least, that all the hand-wringing that is going on in Washington right now and all the drama the President is trying to create by flying over 5,000 miles across the country, campaigning about the effects of this sequester, really gets lost in what I think every American has to deal with every single day and every single week and every single month and every single year; that is, sometimes they have to make do with a little bit less, and maybe Washington, DC, can figure out how to do that.

But we have to ask the question again: Where is the leadership? The President, on Friday, March 1—the day this happens—decides to have a meeting when we have known about this for 18 months. The Senate, under the leadership of the majority—the Democrats in the Senate—hasn't passed a budget now for 1,400 days. We have gone 1,400 days without a budget. We are going on 4 years without a budget. We spend \$3.5 trillion, \$3.6 trillion of the American taxpayers' money every single year, and we haven't had a budget that suggests how we are going to spend it now for going on 4 years. Where is the leadership?

The President of the United States submits a budget—which he will do sometime soon. He has missed the deadline already, but we assume it is coming in the next few weeks. But over the last couple of years when he submitted a budget to Congress, when it was voted on in the House and in the Senate, it didn't receive a single vote.

Now, it perhaps is not surprising it didn't receive a Republican vote because it had a lot of tax increases in it, but it didn't get a Democrat vote—zero, zilch—in the House or Senate. There wasn't a Republican or a Democrat who voted for the President's budget. Why? Because it wasn't serious. The President is not doing anything to meaningfully address out-of-control spending and out-of-control debt.

So here we are. The Budget Control Act finally did put in place some spending reductions, and now everybody is hyperventilating about what we can do to avoid them. How can we turn this off? How can we shut off the sequester?

I, frankly, believe we could do this in a much better way, a more responsible way when it comes to the spending reductions. We ought to do it in a way that doesn't put a disproportionate burden on the defense budget. National security represents 20 percent of total Federal spending, but it gets 50 percent of the cuts under the sequester. That is not the way it ought to happen. I am all for—and plans have been offered and twice passed by the House Republicans—to replace this sequester with other—what we believe are more responsible spending reductions. But that passed the House of Representatives; it can't pass in the Senate.

The President has had no interest in looking at some alternative. The only alternative he is interested in is the one that would do the most harm and the most damage to the American economy; that is, more taxes. If he gets taxes on this, if he gets taxes to turn off the sequester like the taxes he got on January 1, it will not be enough because it is never enough.

People who believe in big government and believe the way to solve deficits is to raise taxes are never going to raise enough revenue. If you do not address what is really afflicting our country—and that is out-of-control spending—you have not done anything to solve the problem, which the \$620 billion tax increase on January 1 demonstrated. The amount of money, the amount of revenue generated from that tax increase January 1 will fund the government this year for less than a week—less than a single week.

This is not a revenue problem. This is not a tax problem. This is a spending problem. It is time for some leadership. It is time for the President to quit campaigning, to come back here, and to start governing. But here we are—Friday, the day it is all set to take effect—we have a \$16 trillion debt. The Congressional Budget Office says at the end of the next 10 years it is going to be \$26 trillion. We are adding \$1 trillion a year. We are borrowing 40 cents out of every \$1 we spend. Revenues coming into the Treasury, according to the Congressional Budget Office, are going up, actually; and by 2015 they are going to be 19.1 percent of our entire economy, which is more than a percentage point higher than the 40-year historical average.

Revenues are going up, and for the next decade, according to the Congressional Budget Office, revenues will exceed, by about a percentage point, the 40-year historical average. So revenues are coming up to above historical averages, and yet we continue to run trillion-dollar deficits as far as the eye can see.

Well, we have to get our spending under control. We have to get the economy going again. The Republican staff on the Joint Economic Committee put out a study that suggested if we had revenue growth like we have had—average revenue growth—for the past 60 years, if we had that in the past 4 years, the deficits today would be half of what they are. That is the impact of economic growth. That is why growing at 1½ to 2 percent is not enough. We have to grow at 3 to 4 percent. But to grow at 3 to 4 percent, we have to have policies that promote growth, that allow the economy to expand. We cannot keep piling on new taxes and new regulations and making it more difficult and more expensive for people who create jobs in this country to create those jobs.

So the economy will continue to grow at a sluggish, anemic rate. We will continue to have these high deficits, particularly if we do not get our spending under control. It is about exercising fiscal discipline and responsibility when it comes to our spending. It is about putting policies in place that promote job creation and growth in this country. That is what it is going to take to get this country back on track. Yet the President is out campaigning around the country. He comes back now at the eleventh hour, and on March 1 he decides to have a meeting at the White House to talk about something we have known was going to happen now for 18 months—18 months.

We have the most predictable crisis, according to the Simpson-Bowles Commission, we have ever seen—the spending and debt crisis that is in front of us. We have known about it for a long time. You can see it. It is like a slow-moving train wreck out there. You are just watching it. You just know it is going to happen, and yet nobody is doing anything to turn off the engines.

It is high time we did that. I hope the President will engage. I hope we will get for the first time now in almost 4 years, 1,400 days, a budget in the Senate that puts a plan in place—a real plan, not a fake plan, not a phony plan, not a plan that has a bunch of tax increases, but a plan that actually addresses what drives Federal spending and debt in a way that will put us on a more sustainable fiscal path and ensure that future generations of Americans have a higher standard of living, a higher quality of life than what previous generations have had, not a lower and a less one. That is the path we are headed on today if we do not change course.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BAUCUS. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 26, the nomination of Jack Lew to be Secretary of the Treasury, with 8 hours for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF JACOB J. LEW TO BE SECRETARY OF THE TREASURY

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Jacob J. Lew, of New York, to be Secretary of the Treasury.

The PRESIDING OFFICER. Under the previous order, there will be 8 hours of debate equally divided in the usual form.

The Senator from Montana.

Mr. BAUCUS. Madam President, America's first Treasury Secretary, Alexander Hamilton, once said:

The confidence of the people will easily be gained by a good administration. This is the true touchstone.

Hamilton's words take on new prominence today as we task our next Treasury Secretary to gain the trust of the American people and restore confidence in our Nation's economy.

Nineteen of twenty-four Senators on the Senate Finance Committee voted yesterday on a bipartisan basis in favor of Jack Lew's nomination. Senators on both sides of the aisle spoke to his character and to his integrity. He is well qualified to be the Nation's next Treasury Secretary and will work to build the people's confidence and restore trust and certainty in both our government and in our economy. That will be his touchstone.

I am certainly not alone in supporting Mr. Lew for the crucial role as the administration's top adviser on economic policy. Yesterday's overwhelming support for Mr. Lew came

after one of the most thorough reviews of any candidate for the position—a process that included hours of interviews with Mr. Lew, the examination of 6 years' of tax records, and more than 700 questions for the record.

In comparison, the committee asked Secretary Geithner 289 questions, Secretary Paulson 81 questions, and Secretary Snowe 75 questions. Mr. Lew has met personally with more than 40 Senators since being nominated for Treasury Secretary last month, answering questions and addressing any concerns. Throughout the confirmation process, Mr. Lew has been open and transparent. And, as I hope a vote in the Senate will soon show, he has gained the trust and the confidence of many in this Chamber.

Mr. Lew has a long and distinguished career focused on public service, with experience in both academia and on Wall Street. Most recently, he was the White House Chief of Staff. He has also served as Budget Director of the Office of Management and Budget in the current administration and under President Clinton, where, I will note, he helped guide our Nation through one of the greatest periods of economic growth in America's history.

Mr. Lew has also served in the U.S. Department of State as Deputy Secretary for Management and Resources. Mr. Lew has demonstrated time and again that he has the experience and knowledge to help get the Nation's economy back on track.

We need a strong man at the helm to help tackle the many fiscal challenges facing our Nation, and I believe Jack Lew is that man. Just 2 days from now, on March 1, across-the-board budget cuts known as the sequester will hit. Madam President, \$85 billion in Federal spending will be sliced from thousands of programs, including Medicare, rural development, and early education. The nonpartisan Congressional Budget Office predicts the cuts could slow the economic recovery and result in another year of sluggish growth and high unemployment.

I firmly believe we need to cut our debt and get our fiscal house in order. We know there are places to trim the fat. The American public knows that, certainly. But we need to take a scalpel to waste and inefficiency, not allow a hatchet to hack into American jobs.

Our economy will be put to the test again in just weeks when the continuing resolution expires on March 27. We face the threat of a government shutdown. And on the horizon, the Federal borrowing limit will be reached in late May. That will require another extension of the debt ceiling.

This is no way to run a country. Congress has been lurching from one fiscal showdown to the next, leaving the Nation with uncertainty. The only way we will be able to get past these budget battles is by working together. We all

know that; we just have to start doing it—Republicans and Democrats, Members of the House and the Senate. We need to work together to put in place policies that create more jobs and spark economic growth.

It is deeds, not words. We have enough words about working together. We have to actually start performing the deeds and working together.

We will need to work with Mr. Lew and with the administration to put the Nation's economy back on track. We need to get off this roller coaster ride. It is like a yo-yo. There is no stability. There is no certainty. Going from one fiscal crisis to the next is undermining our economy.

To give families and businesses certainty, we must agree on a balanced comprehensive plan to cut the debt that includes both revenue and spending cuts. The math will not work any other way. A long-term balanced plan will bridge the budget battles and make real progress toward solving our deficit problem. A balanced plan will also encourage businesses to invest, enable investors to return to the markets with confidence and, most importantly, put Americans back to work in a growing economy. That is the bottom line, more jobs, more good-paying jobs. We need more certainty and predictability so businesses may hire, expand, and people are able to get those good-paying jobs.

Over the past 2 years I had a standing weekly call with Treasury Secretary Geithner. Every week we would go to the phone at 9:45 on Wednesdays, and about once a month we personally visited, would get together to go over issues. No matter where we were, what we were doing, we would always try to pick up the phone once a week to check in. I will tell you, it was on the minute, 9:45. Each of us knew the other was going to be there.

Secretary Geithner and I grew to become friends and trust each other. Our families started to have dinner together, do things together. It is that trust and confidence that is so necessary and which is necessary to work together to make things happen. The conversations proved invaluable as we worked to overcome numerous economic challenges.

I continue the outreach with Mr. Lew. I have been having a standing weekly call with him in anticipation he will soon be Treasury Secretary, and I am going to keep it up. I know he wants to also. It is very heartening, frankly. He has been very open and receptive and is eager to work with all of us here in the Congress to strengthen America's economy and create more jobs. He wants to do a good job. He knows he must talk with us and communicate with us in order to do that. Working together will be key to promoting economic growth and stability.

If confirmed by the Senate, one of Mr. Lew's first acts as Treasury Sec-

retary will be affixing his signature to all new Federal Reserve notes. I am not sure if people will be able to read his loopy signature. It is an inside joke that sometimes people have a hard time reading his handwriting. His signature will be on the Federal Reserve notes, and that loopy signature is described as looking more like a scratched-out slinky than a name. That is Mr. Lew. That is the way he signs. Mr. Lew promised the President that if confirmed he will work to make at least one letter legible in order to not deface America's currency, and we will hold him to that promise.

In addition to the signature of America's Treasury Secretary, the front of every U.S. dollar bill has the seal of the United States Treasury. Look closely and you will see the symbols of balancing the scales to represent justice. There is a chevron containing 13 stars which represents the 13 original colonies. Underneath the emblem is a key which notes Treasury's official authority.

If confirmed, we will be trusting Mr. Lew with the authority to oversee America's financial system and economic policy. He will play a critical role in the upcoming debates on priorities and spending cuts. We will be relying on him to ensure our government and finances are sound. We will be asking him to work with us to return some stability and confidence to our economy. We will be asking him to work with us to ensure the United States remains a great world power in this competitive global economy. It is a great responsibility he has, one which I believe Mr. Lew will live up to.

Two hundred twenty-four years ago, this body, the U.S. Senate, approved the first Cabinet position for this young Nation when it unanimously approved Alexander Hamilton to become first Secretary of the Treasury. I ask my colleagues to confirm Mr. Lew today to be our Nation's 76th Treasury Secretary, to enable him to begin work helping to strengthen our economy.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

MR. HATCH. Madam President, I rise today to speak on the nomination of Mr. Jacob Lew to be Secretary of the Treasury. This is an important nomination. With our still-struggling economy and our growing fiscal problems, the next Treasury Secretary is going to have a lot on his plate. That being the case, we have worked on the Finance Committee to vet Mr. Lew, to examine his background credentials, and provide a complete picture of his qualifications for this post.

I wish to offer a few comments about our review process, what we have learned, and the reservations about the nominee that remain with me now that this process is complete.

Let me begin by saying a few words about the process itself. For well over

a decade, the Finance Committee has followed a specified procedure when considering executive branch nominations. Sadly, that procedure was not followed in the case of Mr. Lew.

After publicly announcing Mr. Lew's nomination, the White House waited 16 days before submitting any of his paperwork. That was an atypically long delay and, in addition to slowing the vetting process, it ensured Mr. Lew would not be confirmed in time to prevent a vacancy at the Treasury Department. A nomination hearing was scheduled to be held only 12 calendar days after the paperwork was received, even though the nominee had not answered all of the questions submitted to him.

That is simply not the way our process has worked in the past, and the undue haste seriously hampered our ability to thoroughly examine Mr. Lew's background and his qualifications.

Once the hearing was completed, as is customary, members of the Finance Committee submitted written questions for the record. Since that time, anonymous administration sources have decried the very notion that members of the Finance Committee had the audacity to ask hundreds of questions of Mr. Lew as part of their constitutional advice-and-consent responsibilities.

Let me be clear. I will vigorously defend the right of any Member of Congress, regardless of party, to ask questions of nominees until they are satisfied they have obtained all the relevant information, and especially in the case of the Treasury Secretary, which is one of the most important assignments in our government today and always has been. If we go all the way back to the time of Alexander Hamilton, we know what he meant to this country by establishing the financial system of this country as the Secretary of the Treasury.

In the case of Mr. Lew, there were several reasons why he ended up being asked numerous questions. First, the nomination process, as I mentioned, was abbreviated due to the haste of the administration. That meant the questions which through the course of ordinary business could have been resolved through discussion had to be asked in written form.

Second, due to the general unresponsiveness of the administration to requests for information over the last few years, there is a pent-up demand for information and any semblance of responsiveness from the executive branch.

Third, Mr. Lew's responses to many questions have been opaque. He has dissembled often. That being the case, it seemed the only way to get answers to straightforward questions was to continue to ask for clarifications in an attempt to break through the wall of obfuscation Mr. Lew had constructed. I

have no doubt he could have answered most of these questions in much less numerical form than he did.

Even after extensive questioning, there remain several serious concerns with Mr. Lew's background, his lack of responsiveness, and the evasive manner in which he answered many questions which were posed to him. Unfortunately, many of these concerns will go unaddressed, as Mr. Lew seems to be following the standard stonewalling strategy used by so many officials in the Obama administration.

For years now administration officials have gone out of their way to be unresponsive to information requests from Congress, and that is simply unacceptable. Far too often, legitimate inquiries submitted to the executive branch go unanswered for months at a time. Requested deadlines are discarded. Indeed, in some instances information requests are ignored entirely. When responses are given, substantive and direct questions are given meaningless political answers. This has gone on far too long and it needs to stop.

Mr. Lew, for his part, has promised me that he would be responsive to inquiries submitted by Members of Congress. While his answers to questions throughout the confirmation process give me reason to doubt his commitment to being responsive, I intend to hold him to that process moving forward. I believe he is an honorable man and I believe he will try to do this.

I wish to take a few minutes to address some additional substantive concerns I have about Mr. Lew, his background, and his qualifications for this post.

Let's consider Mr. Lew's Citigroup years. At Citigroup Mr. Lew was managing director and chief operating officer of two units, Global Wealth Management and Citigroup Alternative Investments. Mr. Lew claimed repeatedly while managing, directing, and operating those Citigroup units he essentially undertook back-room operations such as firing people, moving office space, integrating computer systems, eliminating redundancies, and things of that nature.

Mr. Lew has also repeatedly stated he did not design financial products at Citigroup, make portfolio decisions or, in his words, opine on investments. In fact, when asked about investment products which were marketed and sold by the Citigroup units he oversaw, he could not remember any specific details.

It needs to be noted some of those investments ended up generating enormous losses for investors. For example, funds called MAT, ASTA and Falcon, which were marketed, sold, and managed by the Citigroup units Mr. Lew oversaw ended up being the subject of lawsuits and successful arbitration claims, where success was based on investors convincing arbitrators the

funds were misrepresented and mismanaged by Citigroup. The losses to investors from these funds numbered in the billions. In fact, some financial advisers at Citigroup protested internally the misrepresented securities caused enormous damage to Citi's reputation.

One of Mr. Lew's bosses at Citigroup argued on behalf of the investors and against Citi's stock price and bottom line by saying the investors had been wronged and should be made whole. She was subsequently fired.

From all information I have seen, Mr. Lew did not similarly stand up for wronged investors while on Wall Street. Perhaps it is because he did not know what was going on in the firm or at his firm. We don't really know. Despite the fact the funds in question led to probably the largest losses in the history of the units Mr. Lew oversaw, Mr. Lew claims that he cannot recall anything about them. If you ask anyone familiar with the funds and controversies surrounding them, they will say you would need to have been away on a desert island to not have heard about the problems that these funds faced. Yet, once again, Mr. Lew continues to deny having any memory of them.

At the same time Mr. Lew claims while he was at Citigroup he learned a lot about financial markets and the dangers of risk. Indeed, he cited his experience at Citi as a qualification to be Treasury Secretary, even though he appears to have little recollection about any of the actual details of his work at that time, or at least his financial details.

The question remains: How could Mr. Lew operate, manage, direct units and also be in charge of staffing decisions without having any knowledge of the financial products that were marketed, sold, and managed by these very same units? It remains unclear.

Had there been a traditional vetting process, perhaps we could have gotten to the bottom of this mystery. As it is we are only left to speculate, as you can see.

In addition to Mr. Lew's lack of knowledge about some of the high-profile failures of the units he was overseeing, there are legitimate concerns relating to his compensation while at Citigroup.

On January 29, 2009, President Obama made remarks about Wall Street, saying that institutions were "teetering on collapse and they are asking for taxpayers to help sustain them."

The President also remarked on Wall Street bonuses at the time, saying:

That is the height of irresponsibility. It is shameful.

About Wall Street executives, he said:

There will be a time for them to get bonuses. . . . Now is not the time.

Elsewhere he referred to Wall Street bonuses as "obscene."

In late 2008 and early 2009, American taxpayers provided over \$45 billion—that is with a “B”—in direct assistance to Citigroup and backed hundreds of billions of Citigroup assets. At the same time, in January 2009, Mr. Lew reportedly received over \$940,000 in compensation, most of which was a bonus for work performed in 2008 when Citi was on the verge of collapse. The bonus came a day before Citi received yet another infusion of billions of dollars of taxpayer money to prop up the company. That was the day before Citigroup received the infusion of billions of dollars that he got that bonus.

There is, at the very least, a contradiction between the President's rhetoric with regard to Wall Street and his decision to appoint Mr. Lew to be Treasury Secretary. However, rather than acknowledging any such contradiction, Mr. Lew has simply repeatedly told us all that his compensation was in line with what other similarly situated executives received.

As I have said before, that justification seems a bit like saying: Gee, Dad, everyone was doing it. Unfortunately, that type of reasoning is exactly what led to the financial crisis.

In addition, an employment agreement Mr. Lew had with Citigroup had a clause stating that his guaranteed incentive and retention award would not be paid upon his exit from Citigroup. However, there was an exception indicating that he would receive that compensation “as a result of his acceptance of a full-time high-level position with the United States government or regulatory body.” It remains unclear how this exception is consistent with President Obama's efforts to, in his own words, “close the revolving door that carries special interest influence in and out of the government.”

Of course, as has been widely reported during the course of our vetting process, we found that while he was at Citigroup, Mr. Lew actively chose to invest in a hedge fund that served as a venture capital-like fund that invested primarily overseas. The fund Mr. Lew invested in was based in the Cayman Islands at the infamous Uglund House that so many Democrats have viciously decried as a tax haven. In fact, in 2008, while campaigning for President, then-Senator Obama said that the Uglund House was “either the biggest building in the world or the biggest tax scam in the world.”

Throughout the 2012 campaign, President Obama repeatedly attacked Mitt Romney for having funds invested in the Caymans. If I recall it correctly, Mitt Romney's funds were in a trust he had no control over. In making such investments, Governor Romney was, in the words of the Obama campaign, betting against America. One can only wonder whether while serving as White House Chief of Staff for President Obama, Mr. Lew supported this line of attack.

Once again, Mr. Lew has repeatedly refused to acknowledge any contradiction or hypocrisy between the President's rhetoric and his own actions, defending himself only by saying that this investment was done legally and transparently. I think the same probably could have been said about Governor Romney's investments as well, which were in a blind trust.

The contrast between the President's past vilification of certain financial activities and individuals and Mr. Lew's very participation in those activities is striking. Yet we are now essentially being told that people should do as administration officials say, not as they did.

In addition to concerns about Mr. Lew's record, I have serious disagreements with him when it comes to policy. For example, in response to written questions, Mr. Lew backtracked from the administration's previous positions on the need for entitlement reform. At one time, commonsense reforms, such as raising the Medicare eligibility age, were on the table for the Obama administration. Such ideas have apparently been discarded by the President, and Mr. Lew has made it clear he shares that discarding position.

As a Social Security and Medicare trustee, the Treasury Secretary cannot simply wish away the problems with our entitlement programs. If he is confirmed, and I believe he will be, Mr. Lew will be tasked with addressing these problems. Sadly, it appears he will be just another voice in the Obama administration against taking meaningful action on entitlements and in favor of higher taxes—a repetitive theme at least all of us Republicans are getting very sick of. The use of the word “balance”—my gosh, what a perversion.

I think I have made my concerns about the Lew nomination very soundly and very clear. That being said, I have always believed that whoever is President, including our current President, whom I like—any President, regardless of party—is owed a certain degree of deference when choosing people to work in his administration. Therefore, though I personally would have chosen a different person for this position, I intend to vote in favor of Mr. Lew's confirmation.

Obviously, my vote in favor of Mr. Lew comes with no small amount of reservation, and I don't fault any of my colleagues for choosing to vote against him. Indeed, I share many of their same concerns. As I mentioned earlier, Mr. Lew has promised to be responsive to Members of Congress and their requests for information. I expect him to be responsive to the Senate Finance Committee and to the Republicans on the Senate Finance Committee as well as the Democrats.

He has also promised to work in a bipartisan manner to address the prob-

lems facing our Nation. I believe Mr. Lew can, and hopefully will, do that. My hope is he does not view these promises as merely boxes checked off on the way to confirmation.

If confirmed, Mr. Lew will be the Secretary of the Treasury of the United States and not the Secretary of the “Obama treasury,” although indirectly he will be. His first job is to the United States of America, and he might have to argue strenuously against some of the White House positions on financial matters and Treasury matters. He has to work for all the American people and not simply one political party.

If he does those things, I will be willing to work with him all the way, and I have to say I expect him to. I expect him to be the honorable man he has told me he is and that I believe him to be; otherwise, I couldn't vote for him, especially under these circumstances.

However, I have to say, if he fails to live up to the promises he has made, if he becomes just another Obama acolyte using his high-powered position in the administration to attack political opponents, I will personally be sorely disappointed and hurt by it. If that ends up being the case, he will have no greater adversary in the Senate. I don't want to be an adversary. I want to help him turn this country around. I want to be an asset to him up here, and I want him to be an asset to our country down there—and up here when he comes.

Given my many reservations and concerns about Mr. Lew, I hope he and the President take note that I am bending over backward to display deference to the President's choice of Treasury Secretary. This gesture, I hope, will not be in vain.

I can contrast Mr. Lew's positions when he worked in the Clinton administration. Many Republicans felt he was a straight-up guy, and I was one of them. I have suggested to him that we would like to see that type of person manage our Treasury rather than the partisan person we have seen in the last couple years. True, the position he had at the White House was a partisan position, and I make a great allowance for that.

I personally like this man. I personally believe he is a good man. But I also believe sometimes we can get so caught up in politics that we don't do what we know we should do. I am hoping he will. I believe he will. If he does, he is going to have a lot of support from me.

I wish to thank my chairman of the committee. He has always been very honorable and very straightforward. I understand a lot of the pressures he has had throughout this process, having been chairman a number of times myself in the Senate and experienced that stress. I want everybody to know this is an important position, this is an important human being, and I hope he

lives up to all he has the capacity to live up to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

VETERANS UNEMPLOYMENT

Mr. BAUCUS. Madam President, I would like to take a moment to speak on a topic that is very important to me, to Montana, and our Nation; that is, our veterans.

The Veterans Jobs Caucus has organized a day of action today to draw attention to veterans unemployment, and I am very proud to help shine a light on that.

Jobs must be our No. 1 priority. There is no better place to start than with our veterans. With the war in Iraq coming to an end and Afghanistan winding down, we have a responsibility to make sure every single one of these men and women returns home to a paycheck, not an unemployment check.

I urge my colleagues to join me in declaring war on veterans unemployment. Let us work together to make sure every American veteran has the good-paying job they deserve.

I yield the floor.

The PRESIDING OFFICER. Who yields time? If no one yields time, time will be charged equally to both sides.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Alabama.

Mr. SESSIONS. Madam President, I have made it clear that I oppose the confirmation of Jack Lew to the most serious Cabinet position of Secretary of the Treasury. The President's Cabinet nominees should be given substantial deference; that is not in doubt. But our Constitution makes clear that appointments to high government office may only be made by and with the advice and consent of the Senate. Certainly, the Senate is not a rubberstamp or a potted plant.

I believe a decent respect for the seriousness of this occasion, for my colleagues and for their opinions, for the President and for the nominee, requires, in this case, that I set forth my objections to the appointment. They are serious, and I believe what I say is important; important for the institution of the Senate and important for our country.

I have not had a personal relationship or extended meetings with Mr. Lew. My objections arise primarily and first from his performance as Director of the Office of Management and Budget. It is, in many ways, a key position in our government. That is the office through which the President controls all the departments and agencies of our government which he is required to supervise.

Normally and necessarily, the OMB Director is the single office that drives efficiency and demands accountability on behalf of the President and the American people throughout our great bureaucracy. In that aspect of his job I

have seen little leadership, and at this time of surging debt, I would rate that performance as an F. I have never seen a consistent, determined effort from Director Lew to reform and make more productive the government of the U.S. Indeed, his primary effort consistently has seemed to be to defend any program under attack, scrutiny, or question rather than examining vigorously to save every single dollar that can be saved for the taxpayers of the country.

If the OMB Director will not insist on efficiency and good government, who will? The Secretary of Energy, pushing out failed Solyndra programs? Is that whom we look to? Or the GSA leaders who host hot tub parties in Las Vegas? This government of ours has never been more poorly managed. It has never had, for a number of years, the serious oversight and management from the top supervisory agencies.

Congress is not empowered to daily manage the agencies of America. That is the Chief Executive's job, and the primary person in his administration, President Obama's administration, charged with this duty is the Director of the Office of Management and Budget. At least, historically, that has been the case.

But, my concerns go even deeper. I believe every public official in this Nation owes an absolute loyalty to the United States, to the betterment of this country and its government, and to the institutional processes that lead to the governing of America. There can be no doubt that every government official, from the President on down, is accountable to the institutions of our government and to the people ultimately.

Without doubt, the Director of OMB has such a duty. He is required to meet that duty with honor, honesty, efficiency, and responsiveness. He serves us; we don't serve him. He serves the American people.

The American people send their money to Washington, and they expect it will be honestly and openly managed—accountable. They have every right to demand high performance from all officials, but particularly the Director of the Office of Management and Budget.

Surely, there can be no higher duty for such an important official than to periodically report to the people truthfully on the important affairs of state—specifically to report the financial condition of the Nation and to produce a budget plan that will fix it. Without doubt, the great challenge of our time is how to confront effectively the unsustainable debt course we are now on. That is clearly the greatest threat to our Republic.

Admiral Mullen, former Chairman of the Joint Chiefs of Staff, has said debt is the greatest threat to our national security. We are heading toward a financial crisis if we do not change. All

have told us that, including Simpson and Bowles of the President's debt commission. They said this Nation has never faced a more predictable financial crisis. They jointly gave that statement to us in the Budget Committee.

Federal Reserve Chairman Bernanke, when asked to make comments about some of the long, great projections of debt out into the future, said: That will never happen. You will never get that. In effect he said: You will have a crisis before that ever happens. We are on an unsustainable debt path.

Even the most current Secretary of Treasury, Secretary Geithner, made the same comments about Director Lew's budget. He acknowledged that that budget left the country on an unsustainable financial path. Therefore, the report of the Nation's top management official on budget and management to Congress on these issues must be absolutely accurate. It must be true. His budget that he would set forth as director of the budget each year, as required by law—the President submits a budget—must put the Nation on a sound and sustainable course, not keep us on an unsustainable course.

If changes in the operating methods of the country are needed, he should say so and help lead that reform effort. He is the one who keeps the books. He is the one who must, along with the President, rally the Nation, as mayors and county commissioners and Governors have done all over America to rein in reckless spending and unacceptable debt in their jurisdictions. Why is it not happening here, now, at this time of national crisis?

In February 2011, as Director of OMB, Mr. Lew produced a budget for the President, and he presented it to the people and to the Congress. That was February, 2 years ago. He was the budget director.

The budget he prepared utterly failed to meet the needs of the Nation. It just did. As Mr. Bowles said right after the budget was announced by Mr. Lew—he said with great disappointment, the White House budget request “goes nowhere near where they will have to go to resolve our fiscal nightmare.” This is the man President Obama appointed to head the debt commission, and he said this budget came nowhere near where they will have to go to avoid our fiscal nightmare. This budget was a disaster.

Instead of making our debt problem better, it made it worse. It taxed more and spent more. I was shocked and amazed.

Please remember, this was in February 2011, not long after the midterm congressional elections in which the American people rose up and shelacked a lot of big spenders and demanded that we get our financial house in order. The American people were shocked by the explosion of debt and

the surge of big government, and they demanded more accountability. They insisted on it. Presenting a budget that did not do what the public demanded, control spending and debt, would not have been popular.

Imagine what went on in the White House. I am just a Member of the Senate. I observe these things like all of us. The question was, Would the President of the United States now, after the midterm elections that gave the majority to the House of Representatives—would at that point a policy, a budget, set forth a sound, sustainable path for America that could lead the country out of this fix?

I know they discussed it. Surely, they did. It was the most important issue they faced. Would they back down from spending and investment and taxes? Would they opt for a more limited growth in spending in America?

They made their decision. Actually, it is pretty clear two decisions were made. I do not think this is unfair to analyze it in this way. First, they decided that despite the election, they would not curtail spending or lay out a plan that would alter the debt course of America; that they would not fix and save and strengthen our entitlement programs, such as Social Security; and they would lie in wait, I guess, for anybody in the House of Representatives, particularly, and criticize their plan. They would not lay out any plan in their budget, which is the time that you would normally lay out your plan. They would set up a method to attack the Republicans when they produced their budget, as required by law, and their budget would have to deal with these things and propose real cuts in spending, and they would criticize that. Apparently, that is a decision they made.

But this presented a problem. To announce a budget that did not do what the public had just demanded—control spending and control debt—would not be popular. So what do you do then? It is pretty clear to me how the conundrum was decided.

Mr. Lew would go before the American people and Congress and just declare that the budget he had put forth did put the Nation on a sound financial course; that it would end deficits and put us in a position to pay down our debt. They just decided that Mr. Lew would go out, despite what was in the budget, and declare that it would do those things. Thus, the statements of Mr. Lew amounted to what I have called—and will explain—the greatest financial misrepresentation concerning the finances of this Nation ever made.

If somebody has something different, I would like to see it. I would like to see somebody say, when we finish talking about this, that they have other examples of this kind of misrepresentation.

These statements were made carefully and deliberately calculated and

for the political purpose, I have to say, of misleading the public. You may say: Surely not, JEFF. You are exaggerating this situation. Surely, he wouldn't do that.

Let me tell you what happened. The day before the budget was to be released, on a Monday, Mr. Lew went on the Sunday news programs to report on the budget that the President would be submitting to explain what was in it. This is what he said on CNN on a Sunday morning program.

I will put this up because the words should live in infamy. This is how he described the budget he laid out:

Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say, we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.

That is exactly what the American people want to hear. There was no qualification placed on this statement, none whatsoever. He was speaking directly to the American people on a Sunday morning news programs. He said other things on several of the other programs that he participated in on February 12, 2011.

There were no qualifications. How could it be heard other than the way those plain words would suggest? It suggests that we had a plan, that the President had a plan, and that Mr. Lew was producing a budget—which his office produced—that would make sure we were on a sustainable financial course and we would not be adding to the debt anymore. "We're not adding to the debt anymore."

What else did that suggest? It suggested we can relax. We didn't need to talk about real spending reductions because we had a plan. Just follow the President's plan. Everything is going to be okay; relax. Don't get too excited as they did in this last election because we have everything under control. Our plan fixes it.

That is essentially what happened, but the budget documents Mr. Lew submitted revealed the opposite. The question is: Did his own documents confirm this analysis? Did it come close to it? Well, these documents will reveal the truth. Actually, his documents revealed a rosy scenario of the truth. The numbers I am going to give of what his documents reveal turned out to be less positive than even they predicted.

In his own accounting table, Mr. Lew's 10-year budget got nowhere close to the point where we could not say we are adding to the debt anymore or that we were in a position to pay down the debt. To anybody who has the slightest concern for the meaning of words—or who believes in the most basic concept of an objective truth—this statement must be condemned. Even though the Lew budget documents made calculations more favorable than the rosy pro-

jections of CBO, it still unequivocally showed that over the 10-year budget window there was never a year—not one year—when we would be able to pay down the debt or balance the budget or not add more debt.

Indeed, over the 10-year period his budget covered, which he was referring to in this document, we would add \$13 trillion to the total debt of the United States. It would almost double it. It would be \$9 trillion to the public debt and \$13 trillion to the gross debt. The year with the single lowest deficit out of 10 years was \$600 billion in debt. In other words, the lowest single annual deficit in 10 years was \$600 billion. President Bush's highest deficit was less than \$500 billion over 8 years. This is a huge debt, \$600 billion, but would average almost \$1 trillion a year. On average it would be \$1,000 billion a year, which clearly leaves us on the same unsustainable path we had been on.

On Tuesday Mr. Lew appeared before the Budget Committee. I am the ranking Republican on the Budget Committee. I was amazed at what he was saying on television. After we scrambled around and looked at the documents, it became clear this was not close to correct. How could the Budget Director of the United States of America go on national TV and make these kinds of statements? How can we have any expectation of the truth in Washington when the Budget Director tells us we are on a sound path when it didn't appear to be so? And, indeed, it wasn't so.

He came before the Budget Committee, and I quoted this CNN statement to him. I read it back to him and directly asked whether his statement was accurate, and this is what he replied:

It's an accurate statement that our current spending will not be increasing the debt . . . We've stopped spending money we don't have.

Further, let me note that outside the 10-year window—based on the financial plan that that budget set forth—the deficits got worse. They were going up in the outyears. The lowest year was \$600 billion, but they were going up every single year, by his own accounting. CBO's numbers were much higher as far as the debt that would be added to the country.

For me this was a most stunning development. I don't believe it could be explained away. It is obvious he determined that he was going to stand pat with his story, which was a political narrative that they wanted to spin. They wanted to spin a political narrative, but it was not accurate, and that is important for us. The chief budget person in America needs to tell the American people and the Budget Committee of the U.S. Senate the absolute truth about the financial condition of this country. He is not entitled

to sugarcoat it, and he is absolutely not entitled to totally misrepresent it.

I examined him. He said we are going to have a primary debt. We are going to have a primary deficit. So what is this, a primary debt? Well, we don't count interest. I kid you not. The Budget Director of the United States of America said the statement—as I interpret it, and it was not inaccurate—that he was not counting the interest on the debt. Did he qualify that when he told the American people that? No, he did not. Did he make any kind of representations as to that? No. I would suggest the numbers clearly show that even if we have the kind of bogus accounting where we don't count our interest, who could possibly write a household budget, a city budget, or a State budget that didn't account for the interest they have to pay every year? How ridiculous is that? That is the kind of phony, gimmicky accounting that puts this country on a path to financial crisis. But that is what he said. Even by that definition it was not true, and this would not be true, and it is false. Well, phony accounting procedures, budget manipulations, and gimmicks such as this primary balanced idea are the way politicians have maneuvered us into a situation where our path is so dangerous.

The American people are not happy about it, and they should not be happy. There is no reason we have placed this country at such risk because of debt and spending—no reason we should do that. They sent us here to this Congress for a lot of reasons, but the primary reason is to properly manage their money.

I see my colleague from Vermont, and I think we might get there a different way, but I think we may share some of the views about this nomination. I respect his independence and gumption, as we would say in Alabama, to express his views openly and directly.

I will talk some more because this is an important matter, and I don't intend to let it go lightly. I believe this Congress and the American people are entitled to honest, sober, serious commentary and information from our leaders, and we are not getting it. It makes it hard to get the American people together to figure out how to tighten our belts and how to handle the financial crisis we are in if we have top officials who say: We don't have a crisis, don't worry about it, we have a plan that fixes it.

I don't see any reason to extend for a longer period of time the Lew nomination. He has come out of committee and he has bipartisan support. He is going to be in a position to be confirmed, but I am not going to vote for him. I wish to talk some more about some of the additional problems we have with his nomination but will do so later. I believe it is my responsibility to do so, and I intend to fulfill it.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I say to my friend that he is right when he said that I oppose the Lew nomination also. I oppose his nomination for different reasons than he does, and I will speak later on that issue.

From my perspective, at a time when the middle class is disappearing, when we have 46 million people living in poverty, when we have the most unequal distribution of wealth and income since the Great Depression, we need a Secretary of Treasury who is going to stand up for working families and be prepared to take on Wall Street. He needs to be prepared to change our disastrous trade policies, be prepared to defend Social Security, Medicare, Medicaid, and the safety net that is so important to tens of millions of Americans. That is my objection to Mr. Lew.

I agree with my friend from Alabama that deficit reduction is a serious issue. Where we disagree is that I don't believe we balance a budget on the backs of the elderly, the children, the sick, and the poor.

I ask my friend to take a look at the Cayman Islands and Bermuda. Take a look at all the corporations making record-breaking profits and stashing their money in the Cayman Islands. For what purpose? To avoid paying taxes to the U.S. Government.

The Senator and I have met with the parents of young men and women who have died in Iraq and Afghanistan, and that is called patriotism. It is not called patriotism when corporations run to the Cayman Islands to avoid paying their fair share of taxes.

Mr. SESSIONS. Madam President, would the Senator yield?

Mr. SANDERS. I will.

Mr. SESSIONS. With regard to the Senator's views, I am concerned that working Americans are not being fairly recompensed for their work on the American debt. We have gone a long time with no real net improvement in the income, inflation has been higher than wages, and Wall Street is doing fine. It seems as though they win whether things go up or down. I don't have any brief for that crowd. I think the Senator is right to be skeptical about how things are handled on Wall Street, and I salute my friend for being aggressive in that pursuit.

Mr. SANDERS. I thank my friend from Alabama, and with that, I yield the floor.

The PRESIDING OFFICER. The Republican whip.

BUDGET MALPRACTICE

Mr. CORNYN. Madam President, I come to the floor today to mark another lamentable milestone in the long record of deadlines and misgoverning that might be called malpractice over the last 4 years. As we can see, today is the 1,400th day our colleagues across

the aisle, who control the agenda on the floor of the Senate through the majority leader, have failed to produce a budget or even bring one to the floor so we could vote on one. For 1,400 days this body has been truant from one of the most fundamental obligations to the American people.

When they look to see what is happening in Washington, DC, they are incredulous. No family, no small business, no local government, no State government, no one except for the Federal Government, could actually operate without a budget. For nearly 4 years the Democratic leadership of the Senate has failed to put forward a fiscal plan to break our economy free from the lingering effects of the Great Recession. And the consequences of that are pretty clear when we look at trillion-dollar annual deficits and when we look at \$16.5 trillion of debt which has threatened our economic recovery and job creation. That is the bitter fruit sown from the negligence of failing to produce a budget for 1,400 days.

I realize none of this is maybe as easy as it looks, and I know our Democratic colleagues have been under constant pressure from the White House. Indeed, the White House itself has long reinterpreted the role of its annual budget submissions to Congress from the governing documents they once were to now really no more than political posturing. As evidence of that, I would point to the fact that the President's last budget he submitted got zero votes out of 99 Senators voting. No Member, even of the President's own political party, would support his budget proposal last time because they believed it was not a governing document they could support instead of just a political statement.

These are some of the reasons I can't vote for Jack Lew for Treasury Secretary. After all, it was on his watch that most of this happened.

I am also deeply troubled by the fact that in my office as well as in the hearing before the Senate Finance Committee, Mr. Lew would not commit to any limit—to any limit—on Federal spending. Traditionally, over the last 40 years or so, the Federal Government has spent roughly 20 percent of our gross domestic product. It has been as high as 25 percent under the Obama administration. When I asked Mr. Lew what is the right figure we ought to be shooting for, he wouldn't even mention any figure. So he would not commit to any limit on Federal Government spending.

He also would not commit to the administration complying with Federal law requiring it to submit a blueprint for reforming Medicare, known as the Medicare trigger. It is a complex formula. But if Medicare is in trouble, Federal law requires the administration to submit a plan to fix it. Mr. Lew said: We didn't do it, and we are not going to do it.

I can't support a nominee who refuses to commit to tackling one of the biggest drivers of our debt on the eve of another manufactured fiscal showdown that was actually the President's and the White House's idea—this sequester people are hearing so much about which is now being used as a means by which to extract more money from the American taxpayer. So instead of the Federal Government doing what every family and every business has to do when there is not enough money coming in the door, the White House and the Democratic leadership are insisting on more from hard-working Americans, after a \$600 billion tax increase in December.

Unfortunately, it is hardly surprising that President Obama would nominate someone who cannot simply commit to following the law. This administration has a record, sadly, of flouting the law of the land, and I will give some examples.

This administration, of which Mr. Lew has been an essential member, has, for example, during the government-run automobile bankruptcy process—the company's secured creditors, who were supposed to get paid first, found they were given less than unions were because of politics and flouting the rule of law.

As Solyndra was going bankrupt, we know the administration, rather than letting the private lenders pay for their bad judgment, decided to make the taxpayers subordinate to those private lenders.

We know that last year, because the circuit court of appeals in the District of Columbia has told us so, the President made unconstitutional appointments to the National Labor Relations Board and to now the Consumer Financial Protection Bureau. That case hasn't been decided, but it is impossible for me to see how the rationale would be any different from the court of appeals' decision in the NLRB case.

We also know that last year the President waived key requirements of the 1996 welfare reform law. And to help implement ObamaCare, the Internal Revenue Service has announced that it will violate the letter of the law and dispense health insurance subsidies through Federal exchanges in those States that do not create State-based exchanges.

We know that when the 2,700-page behemoth known as ObamaCare began to be implemented, when some of the supporters—and some of the President's own supporters—complained about it, they were issued waivers even though the rest of the American people had to simply take it.

Finally, the President has again missed the legal deadline for submitting his own budget for this year. That was on February 4. In fact, four of the last five budgets have been late.

Simply put, we can't keep living like this. We can't allow this to become a

precedent for future Presidents and future majorities, regardless of party, to rely on. We can do better. We must do better. And my 26 million constituents in the State of Texas demand that we do better.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, just to follow up further on the situation we face, I talked earlier about the critical importance of having honest numbers. We can disagree on certain numbers. Mr. Lew predicted that under his budget, last year's deficit in the 10th year would be about \$800 billion. The Congressional Budget Office, using the same numbers, the same analysis, says it would be 50 percent higher. They said it would be \$1.2 trillion. He was using rosy scenarios. The non-partisan Congressional Budget Office came out with greater debt numbers and more danger for America.

I am not so much complaining about that, although I think they deliberately tried to make their numbers look rosy. What I am complaining about is a fundamental mischaracterization of the budget he presented and what it would do according to his own analysis contained in the budget documents he submitted with his budget.

This is a very important matter. People say: Why don't you get together in Congress? Why don't you all reach an agreement? Well, it is kind of hard to reach an agreement when the lead negotiator for the President, Mr. Lew—some call him Dr. No—goes around saying:

We don't need to do anything; our budget we submitted will get us over the next several years to the point where we can look the American people in the eye and say, We're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our debt.

He implies bringing down our total debt because we are going to have surpluses, enough money to pay down the debt. However, according to his own numbers, the lowest deficit he had was over \$600 billion, and they were going upward the last 6 years, getting worse, and the Congressional Budget Office said the last deficit would be \$1.2 billion. Unbelievable. So I wanted to continue to discuss that.

According to the budget numbers he put out, his plan would add \$13 trillion in new gross debt to the United States in 10 years, by 2021. That was in 2011. Single-year deficits will never drop below \$600 billion. In 2015 they would

start climbing back up to \$774 billion. Over the 10 years total spending would increase—not be reduced at all, of course, but increase—by nearly 50 percent, with mandatory spending alone—not in any way controlled or reformed or fixed by the Lew budget—mandatory spending would increase by more than 80 percent. And mandatory spending makes up more than half of all the spending in our government. So on his track, by his own budget, by his own projections, by what he believes should happen, it increased by 80 percent. In fact, entitlements are growing at about three times the rate of GDP growth, the rate of the growth in the economy. That is unsustainable.

Do we ever hear that from the President or his chief budget guy, Mr. Lew, who is now expecting to be the Secretary of the Treasury, the primary, premier economic leader for America? If one can't be honest about what the situation is, one ought not to be promoted. That is the way I feel about it, and I feel strongly about it. I have never seen anything like that in my entire time in the Senate, to have this kind of statement made that is so utterly unconnected to reality.

It wasn't long after Mr. Lew came to the committee—2 days or 3 days after this statement—when I asked him about that. I asked him if that was accurate, and he said:

It's an accurate statement that our current spending will not be increasing the debt . . . We've stopped spending money that we don't have.

And the lowest deficit is \$600 billion.

But Mr. Geithner came after this exchange, and I am sure Mr. Geithner was well aware of what happened in the Budget Committee. Mr. Lew dug his heels in and insisted this statement was true. What did the Secretary of the Treasury, Mr. Geithner, say at that point? I think this is the difference between Mr. Lew and Mr. Geithner. Mr. Geithner was former head of the Federal Reserve in New York, a man of some seriousness and gravitas, and he wasn't going to go in there and say something that wasn't true before the Budget Committee, although he didn't give it up easily. I had to use all the skills I had to pin him down, but when I did, this is what Mr. Geithner said. Even if the budget Mr. Lew put forward were passed and enacted, Mr. Geithner said that “we would still be left with a very large interest burden and unsustainable obligations over time.” In effect, he said we would be left with an unsustainable debt path, when Mr. Lew says: Don't worry, my budget fixes it. And Geithner was talking about this very budget.

Writing in the New York Times, writing an article, an op-ed in the New York Times, Mr. Lew said:

The President's budget is a comprehensive and responsible plan that will put us on a path toward fiscal sustainability in the next few years.

He wrote that in the New York Times—totally inaccurate. Does he not respect the American people? Does he think he can just go and make CNN statements and write in the New York Times and say anything he pleases about the financial condition of our country—a financial condition that represents the greatest threat to our national security, more than any other threat we have in this world today?

That same month, Mr. Lew stated in an interview with National Public Radio:

If we're able to reduce the deficit to the point where we can pay for our spending and invest in the future, that is an enormous accomplishment. This budget has . . . proposals that would do that.

And it did not. The budget did not have anything in it that would have had us pay for our spending. We are borrowing 36 cents out of every \$1 we spend today. We are adding debt to our Nation every single hour—and to say we are going to be paying down the debt.

At no point did Mr. Lew's own estimate show that the President's 2012 budget was coming close to a point where we could pay for our spending. Excluding interest payments on the national debt—excluding the interest—the plan would have resulted in \$1.5 trillion in deficits over 10 years, and even more than that when you consider the full interest cost of \$7.2 trillion. The long-term outlook, with annual interest payments approaching \$1 trillion and mandatory spending consuming over three-quarters of the budget after 10 years, and growing—entitlement and mandatory spending absorbing three-quarters of the budgets—Mr. Lew's comments were not merely misleading, but I believe qualify to be described as the greatest financial misrepresentation in the history of the American Republic. If someone has a better analysis of it, I would like to hear it. If somebody comes down and says this is a true statement, I would like to hear them say it. I invite all my colleagues—members of the Finance Committee; lots of them voted for Mr. Lew—do you think it is OK to say this? Do you think this is accurate? And if it is not accurate, do you want to promote him anyway? Why would you want to do that? I do not understand it. I am not going to support that. Mr. Lew made these representations over and over again.

The President's next year's budget in 2012, for the 2013 fiscal year, was formulated while Mr. Lew was still the President's Budget Director and delivered while he was the President's Chief of Staff. It similarly was extreme and irresponsible, and it was part of a continued campaign to mislead the American people about how it operated, to say it was so much better than it really was.

Although the White House claimed \$4 trillion in savings, according to the Of-

fice of Management and Budget's own data, the 2013 budget would only have reduced the deficit by \$197 billion over 10 years. They claimed they saved \$4,000 billion—\$4 trillion—but, in fact, it would only have reduced the budget by \$197 billion over 10 years—virtually not changing the debt course of America. And all of those savings—virtually every one—were from tax increases. The spending was not reduced.

The White House also pushed the idea that the budget contained \$2.50 in budget cuts for every \$1 in tax hikes, while in reality there was a net spending increase above the policy baseline we were operating under. It spent more, not less. They claimed there were \$2.50 in cuts for every \$1 in tax hikes. That is not true. Overall, from current budget levels, spending would have increased by more than \$2 trillion.

The net result of the proposals contained in the 2013 budget was to bring the Federal debt up to \$26 trillion by 2022—an increase of \$11 trillion. The proposed \$4 trillion in savings simply did not exist. It was a complete fabrication. Mr. Lew understood that. He helped write that budget. He was the Chief of Staff at the White House when it actually came to the Senate.

Once again, a Lew-designed budget was presented to the American people in false terms designed to create the impression that we were putting America on a sound financial path, while we were doing the opposite—if it had passed.

And, of course, you say: Well, SENSATIONS, that is your view. You are the one who is mischaracterizing the President's budget. This is all partisan. Maybe you would think that. I hope not. But let's see what some of the other observers around the country said about it when it was released. I am not talking about the budget that was described by Mr. Lew in these wonderful terms. If we had a budget that would do that, the American people would jump up and down and shout hallelujah. We are not close to it, however, as independent observers noted.

Look what these honest observers said about it.

The Washington Post, the largest paper here in Washington, said this:

The larger problem with the budget is the administration's refusal to confront the hard choices that Mr. Obama is so fond of saying must be faced.

The title of that editorial: "President Obama's budget kicks the hard choices further down the road."

What about USA Today, a nationwide paper?

President Obama likes to talk about those "Sputnik moments" when the nation rises to difficult challenges like the one posed by the Soviet space program in the 1950s. On Monday—

The day this budget was released—he had a chance to turn his . . . budget proposal into his own such moment. He whiffed.

The title of that editorial: "Obama's budget ducks tough choices."

What about the Financial Times?

President Barack Obama has unveiled a hugely disappointing budget, cutting only a few percentage points . . . in projected US federal deficits over the remainder of this century. . . . If Mr. Obama will not make this case, who will?

The title of that editorial: "Obama's budget shows failure of leadership." That is absolutely true. It was a failure of leadership.

Another from the Washington Post:

White House budget director Jacob J. Lew has told advocates of reform that the White House thinks any significant plan offered by the president would simply become a target for partisan attack.

Then it goes on to quote Alice Rivlin:

"I would have preferred to see the administration get out front on addressing the entitlements and the tax reform that we need to reduce long-run deficits," said Alice Rivlin, a commission member [on the deficit commission] who served as budget director in the Clinton White House.

That was Alice Rivlin, a wise commentator, a Democrat, but a wise commentator. She went on to say:

But they clearly made a tactical decision.

She meant a political decision.

That was the Washington Post. The title of that was: "Obama spending plan criticized for avoiding deficit commission's major proposals."

Another from the Washington Post:

Erskine Bowles, the Democratic chairman of the fiscal commission, said the White House budget request goes "nowhere near where they will have to go to resolve our fiscal nightmare."

He is referring to this. This was on February 14—2 days after Mr. Lew made those ridiculous statements.

This is Mr. Erskine Bowles, a man chosen by President Obama to head the fiscal commission and spent a year studying our debt problem.

How about Investor's Business Daily, a prominent business publication?

The White House's new budget is far worse than merely bad. By not attacking the underlying cause of our debt explosion and by raising taxes, it will lead inevitably to a weaker economy and perhaps even default.

The title of that editorial: "Obama's Gutless Budget Proposal"—a proposal written by Mr. Jack Lew.

What about the Wall Street Journal? This is entitled: "The Cee Lo Green Budget."

After three years of historic deficits that have added almost \$4.5 trillion to the national debt, President Obama was finally going to get serious about fiscal discipline. Instead, what landed on Congress's doorstep on Monday was a White House budget that increases deficits above the spending baseline for the next two years. Hosni Mubarak was more in touch with reality last Thursday night.

The Wall Street Journal, the premier business publication in America.

The Orlando Sentinel:

Count us deeply disappointed by the \$3.7 trillion budget that President Obama unveiled Monday. . . . To really tackle the national debt, Mr. Obama needs to get off the sidelines, and start leading.

The title of that: "President Obama's budget plan falls short"—Jack Lew's budget plan.

The New York Daily News:

But the bottom line is that [President Obama is] figuring on reducing the deficit by \$1.1 trillion over 10 years while his blue-ribbon commission said cutting four times that amount is critically necessary.

The title of that editorial: "Deficit of courage."

This is another one:

President Barack Obama rolled out a \$3.7 trillion budget Monday that promises \$90 billion in reduced spending for fiscal 2012, but it would still produce a whopping \$1.1 trillion deficit. The best that can be said is that we've started to frame the national debate.

So said the Chicago Tribune.

The Indianapolis Star:

Obama has all but ignored the recommendations of his own deficit reduction commission.

The headline of that editorial: "We ignore 'red menace' at our peril."

How about the Los Angeles Times, a major western newspaper of liberal political views:

President Obama's budget for fiscal year 2012 landed with a thud Monday, laying out short- and long-term tax and spending plans that disappointed lawmakers on both sides of the aisle. The proposal was a remarkably tame response to Washington's fiscal problems, not the bold statement about belt-tightening that the White House had suggested was coming.

The Denver Post, another large and liberal newspaper, states:

Obama called the proposal one of the "tough choices and sacrifices," yet it does not confront entitlements and continues to act as if government spending is the way to prosperity.

That is true for sure.

The San Francisco Chronicle, an important newspaper:

In a crucial way, it lacks honesty.

The Dallas Morning News, a big newspaper:

But taken as a whole, his proposals represent the third time in 2 months he has walked up to the challenge of curbing the deficit and more troubling long-term debt and turned away on leading the Nation back from an impending fiscal nightmare.

The Philadelphia Inquirer:

The shortcoming in Obama's spending proposal is its lack of strategy for sustained, long-term deficit reduction.

That is correct. It had none of that in it. It goes on to say:

Cutting deficits by \$1.1 trillion over a decade might sound significant. But the non-partisan Congressional Budget Office has projected deficits rising \$12 trillion over that time.

The title of that editorial is "Still missing the mark."

The Minneapolis Star Tribune:

The flurry of deficit-reduction plans released late last year were supposed to kick

off a national "adult conversation" about the Nation's metastasizing long-term debt problem.

When is that conversation going to begin? It certainly didn't happen on Monday when President Obama released his \$3.7 trillion budget request for 2012. The title of that editorial is "Slinking away from U.S. budget reality," written by Mr. Jack Lew, Director of the Office of Management and Budget, who declared it was a wonderful budget, totally misrepresenting what it would do.

The Washington Post, Dana Milbank:

Obama's budget proposal is a remarkably weak and timid document. . . . The President makes no serious attempt at cutting entitlement programs that threaten to drive the government into insolvency.

What about Senator Conrad, who was the chairman of the Budget Committee at that time, a distinguished Democratic Senator who retired from Congress and is no longer in the Senate. This is what Kent Conrad said, my friend, with whom I served on the committee:

But we need a much more robust package of deficit and debt reduction over the medium- and long-term.

Well, our Democratic leadership in the Senate refused to bring up a budget. Today marks the 1,400th day this Senate has violated the law of the United States and not produced a budget. It is unthinkable at a time when the debt represents the greatest threat to our country.

The House has passed a budget each year. That was part of the strategy. That was part of the gimmick. Senator REID, the Democratic leader, says we don't need a budget; it is foolish to have a budget. That was his comment: It is foolish to have a budget even though the law explicitly requires the Senate to produce a budget.

What did he mean, "foolish"? He meant if you pass a budget, somebody could criticize you. Somebody could look at your spending and taxes, evaluate it, and say: We don't like that. He doesn't fix the debt. It raises taxes too much. It doesn't cut spending. Or it increases the spending too much. Why do that? It is foolish. Let's don't pass one, and we will criticize PAUL RYAN, the young, dynamic chairman of the House Budget Committee who wrote a budget that passed the House and would have fixed our debt problem and put us on a sustainable course.

This was a budget that was complimented by Alice Rivlin and Erskine Bowles. They may not have agreed to everything that was in it, but they complimented him on having integrity and doing what it said in laying out a plan for the future of America. The House passed it.

What did the Senate do? Nada, nothing. It was one of the greatest acts of irresponsibility, I submit, in Senate history. There are a lot of them out

there. This is one in the top group, in my opinion. How could you possibly, at a time of crisis, not bring up the budget? The President submitted a budget, as he is required to do by law, and every President always has. The Senate just decided not to even move one. They say: We will have one this year. I am looking forward to that. It is behind time, as was the President's submission of a budget. He was late, according to the law, in submitting that.

As time went on and the tension rose over the budget and our future spending program, the Democratic leader in the Senate thought he would be clever and would bring up Congressman RYAN's budget and make all the Republicans vote for it—virtually all did; maybe two or three didn't—and then they would attack them because it had cuts in spending. They are going to say: You don't like old people. You don't like children. You don't like education. You don't like this in health care, and this will be great.

As I said, most Republicans, virtually all, voted for it.

Senator MCCONNELL said: All right, let's bring up the Obama budget. Let's bring up the budget Jack Lew prepared to the floor.

He forced a vote on the Lew budget. How many votes do you think it received? Zero. Every Democrat voted against it and every Republican voted against it. It was brought up in the House of Representatives. Every Democratic Member of the House voted against it and every Republican voted against it. It happened the next year in the 2013 budget.

Not a single person voted for this budget because it wasn't worthy of a single vote. It would not do anything to change the debt course of America, and they were totally misrepresenting what it would do. It was a sad moment. That is where we are.

My question simply would be, Where was Mr. Lew in this? He was the architect. He was the architect of the budget, but he was deeply involved in the political activities that were going on at this time. It fell to his lot—I am not sure if he asked for it—to come and testify before the Budget Committee and say these kinds of things about it, these words that will live in infamy. Did he just volunteer to do it? Was he so much a part of the Obama political interest he would say whatever it takes to promote a budget that wouldn't work?

Secretary Geithner, President Obama's own Secretary of the Treasury, would not say so. He wouldn't say these kinds of things. He tried not to embarrass the administration, tried not to embarrass Mr. Lew. When I pinned him down, he said this still leaves us on an unsustainable debt course; not fixing our problem as was represented.

Now we want to replace Mr. Geithner, a man who was frank in his

testimony about the dangers we faced, with a man who stood by this kind of testimony and statements.

I do believe our country is a bit confused. I believe we are to the point where in politics people think they can say almost anything and nobody cares. Just say this or say that; if it is not true, well, so what. I guess it is just politics.

If we continue in that way, this is a very dangerous trend. It places the entire democratic Republic of America at risk. The whole concept of American Government is based on finding the truth. This is why you have debate in the Senate; open, public debate. The truth, the theory is that it will somehow rise to the top, and it normally will when you have honest debate. You have negotiations on issues, you advocate for your side, and you may begin to reach consensus, sometimes at least.

How can you reach consensus when the person you are negotiating with is insisting his budget does things it absolutely does not do? He is doing that for political reasons, not for the interests of America. How are you able to deal with that?

I think this Senate—as a matter of its own integrity to defend the integrity of the Senate, and, perhaps, more importantly, to defend the integrity of the American people—has a firm and clear duty to insist that high public officials tell the truth when they come before Congress or when they go on national television. He is being paid by the American people. Was he paid to misrepresent the budget or to tell the truth about the budget?

He didn't tell the truth about the budget. Is there a consequence? We just promote him to some other high office because he helped the President win his election by spinning the debt situation in America in a way that is not correct.

Make no mistake, I don't have proof of this. And maybe it is wrong. But it seems to me this was a campaign decision made in early 2011 that they were going to say their budget fixed our debt problems. Why do I state this? Because it was continued periodically off and on and was repeated again in a national television ad by the President of the United States in September 2012 to win reelection. "Our plan pays down the debt," I believe, was the phrase they used in that television ad.

That wasn't true. He didn't have a plan that paid down the debt or didn't add to the debt or put us in a position to pay down the debt. He never had a plan to do that. He didn't.

You say: That is not correct. I will ask my Democratic colleagues—this is a free country, a free Senate—you come down and say if I am incorrect on this. Show me if I am wrong. If I am wrong, I will apologize; but I don't think I am wrong. I have looked at it hard, and I don't think anybody is

going to come down and dispute what I have said fundamentally on the details of this budget document.

I thank the Chair for indulging me.

I yield the floor and would note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, the Lew nomination has not received an enthusiastic response in many quarters, that is for sure—maybe from the hard left, where he has been an advocate of some very hard left views and some inflexibility when it comes to dealing with some of our entitlement programs and welfare programs that have been surging out of control. But this is what some others have said about the nomination.

Larry Kudlow, a commentator on CNBC—who was an economist for the Federal Reserve System of the United States and a former chief economist at Bear Stearns and an employee at the Office of Management and Budget, where he was a chief economist—said this on the radio not too long ago. I guess this was written about by Jeff Poor, a reporter for the Daily Caller.

Larry Kudlow explained why President Obama's nomination of Jack Lew as Timothy Geithner's replacement to head the Treasury Department was a "nutty appointment."

If you keep up with business issues and stuff, you will see Mr. Kudlow on TV regularly, and he, like a lot of our commentators, enjoys stirring the pot sometimes, but, as I say, he was a chief economist at Bear Stearns and at the Office of Management and Budget and an economist at the Federal Reserve. He knows a great deal about the economy. His instinct is what led him to call this a "nutty appointment."

Continuing Mr. Poor's quote:

Kudlow pointed to Lew as part of the problem.

Part of the problem as to why we don't have a budget. He said he is part of the problem.

Once again citing the Poor article:

Kudlow cited Lew's lack of qualifications as another reason that President Obama's appointment was "completely irresponsible."

Quoting Mr. Kudlow, the article went on to say this:

"You know, this whole thing is kind of centered around the Senate, which hasn't done a budget in 1,351 days—so whatever that is, four years," Mr. Kudlow said.

And I will just add that today is the 1,400th day.

Continuing the quote:

"Now the White House might not even submit a budget, and now the White House had

taken the budget director and chief of staff and put him over the Treasury, where Jack Lew is completely—and I mean completely unqualified to be Treasury Secretary."

He is talking about Lew, and sending him to be Secretary of Treasury.

Mr. Poor goes on quoting Mr. Kudlow, who explains:

"He has no financial experience. He has no international experience. He has no currency experience. He ripped off Citibank for a couple million dollars. He was there for one year. I mean, there's about a million people—give me a phone book, and I'll find somebody more qualified for Treasury Secretary than former OMB director Jack Lew. This is all of a piece. It is completely irresponsible."

Well, that is pretty clear, what he expresses there, what he believes. And I think that is valuable insight.

Are we just making this up? This staffer for Tip O'Neill, the Budget Director of OMB before and now Chief of Staff at the White House, is he really qualified to lead the United States of America in addressing the challenges of our time?

What about the Secretary of the Treasury position? Is that a matter of great importance? The Treasury is one of the four great senior Cabinet positions we have—Attorney General, Defense Secretary, State, and Treasury. The credibility of the Treasury Secretary is his greatest asset, and, as I have said, this statement raises the most grievous doubts about his credibility.

We have had great Secretaries. Albert Gallatin early on, who was a Swiss immigrant, helped create the House Ways and Means Committee and instituted the development of the Treasury. Simon Chase from Ohio stood as one of Lincoln's top aides and was responsible for the civil system of federally chartered banks. William McAdoo, a distinguished businessman, helped create the Federal Reserve System. Andrew Mellon, a brilliant Pennsylvania businessman, served as Secretary of Treasury. Henry Morgenthau, Jr., served as FDR's Secretary from 1934 through 1945. William Simon, a successful businessman, served as Secretary under Nixon and Ford. He supervised the Nation's economic policies in crisis times.

So this nominee doesn't have the kind of background one would normally look for in a Secretary of Treasury, particularly when we are doing so poorly economically. We had a big recession, and we are coming out of it at a slower rate than we perhaps have ever seen other than the Great Depression.

Mr. Malpass testified at the Budget Committee yesterday about the Lew-Obama-Paul Krugman theory of borrowing money and spending money to stimulate the economy and get us out of the recession. All you have to do is look at it and see it didn't work. How much more evidence do you need?

So that is the advice we have been getting there. And this good staffer

quality is what our Democratic chairman of the Finance Committee, Senator BAUCUS, seemed to see in Jack Lew during his recent confirmation hearings. He seemed to call into question the necessary stature the position requires and whether Jack Lew met those standards. This is what Senator BAUCUS said to Mr. Lew:

I'm going to ask you—it's clear you'd be a great staffer. I'm not talking about being a great, courageous staffer and telling the President what you think and don't think. I'm talking about something else. I'm talking about the public perception, the public demeanor, representing the United States across the country and around the world, be able to influence policy in a way that makes sense—most of us would tend to agree with. We may differ along the edges, but most everybody in this room agrees that needs to be done.

So even the chairman of the Finance Committee, a Democratic chairman, Senator BAUCUS, with great experience, certainly raised some questions about the nomination.

Madam President, I appreciate the opportunity to speak, and I look forward to Senator Kaine's remarks.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Madam President, I ask unanimous consent to speak as in morning business and that the time count against the nomination.

THE PRESIDING OFFICER. Without objection, it is so ordered.

ABNORMAL TIMES

Mr. Kaine. Madam President, it is an honor to stand here for my first speech on the Senate floor. I am honored to be part of this body and to speak where hundreds have spoken before and thousands will speak after me.

A normal first speech for a Senator is usually a proactive, forward-looking speech. We are not in normal times. A normal first speech for a Senator usually happens much later, after a Senator has been around for a number of months. We are not in normal times. A normal first speech for a Senator is often in connection with the introduction of a piece of legislation. We are not in normal times. So I am speaking a bit earlier than I would have thought likely when I took the oath of office on January 3, but I am speaking in particular because we are not in normal times, and the abnormality of the times has a huge effect on the Commonwealth I am proud to represent.

In the summer of 2011 Congress passed a bill we are now talking about, a bill dealing with the sequestration cuts of the Federal Government.

There is no precedent I am aware of in congressional history for what is about to happen in 48 hours.

Congress designed a set of punishing, nonstrategic, ugly cuts designed to hurt the economy and hurt individuals and all—however they voted on that bill—did not want these cuts to come

into place. So those who voted for the package in the summer of 2011 did not want the sequester cuts to occur and believed we would find, through compromise, an alternative; and those who voted against the package in the summer of 2011 largely voted against it because they did not want these cuts to occur.

So the abnormality of the times is this: Never, to my knowledge, in the history of this body, has Congress designed a punishment that would hurt the lives of regular individuals and that would hurt the economy. It was designed with that knowledge, fully. All hoped it would not happen. Yet we are within 48 hours of allowing it to happen.

The effects this sequester will have on the country and the effects it will have on my Commonwealth are so significant and severe that I do feel compelled to speak a little earlier than I otherwise might have. I would also add I think the effects of these cuts on this institution and the credibility of this institution are equally severe.

What I wish to do in this speech is basically a couple things. I want to talk about the effect of these sequester cuts, if they happen, on regular people. I just returned from a tour around my State and I am just going to share some stories. I want to talk, with some data, about the short-term impacts of these cuts on the broader economy. Third, I want to talk about some long-term impacts, some impacts we are not necessarily thinking of right now but should cause us significant concern. Fourth, there is a way to avoid this, and I want to talk about how we can avoid allowing this self-inflicted wound to occur. Finally, I want to talk about the fact that there is an upside in this moment for us. This is not just about avoiding harming people, hurting the economy. It is not just about avoiding negatives. I think there is an upside for us and for this institution and for this Nation if we do this right.

Let me begin with my tour around Virginia. I am now a brand new member of the Armed Services Committee, and I sit in a wonderful seat following John Warner, who was there for 30 years, and Jim Webb, who was there before me. I am no replacement for either of those individuals and I have big shoes to fill. So I decided to take a tour around my State last week and visit the various touch points in the Commonwealth where we interact with our military and our national security.

The map of Virginia is a map of the military history of this country: Yorktown, where the Revolutionary War ended; Appomattox, where the Civil War ended; the Pentagon, where we were attacked on 9/11. We are the most connected State to the military. One in eight Virginians is a veteran—not one in eight adults, one in eight Virginians, from birth to death. Over 100,000 Ac-

tive-Duty Guard and Reserve, DOD civilians, DOD contractors. By the time we add up all of those and their families and military families, we are probably talking about one in three Virginians.

I went to the places where Virginians work every day, as ship repairers in private shipyards, as Active Duty on naval bases, as DOD civilians working as nurses in Army hospitals, as young officer candidates training in ROTC programs, at VA hospitals. I went around the State, and let me tell you what I heard.

A few miles from here is Fort Belvoir Community Hospital, one of the pre-eminent institutions that treats wounded warriors. A wounded warrior still on Active service being treated there, his wife sitting right next to him, we talked, and she ventured this: Let's talk about these furloughs of these DOD civilian employees. My husband's nurses are all DOD civilians, and while the sequester protects Active Duty, it doesn't protect the civilians. What is it going to mean to my husband's medical treatment as he comes back from being wounded, injured defending this Nation, if the nurses and health professionals at this hospital are furloughed 1 day a week?

In the same roundtable, another wounded warrior said to me: Boy, the economy is really going to suffer if we have this sequester. We are going to lose jobs, and the economy could shrink. I am a reservist.

He was a wounded warrior as a reservist, waiting to go back into the civilian workforce into a job with a Federal agency that does national security. What is that going to mean to me? Is there a hiring freeze? Is there a pay freeze? Is this a furlough? This wounded warrior was wondering about his economic future.

At the shipyard at Newport News—what a good news story. We Americans, we Virginians, we manufacture the largest items that are manufactured on planet Earth—nuclear aircraft carriers—in that shipyard. What a wonderful American example of ingenuity that is. Yet in looking at these sequester cuts, as repairs and other projects and programs are being scaled back, the workers of that shipyard are asking about the stability of their work and about whether the ships we put out and we put our people on will be truly ready to do the work they need to do.

At another private shipyard, the owner, a small businessman that has a shipyard in Hampton Roads, said: I have 50 employees. The way the Navy plans to deal with sequestration is to dramatically reduce maintenance in the third and fourth quarters of the year. I am going to issue WARN notices to tell 300 of my 450 employees they are not going to have a job. I just don't see how I can run this business without them, but I don't have the

business to keep them if these sequestration cuts go through.

At a VA hospital in Richmond, the VA Corps services are protected under the sequester, but they are under hiring freezes. They compete with private sector hospitals to hire nurses and physicians, and they say that is getting tougher and tougher to do. They do research in Richmond about traumatic brain injury, and that research money is not protected from sequestration. So this research that will help us treat our wounded warriors better is in jeopardy if the sequester goes through.

It is not just military cuts. In Head Start, I talk with teachers who are facing significant cuts in programs for at-risk kids, even at a time where, because of the economy, the number of at-risk children in their classrooms is growing and growing and the number of children total in their classrooms is growing and growing.

On Monday a number of us were at National Airport to talk about the effect of sequester on something that is fairly basic, the experience of the Americans by the millions and millions who travel every day in the air: longer lines, potentially higher prices.

This is what Virginians were telling me as I went to talk to them about what we were doing in Washington and the likely consequences they were going to see in their lives. Again and again, what they said to me was go up and find a solution.

I went to a bluegrass concert on Saturday afternoon. I was wearing blue jeans and a Carhartt jacket and I was taking an hour off to listen to a set of music. I sat next to a guy who appeared to be about 80 years old, ramrod straight, energetic. He was a veteran wearing a cap from his Navy service. About halfway through the set he leaned over to me and he said: Now, I know you are here for music. You didn't come here to politic. I said: That is right. I am here for music. He said: So all I am going to say is this. There is not a single thing you are going to do, plus or minus—or not do—that will affect my quality of life. I am fine. But I am telling you, for the good of the country, you ought to go up and figure out a way to get people to work together and find some deal.

So that is what my citizens were saying to me on this trip, just in the last 2 weeks, at every stop: find a deal, work together. Not a single person said: Protect my job, protect my program, protect my priority by making the cuts in other areas worse. Not one person said that. They were asking for a balanced approach, where there would be pain, where there would be a balance of cuts but also revenues, and we would try to tackle this in a targeted way.

Some statistics and thoughts. These are stories from individuals. Now let's look at the immediate impact on the

Virginia economy and on other important goals: our military readiness and defense posture.

A couple weeks ago we heard at an Armed Services Committee meeting from Secretary Panetta and General Dempsey as Secretary Panetta was exiting in that role. They had just announced that CENTCOM—the portion of the military that controls the space including Afghanistan—wants to have two carriers in the Middle East to project American force to try to prevent or reduce any dangerous, provocative activities by Iran or anyone else and to protect our men and women in service, if the need should happen. Their military judgment was we needed two carriers and that force there to protect them. But about 2 weeks ago, the DOD Secretary said: We are not going to have two carriers; we are just going to have one.

Thousands of sailors who were on the verge of deploying, many of whom had sublet their apartments, put their cars in storage, sold their cars, cancelled their cell phones, sent families back to other places in the country to stay with their parents, learned within just a very few days it was all being turned topsy-turvy.

Having only one carrier in the Middle East, maybe nothing bad will happen. But when the military leadership of the country suggests we should have two and we decide, because of budget indecision, let's only have one, that sends a message. It sends a message to our friends, it sends a message to those we would be protecting that our commitment is wavering, and it also sends a message to our adversaries that our commitment might be wavering.

We heard many bits of testimony that day from General Dempsey and Secretary Panetta about how our readiness, our ability to respond with flexibility, gets compromised if we don't get this right.

On the National Guard side, I visited a National Guard Army called the Stonewall Brigade in Staunton, VA. Here is something interesting. This National Guard combat brigade, the Stonewall Brigade, their first action as a brigade was 20 years before the French and Indian Wars. Their first action as a brigade was in the 1740s. Since then, they have deployed again and again to protect Americans. Yet they were talking about sequestration affecting their ability to train their people.

One of the individuals who was the commander of that brigade said in a very powerful way: I am going to send my people, and they are going to do their best, but I would rather send them 100 percent trained than 80 or 85 percent trained. If we act now after we sequester and reduce training, we will be sending people into service 80 or 85 percent trained.

Our DOD civilians, the Pentagon has announced it would take steps to fur-

lough 800,000 civilian employees for up to 22 days a year. In Virginia alone—one State—90,000 individuals, beginning at the end of March, early April, will face the beginnings of furloughs 1 day a week for up to 22 weeks.

There aren't many towns and cities in Virginia that have more than 90,000 people. Yet we would take all those people and put their economic livelihood at risk for the foreseeable future as we try to figure this out. Let me tell you who some of these folks are. These are the nurses who treat our wounded warriors. These are our air traffic controllers who keep us safe in the air. Think of those individuals and the fact that they are trying to make a living for their families and they are trying to do good service for their fellow Virginians and fellow Americans and then multiply that by 90,000, and that is just one State's worth.

We all want a vibrant private sector. We all think the private sector being strong is the key to economic growth. The estimate of most economists is that Virginians, because of sequestration and reductions to private contracting, would stand to lose up to 200,000 jobs, 137,000 on the defense side and nearly 70 on the nondefense side.

The Newport News Shipbuilding company that I announced earlier, the largest industrial employer in Virginia, is preparing to shrink; facing smaller ship repairs and having to issue WARN notices to their employees. We see this all over the Commonwealth.

Educators. Virginia stands to lose \$14 million in funding for primary and secondary education, and this is funding that is targeted. It is targeted to funding to the most disadvantaged students, title I funding. One hundred ninety teachers' jobs are at risk and about 14,000 fewer disadvantaged students will receive these services. In a particular passion of mine, Head Start and early childhood education, 70,000 students nationally will lose their spaces in early childhood education Head Start because of the sequester; about 1,000 of those are in Virginia.

The statistics are grim, and these aren't just numbers on a page or numbers in a budget book. These are parents who are sitting at a kitchen table already worrying about how to make ends meet and finding that they are going to have 1 less day of work every week, potentially, for the next 20 weeks or people who spent their lives in shipbuilding and they are going to be given WARN notices, with no clear indication of when their company or other companies might start hiring again.

Those are the short-term impacts. Let me talk, for a minute, about some long-term impacts because these are the stories that aren't necessarily in the newspaper. But as I listened to my constituents last week, they made this case, and they made it in a way I found to be pretty compelling.

When the decision was announced about the USS *Truman* not being deployed, there was a 20-year-old airwoman aviator on the carrier who was quoted in the newspaper as saying: I was so excited to be on my first deployment for my country. I want to have a military career, but I am starting to think that might not be realistic.

We have a whole generation of young people who serve in the military, and they are our future generals and Joint Chiefs of Staff and future Deputy Secretaries of Defense and Secretaries of Defense in that leadership corps. They have decided they want to devote their future to protecting the Nation. But what is happening in this building is making them believe maybe this is not a realistic career choice.

I spoke to ROTC students at the University of Virginia. These are folks on the verge of commissioning as officers in all four primary service branches—Army, Marine, Air Force, Navy—and I spoke to them last week and one of them said this to me. I found this very chilling.

I am training to be an officer because I want to serve my country and guess what, I am willing to put myself into harm's way to known hostilities and unknown hostilities in the world, to serve my country. But I have to ask myself, am I willing to put my career at risk by making a career choice to pursue a path when I do not have confidence that the civilian political leadership of the country has a commitment to me and to my colleagues?

Being willing to face hostilities and enemy fire—they signed up for that. But as they think about their military careers, whether they would do their 4 years and leave or whether they would make a career out of it, the message we send from this building and this Capitol about whether we are committed to them is one of the factors they utilize to try to make their decisions.

Similarly, students around this Commonwealth and country who are thinking about being early childhood educators would wonder about the future of early childhood or Head Start programs. In a really funny interchange with some welders and the president of the shipyard, the Newport News Shipyard, which is run by Huntington Ingalls, he said: If we do layoffs or scale back and we lose nuclear engineers for the subs and carriers, they can find other jobs. In fact, the president, Mike Petters, a good friend, said: It is easier for this company to replace me, the CEO, than it is to replace a nuclear engineer.

But if our commitment to shipbuilding and ship repair and ship refurb is questionable and a nuclear engineer has other career options and they have to analyze which career option they should pick, or a welder has other career options—and all do—and they have to decide which career options they pick, we will find it down the road increasingly difficult to have the kind of

talent we need to do the jobs that need to be done to protect this Nation if we are not sending them a signal that we can find compromise, find agreements, and provide funding in an appropriate way for these critical services.

Here is the good news. The good news is we can avoid this. In fact, we have an obligation to avoid this. I was a little bit surprised when I came to the Senate to learn some things I did not know. I thought I was an educated observer. I was a little bit surprised, for example, that in the Budget Act that deals with how budgets are written, the budgets do not even go to the President. It is purely congressional. When the House and Senate pass a budget and then when it is compromised, it is purely congressional. Appropriations acts of course go to the President for signature, but they never get there unless Congress does them.

So while everyone has a responsibility to try to make this right, and the President and his team definitely have a responsibility, this is a congressional constitutional responsibility. There is a unique legislative prerogative for us to get this right and for us to avoid the self-inflicted damage to the economy and to people that every last person who voted was sure would not occur. Again, I say we are in a unique situation where we have designed a punishment and we would allow that punishment to affect individuals and our economy. I do not think there is a precedent that would be similar in the history of this body.

In order to address it, we have to find a balanced approach, as my citizens were telling me, and not gimmicks. No more sequester or supercommittee, no more continuing resolution. There is a process. We should follow that process. The process involves compromise. The process involves listening. And we need to do it.

I will say one more thing about why it is important that we do it, and not just for the economy. A lot of people think we are broken. I was struck in talks to some of my citizens that for as many people as do not like the current President, no one says to me that the Presidency as an institution is broken. For as many people as do not like this or that decision of the Supreme Court or the judiciary, no one says to me they think the judiciary is broken. But the third branch of government—really the first branch of government, we are first in the Constitution, the legislative branch—many people look at this potential sequester and other similar things and they worry about whether we are broken. So we not only have a constitutional obligation to fix it, we really need those of us, and all of us who care about this institution in the Capitol, we have to do our part to fix it.

The good news is that we can. Let me show you what we have done already

by way of dealing with our fiscal challenges, and especially tackling deficits so we can try to get our balance sheet more in control. I have three very simple charts that are pretty easy to follow.

Congress, both Houses, and the President, have taken thus far, 2010 to now, steps that have reduced the deficit going forward over a 10-year period by about \$2.4 trillion. This is how this has been done. I get no credit for this because this all happened before I got here. This is what Congress has done over the last couple of years to reduce our deficit path and bring us closer to balance to the tune of \$2.4 trillion. We have done spending cuts of about 60 percent of the total. Because of some of these other actions, we have been able to project a savings in interest payments of another 14 percent. And with the decision at year end on the expiration of the Bush tax cuts and the bipartisan compromise that resulted, we have put in new revenue of about 26 percent of this total. All you have to know from looking at this chart is it is balanced.

We could argue the ratio. We might like it more red, more green, more blue. We could argue about the ratio. But it is a balanced approach of revenue, of spending cuts and of interest savings. That is what we have done already, and I give praise to the Members of Congress and the President who have been able to take that step.

But we all know we have more to do. So now that test is before us and that challenge and chore is on our table. We have more to do and there are two alternatives we will likely be debating and voting on within the next couple of days in this body, a Democratic approach and a GOP approach to how do we do more. That is because most would agree if we have done about \$2.4 trillion of deficit reduction already that we need to do about another \$1.5 trillion or so over the course of the next 10 years. We will be voting on one proposal tomorrow that has been advanced by the Democratic majority. That says we will additionally close our deficit over the course of this year. We will do it in a way that will push us forward to finding a bigger solution. And we will do it in a balanced way: 50 percent through new revenue, closing some corporate tax loopholes that have outlived their usefulness, raising rates at the top end for a very few Americans who can afford it. I talk to Virginians and they know we can afford it. So 50 percent of our additional deficit reduction would be on the new revenue side and 50 percent would be on spending cuts—spending cuts, many of which have already been agreed to in this body.

One of the core kinds of spending cuts—and it is important here—the spending cuts in the proposal we will vote on tomorrow are not across-the-

board pain for everybody equally because everything is not worth everything else. They are targeted spending cuts, the right kind of spending cuts. So, for example, this body last summer voted on a farm bill to reduce significantly farm subsidies. It was bipartisan, Democratic and Republican votes. That bill died on the House side, but that notion that we can save money and that we should, that had bipartisan support, that is in the spending cuts component of the package we will talk about tomorrow, and that is the Democratic approach.

Is it magic? No, it is not magic. You might argue about the ratio. You might argue about the items. But the key to it is, just as what we have done so far to reduce the deficit by \$2.4 trillion has been a balanced approach, the approach we will vote on tomorrow on the Democratic side is a balanced approach.

There is also a Republican approach, or approaches. It was a little bit unclear as I took the floor whether there will be a single bill or multiple bills. But the GOP approach to this, which they laid on the table and which we will also debate and vote on, is, as you will see, all spending cuts. They might be different spending cuts from those in the sequester. In the context this will emerge. But there is no revenue in this approach. It is not a balanced approach, and I argue, based on what we have already done with the \$2.4 trillion, the right way to do this is to do it in a balanced way. That is the right thing for the economy. It is the right thing to soften the effect of these cuts. It is the right thing to make sure that people's lives are not needlessly turned topsy-turvy.

Can we save? Sure we can, and we should. But you cannot fix a balance sheet on just one side of the balance sheet. You have to look at both sides of the balance sheet, and I think that is what we will be debating over the next couple of days.

I have been thinking about this, and the last thing I will say before I close and talk about an upside is, when I was home in Richmond over the weekend after this week-long tour, knowing we would be coming here today to debate about these proposals, something happened in my hometown that I want to recommend to the contemplation of my colleagues here in the Senate. Virginia had been wrestling for two or three decades about what to do about transportation because it would be good for the economy for us to invest in transportation.

I will be candid and even sheepish. I was the Governor of Virginia and I strived for 4 years to get my legislature to do something meaningful, to invest in transportation, and aside from a few modest wins here or there I never was able to convince my legislature to do what I thought needed to be done.

Saturday in Richmond, 90 miles from here, 4 days ago, my Republican Governor, Bob McDonald, a friend, a Republican House of Delegates, overwhelmingly Republican House of Delegates, 2 to 1, and a Republican Senate—it is a split Senate 20–20 but there is a President who breaks ties who is a Republican Lieutenant Governor so it is a Republican majority body—Republican Governor and Republican legislature decided to do something to benefit the economy and here is what they did. They did a package of \$880 million of revenue for transportation, annually when fully phased in, and 80 percent of the package is new revenue and 20 percent is spending cuts in general fund programs that would be repurposed to transportation.

For them to do that, they had to make a hard decision. For them to do something that was balanced, because an individual whose name is often mentioned in Washington, Grover Norquist, said can you not do this without violating your pledges, and others said it would be anathema to ever raise a tax or fee and it will be politically damaging and it will be economically wrong, and a Republican Governor and a Republican legislature looked at them and said: The right thing to do to benefit our economy is to take a balanced approach. And by an overwhelming majority in both Houses, supported by Republicans and Democrats and celebrated with excitement by a Republican Governor, this is what happened, 90 miles from here a few days ago in order to benefit the economy.

A transportation package is not a precise analog to what we are wrestling with here, but it is pretty close. This was a step that was taken to benefit the economy. It was done in a balanced way. We are faced with a fundamental decision about whether we are going to benefit the economy or whether we are going to intentionally allow something to happen that will hurt the economy. I think the lesson for what happened in Richmond is the economy benefits from a balanced approach and an imbalanced approach is not going to be the way we get to a solution that is good for the economy and good for people.

The last thing I will say is this. Much of my discussion has been about trying to avert bad things—people being furloughed, people losing their jobs, small ship repair yards potentially having to close, wounded warriors not having the nursing care they need, students eligible for Head Start not being able to go into classrooms, Guards men and women not receiving the kinds of training they need to go into the field and be fully prepared—much of what I have described has been about trying to avert negative consequences.

But the best part of all is I think we are in a unique moment where it is not

just about averting the negative. I think we can do something that will have a positive effect, that will avert negative consequences, certainly, but by getting some certainty and by showing a spirit of compromise and cooperation, we will be sending a message from this body that will have a positive effect on the economy.

There are some who see signs of the economy showing some strength. The stock market is doing pretty well. It is a bit volatile every day, but where are we on the stock market? We are doing pretty well. There was news about the housing prices and housing market coming up. Consumer confidence has been stronger than expected. These have not yet congealed into the trends we hope to see, but there are signs and there is evidence that we have an economy that is ready to achieve some lift.

If we look at our global competitors, we see that there are some weaknesses. This is a lesson I heard preached again and again by my senior Senator as he talked about global economies around the world. Senator WARNER talks about how Europe and the Euro Zone has its challenges, the Japanese economy has its challenges, and the Chinese economy has not been quite as strong as it had been. Our major global competitors are not just clicking on all eight cylinders.

If we do something right now, it will send a message throughout the economy that we are not only open for business, but there is a balanced approach that can be reached by a Senate and a Congress that is willing to work together and put country first and do what is right for the economy. I think we have every reason to believe we will not only avert the negative consequences I spent the last half hour talking about, but we will take those positive trends in the economy and put some more healing into the economy.

We will see some more lift that could be significant. We will see more of that cash that is in bank accounts invested back into the American economy. We will put some distance between ourselves and some of our other global competitors. This is what is at stake for us if we get this right.

It should be enough for us to do the right thing and find a balanced approach to avoid hurting people and to avoid hurting the economy. We will not only get an additional benefit if we act in a balanced way—because I believe we will avert those consequences—but we will see our economy lift in a more accelerated way.

I will conclude by saying this: This is a moment where we have a choice to make. I was with Leader REID an hour or two ago, and we sat through a beautiful ceremony where a statue was unveiled of Rosa Parks. One of the speakers talked about a very humble and pedestrian setting where she had a decision to make. The decision was, Do I

just do what has always been done? Do I just kind of keep drifting into a situation that I know is unjust and unequal or do I decide to do something different?

We are drifting toward something that is very bad, something that Members of Congress believed strongly when the bill was first put in place should not happen and would harm people and would harm our economy. That is the moment we are in right now, a moment to make a decision.

The decision is, Do we allow ourselves to drift in a way that hurts people or do we choose a balanced approach that will help people, strengthen the economy, strengthen our budget, strengthen our ability to create jobs, and strengthen the reputation of this body?

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Virginia.

CONGRATULATING SENATOR KAINE

Mr. WARNER. Mr. President, I rise very briefly to commend my friend of 33 years for his maiden speech and thoughtful exposition of the challenges which face our country. I have had the opportunity to know and work with TIM KAINE since we were in law school together. There is no one who is brighter; there is no one who brings more relentless optimism to any challenge. He is going to be a great addition to the Senate.

I know so many colleagues from both sides of the aisle have come to admire his intellect, his fairness, and his willingness to always do the right thing. I just wanted to rise briefly to commend my good friend. I know it is his first speech, but it will not be his last.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I would like to add my congratulations to the junior Senator from Virginia for his maiden speech. We knew when he decided to run that he would be an outstanding Member. As his speech showed, he is living up to those high expectations. His speech was thoughtful, relevant, and showed both sides of the issue. That is the kind of trademark the junior Senator from Virginia has, and we look forward to working with him in the future.

I yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be charged equally to both sides.

Mr. SESSIONS. Mr. President, I wish to continue to share my concerns about the appointment of Mr. Jack Lew to be the Secretary of the Treasury of the United States, one of the four senior Cabinet positions that are so important to America.

I have delineated how he proposed the budget in 2011. He announced on CNN and several other Sunday morning

shows—this is when he was going to introduce the budget the next day, and he was giving a preview of it.

“Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say, we’re not adding to the debt anymore; we’re spending money that we have each year, and then we can work on bringing down our national debt.”

Now, that would be a thing to celebrate. But I am convinced that he and the White House officials had met and they decided they weren’t going to change the tax-and-spend and deficit policies of the United States, but they knew that wasn’t going to be popular after 2010’s shellacking of big-spending politicians. So what did they decide to do? They decided to prepare a budget that made no real change in the spending trajectory of America, continuing us on, as Secretary Geithner said just a few weeks later, an unsustainable course, while telling the American people they did what they wanted.

As I indicated earlier, this budget he presented never had a single year in the 10 years of that budget in which the deficit fell below \$600 billion. That is larger than any deficit President Bush ever had in his 8 years, and it was going up during the last 5 years.

They said the deficit would go up \$740-some-odd billion in the 10th year. The Congressional Budget Office took their very same proposals—the independent CBO—and concluded that it would be \$1.2 trillion in the 10th year, in debt—a totally unsustainable debt course and getting worse in the outer years.

So I am very much of the belief that this Senate should not accept a man for the Secretary of the Treasury, to promote him to that august position, who makes this kind of representation about the budget he prepared as Director of the Office of Management and Budget. The budget got zero votes in the House twice and zero votes in the Senate twice. It has been panned by editorial boards all over America. He has been at the center of the political financial maneuvers of the Obama Administration from the beginning.

A lot of people are wondering why an agreement hasn’t been reached around here: Why don’t you agree? It is hard to agree if the man you are negotiating with is as out of contact with reality as the Wall Street Journal said of Hosni Mubarak shortly before he fell in Egypt. So I am baffled by it.

I wish to share now a few more thoughts about how this sequester we are talking about so much now happened, how it came about, and Mr. Lew’s role in it. In fact, he designed it. He proposed a budget later in February 2012 that would eliminate it, and now he denies ever creating it in the first place. From Bob Woodward’s book—he studied this carefully and talked to people, and I saw him on television this

morning being quite firm about this. He has written a recent op-ed piece explaining the situation.

This is what Bob Woodward said in his book “The Price of Politics”:

Lew, Nabors, Sperling and Bruce Reed, Biden’s chief of staff, had finally decided to propose using language from the 1985 Gramm-Rudman-Hollings deficit reduction law as the model for the trigger . . . It would require a sequester with half the cuts from Defense, and the other half from domestic programs.

Later in the negotiations, Obama adviser David Plouffe reportedly said that he couldn’t believe that Republicans were going to agree to any deal with sequester as a trigger.

Who started this? According to Mr. Woodward, no doubt about it, it was Mr. Lew.

In a recent op-ed in the Washington Post, Bob Woodward quoted Lew in saying this:

There was an insistence on the part of the Republicans in Congress for there to be some automatic trigger . . . [it] was very much rooted in the Republican congressional insistence that there be an automatic measure.

Woodward went on to say:

The president and Lew had this wrong.

That is what I just read about him saying the Republicans insisted on it. Mr. Woodward said in his piece:

The president and Lew had this wrong. My extensive reporting for my book “The Price of Politics” shows the automatic spending cuts were initiated by the White House and were the brainchild of Lew and White House congressional relations chief Rob Nabors.

Was Mr. Lew correct in insisting somebody else did it, or he and the White House?

Furthermore, on Senator BURR’s questioning of Lew at the February Finance Committee confirmation hearing, Woodward says:

[Senator] Burr asked about the president’s statement during the debate, that the Republicans originated it.

That is, the sequester.

Mr. Woodward writes this:

Lew, being a good lawyer and a loyal presidential adviser, then shifted to denial mode:

“Senator, the demand for an enforcement mechanism was not something that the administration was pushing at that moment.”

That is how he handled that in the committee. Did he give a straight answer? No.

Then, during the negotiations for compromise that people had been hoping would happen for really the first 4 years of President Obama’s administration because we are on an unsustainable path, and it is not going to be fixed without leadership from the President—if he opposes it, the Democratic majority in the Senate will not pass it. You can put that down. They have not bucked him one time and won’t buck him on a comprehensive financial settlement to put America on a sound path. We have seen that the whole time. We have Senators meeting

and talking and indicating they might agree, but fundamentally they are looking over to 1600 Pennsylvania Avenue. They don't want to break rank with the President. That is just the way it is.

So Lew was now the top negotiator for President Obama. He has been called an "obstructor of compromise." Reportedly, more than any other person in the room, Lew sabotaged agreement. Jack Lew has a long history of showing a failure to compromise on the drivers of the debt, the kinds of spending programs that are out of control, and we have to look at them. We can't have fundamental, large programs growing at three times the rate of the GDP, three times the rate of the economy.

Going back a long time ago, when Speaker Gingrich and now-Ohio Governor John Kasich—Kasich chaired the Budget Committee, and Mr. Lew was a deputy in President Obama's OMB office. Mr. Kasich reportedly told President Obama's economic adviser Gene Sperling at the White House that Lew "did not know how to get to yes." That is Kasich's view of it.

A recent National Journal article on Lew quotes former Senator Judd Gregg, who chaired and was ranking member on the Senate Budget Committee, of which I am ranking member today. Judd Gregg, a highly respected Senator who didn't seek reelection and remains a very valuable contributor to the national discussion on debt and spending, said this:

"He's like a labor-union negotiator. He's not going to give you an inch if he doesn't have to . . . He's a true believer in the causes."

Well, that is apparently what we have been having because we can't ever get to an agreement that would do something significant.

The same National Journal article went on to say:

By causes, Gregg means Medicare and the rest of the social safety-net. These are the progressive ideals close to Lew's heart, friends and former colleagues say . . .

So Medicare, Medicaid, and food stamps have been growing at very rapid rates, and they are very large programs. And all of them, every program, can be examined, looked at, and we will find waste, abuse, fraud, mismanagement, and they can be reduced. But Mr. Lew said no.

When it came to the sequester, let me remind my colleagues that food stamps, which have gone from \$20 billion in 2001 to \$80 billion in 2012—11 years—went up four times. There is no way to make that program better? We have the inspector general finding fraud in some of these programs. Medicaid has been rising well above the economy's growth rate, and it definitely has the potential to be reformed and made more efficient. Not a dime was cut from food stamps. Not a dime

was cut from Medicaid. Only 2 percent was obtained from Medicare, but it was taken in a way that just cut the payments to doctors and hospitals, which is not going to be able to be maintained much longer, experts tell us.

What kinds of examples do we have from Bob Woodward's book "The Price of Politics"? This is what he says:

[Brett] Loper [House Speaker John Boehner's policy director] found Lew obnoxious. The budget director was doing 75 percent of the talking, lecturing everyone not only about what Obama's policy was, but also why it was superior to the Republicans'.

That is Woodward's take. He goes on to say:

[Barry] Jackson [Boehner's chief of staff] found Lew's tone disrespectful and dismissive.

He goes on to say:

Lew was incredulous when he considered the Republican proposal as a whole. The changes they were considering sounded simple. But the speaker's office was laying down general principles and looking to apply them to extremely complex programs. The devil was always in the details.

Boehner was sick of the White House meetings. It was still mostly the president lecturing, he reported to his senior staff.

The other annoying factor was Jack Lew, who tried to explain why the Democrats' view of the world was right and the Republicans' wrong.

Look, when you are in a negotiation, it is not the time to have an argument over what your world view and my world view is. What you have to try to do is find out: Aren't there some things we can agree on that are consistent with both our world views and get us in a position so we can reach an agreement to save the Republic from financial disaster.

Why would not the Office of Management and Budget Director, unless he believed this bogus, phony statement—which he does not; he knew it was not accurate—why would he not want to do something historic and try to get America on a sound course? It was within the grasp.

So Mr. Woodward goes on:

"Always trying to protect the sacred cows of the left," Barry Jackson said of Lew, going through Medicare and Medicaid almost line by line while Boehner was just trying to reach some top-line agreement [on what they could do].

It was a very unsatisfactory situation. An agreement that could have been reached, I think, was not reached. And you keep looking around for fingerprints about how it fell apart, and it looks as though Jack Lew was the person doing that.

Mr. Lew is ideologically driven very strongly. That has become more clear as I have looked at the data and researched his background.

During the 2011 debt ceiling negotiations, Lew reportedly would not entertain even an idea by Senate Republicans that included any reforms to Medicaid. Everybody knows Medicaid has to be reformed. This is a health

care system for poor people. Governors all over America are up in arms about Federal regulations and restrictions. The program had been surging in cost. It needs to be evaluated and improved. It has to be. It had no changes whatsoever in sequester because Jack Lew said no.

The publication Politico reported that "Democrats and progressives"—progressives are, apparently, not liberals. Progressives are folks who—I do not know. One of the things progressives do is they tend to be postmodern and they pretend not to pay much attention to the meaning of words. They have an agenda, in my observation, and they interpret the Constitution or the laws of the United States—well, they are more flexible. What do you want it to mean today? They are not into the plain meaning of words so we can have a common understanding of what people mean when they sign an agreement or pass a law.

Anyway, Politico reported that "Democrats and progressives" were "cheering Office of Management and Budget Director Jack Lew's promotion to White House chief of staff, saying he has a decades-long history of protecting entitlement programs—especially Medicaid—

It goes on. Politico reported that:

Lew played a crucial role in protecting Medicaid from the across-the-board cuts that would take place if the supercommittee didn't get a deficit deal—which it didn't. When Senate Minority Leader Mitch McConnell's aides pressed for including Medicaid as part of the sequester during a last-minute conference call, Lew shouted, "The answer is . . . No, no, no!"

So this has not been a healthy situation. This country is now in a fix. We have the sequester that is hammering us and disproportionately and unwisely mandating cuts on the Defense Department.

We can do better than that. Mr. Lew wanted that. He got that. Maybe he knew all along the White House was not going to agree to the things that would make this system work better and maybe, therefore, put us on a sound path and, he was quite happy to have the Defense Department—one-sixth of the government—get half the cuts and happy to protect huge segments of the government from any cuts.

Well, you cannot cut our interest payment. We do not want to cut Social Security, but need real reform that puts the program on a sound basis.

So that is how we got into this fix.

I would say to my colleagues, if you believe the President's budget that Mr. Lew submitted on CNN on February 12, 2011—if you believe he was correct to say: "Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year, and then we

can work on bringing down our national debt," then you should vote for him. If you think that is a true statement, I would like to have somebody explain to me how it is true. And if it is not a true statement, should not the Congress of the United States, the U.S. Senate, stand up and say we cannot accept high government officials giving us this kind of answer?

With his budget, the lowest deficit we would have had is \$600 billion. We would have added \$13 trillion to the national debt over 10 years and maintained, as Secretary Geithner said, this Nation on an unsustainable debt course.

Mr. President, I see my colleague, the assistant Democratic leader, Senator DURBIN, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my friend from Alabama for yielding the floor.

SEQUESTRATION

I rise today to join many colleagues who are expressing concern over the impact that sequestration is going to have on America and on my State of Illinois.

We are just days away from a budgetary perfect storm that we created. We have to come together to have a more balanced and sensible approach to reducing the deficit. I was on the Simpson-Bowles Commission, nominated by Majority Leader HARRY REID. I served with 17 others—6 by the President, and 6 each from the House and the Senate, Democrats and Republicans equally divided. We considered the deficit crisis facing America. And it is serious. We borrow 40 cents for every \$1 we spend. That is unsustainable. No family could continue with that kind of a regimen, no company could, and certainly no nation can.

So we have to have deficit reduction, but we need to do it thoughtfully.

First, we do not want to do it too quickly. I just met downstairs with a group from Illinois. They are civic and business leaders from the Quad Cities area in western Illinois. We talked about the fact that we are in an economic recovery but a slow one, one that is taking hold but slowly. We need to take care that whatever we do does not jeopardize economic recovery.

Right now, downtown the Federal Reserve Board is trying to keep the economic recovery moving forward and jobs created. The way they are doing that is keeping interest rates low, so it is cheaper to borrow what is needed for a home or a car or a business. That is not good news for senior citizens on fixed incomes who want to see higher interest rates. But what they are trying to do is fuel capital and business expansion. That is the Federal Reserve.

Meanwhile, what is going on in Washington, not too far away from the Federal Reserve—a few blocks away at the

Capitol—is the opposite message. What we are hearing from Members of Congress is that we need to cut spending.

Cutting spending at this moment in time means cutting jobs at this moment in time, which means fewer people paying income taxes and more people drawing government benefits. That is not the recipe for economic expansion.

So at opposite ends of Washington, we have contrasting approaches to the current economy. We are neutralizing all of the work being done by the Federal Reserve and by our austerity program here when it comes to our budget. And what is about to occur on Friday is an across-the-board spending cut. People say: Fine, cut spending. But it is also a cut in jobs—jobs in the civilian sector as well as the public sector. And that, to me, is shortsighted.

We need a deficit reduction plan that is sensitive to the state of the economy, that invests at this moment when we need it, but makes certain we are going to be reducing spending in the outyears. We are doing just the opposite. We should build on the \$2.5 trillion deficit reduction we have accomplished in the last several years with President Obama. But we need to do it thoughtfully, to ensure that all the national priorities—such as defending our Nation, education, and health care—can succeed in the 21st century.

As the new chairman of the Defense Appropriations Subcommittee, the looming impact of the sequestration on the Department of Defense will be significant. Indeed, contractions in defense spending are already impacting the national economy and are affecting operations for our men and women in uniform at home and overseas.

For the first time since the spring of 2009, the Department of Labor reported that the U.S. economy actually shrank by one-tenth of 1 percent. That is largely due to a 22.2-percent decrease in national defense spending.

The Department of Defense has already implemented a civilian hiring freeze and is eliminating 46,000 temporary jobs.

Last week, the Congress was notified that the Department of Defense will notify 800,000 civilian workers they are about to be laid off. These workers will not be paid one day a week for the rest of the year. That equates to a 20-percent reduction in their income.

These civilian and temporary workforces are not just bureaucrats at the Pentagon. In fact, 86 percent of the workforce I am describing resides outside of Washington, DC. These are civilians working for our Department of Defense who literally fix the equipment in our depots and arsenals. They are teachers for our schools, training the children of military families, counselors, police officers, medical professionals, blue-collar wrench turners and maintainers at our military bases.

The impact of sequestration is already being felt not just here in this country but overseas. I just returned last week from a whirlwind tour—I am still recovering—over to Africa to visit Uganda, Djibouti, and then into the gulf into Bahrain.

I saw firsthand the men and women in uniform who are defending our interests, pursuing our missions, and the impact of sequestration. In Uganda our U.S. military is currently training Ugandan military forces to take down a notorious leader of the Lord's Resistance Army, Joseph Kony. They are making significant progress; however, their mission is so important to increasing stability in a difficult portion of the world, and it could be sacrificed to a sequester.

In Bahrain, home of the Navy's Fifth Fleet, I met with ADM John Miller. He took me on these ships, and I met with our great sailors, the men and women in our naval forces who are keeping America safe and watching some of America's most threatening enemies. They have already cancelled deployment of a second aircraft carrier to the gulf. We were going to have the Truman come to the gulf and supplement our naval forces in the Fifth Fleet. It has been cancelled because of sequestration. Why? Because the Navy had to hold the Truman in reserve to save the money. This is just one example of how you can't contain the effects of sequestration. So there will be one carrier out there protecting our men and women in uniform. There should be two; that is the safest thing to do. Due to the budget cutbacks that will not be possible.

As Secretary Panetta stated recently, the Pentagon is facing a perfect budget storm—sequestration nearly halfway through a fiscal year coupled with a potential yearlong continuing resolution. If sequestration isn't averted—it goes into effect on Friday—it will impose senseless across-the-board cuts on almost every account in the Department of Defense as a result of Congress's inability to devise a more responsible solution.

The second issue in the continuing resolution we have had for the last 5 months—and the threat of the Pentagon having to do so for another 7 months under a potential yearlong CR. What is a CR? The CR is a snapshot of last year's budget bill applied to this year. Does that make sense?

Last year we were building a ship. This year we completed it. This year the budget says keep building the ship. It is finished. To merely replicate the same budget from last year and say we are extending the CR is wasteful. It doesn't make any sense whatsoever.

The Pentagon's fiscal year 2012 budget is a lot different than what they need in 2013, particularly in readiness funding. When we hear the Pentagon tell us the first thing we have to do is

cut back in readiness, let's translate that into language that average people would appreciate.

Right up there is a door to the gallery in the Senate Chamber. A few years ago a nephew of mine named Michael had a summer job working that door. I like Michael a lot. The reason he worked that job for a few weeks was he just enlisted in the Army, and we wanted to give him a few bucks in his pocket before he took off. He is a great kid. A big smile on his face and off he went. He became part of the Mountain Division out of Fort Drum, and he was assigned to Afghanistan.

The whole family—and we have a pretty big family—was waiting, hoping, and praying for Michael's safe return. We had one thing going for us: not only the fact that he was young, strong, and determined, but he had been trained. Readiness equals training equals survival. The Pentagon has told us sequestration will cut back in readiness and training.

What if it were your nephew, your son, husband, wife, or daughter? Would you want the best training before they were sent into action? Of course you would. Readiness and training are essential for a military ready to respond when it is called on. When we cut back in these areas, we jeopardize the chance of success of a mission, and we reduce the likelihood of their being ready and surviving any combat they might face. It is very shortsighted.

General Dempsey, Chairman of the Joint Chiefs of Staff, stated: "Readiness is what's now in jeopardy. We're on the brink of creating a hollow force."

That is sequestration. In the operations account alone, the account associated most closely with a hollow force, the combined effect of sequester and a yearlong CR will leave a shortfall of over \$40 billion in the last 7 months of this year.

As the department protects warfighter needs in Afghanistan and troop pay, as they should, the impact necessarily falls disproportionately on the rest of the Department, no matter how important their mission.

For our troops, sequestration will mean an immediate impact on training and readiness. Eighty percent of Army combat units will have to delay their training. Fifty-five percent of Marine Corps combat units will have unsatisfactory readiness ratings. Navy ship deployments will be cut by nearly 25 percent.

Sequestration would also mean significant cuts to family support programs. It isn't just the soldier who goes to war; it is the soldier and the soldier's family who go to war. The Pentagon provides mental health, suicide and financial counseling, and critical services to military members and their families. While the Department is going to try its best to protect these

programs, these services are going to be sharply reduced under sequestration.

Let's not come to these hearings and lament the incidence of suicide in the military, as horrific as it is, and then turn around and say: Well, you will never notice the sequestration cut when it comes to counseling for PTSD and mental issues facing our military. Yes, we will. We need to be sensitive to these military members and their families.

The Defense Health Program will face a shortfall of \$2.5 billion under sequester. The Department is projecting there may not be enough funding to cover health care access for some military retirees. We are also looking at significant job loss in the industrial base. They are going to be felt in high-tech defense industry as well as blue-collar workforces across the country. The Navy estimates 30,000 private sector workers will be laid off or reduced in pay, and repair of ships, aircraft, and maintenance of facilities and equipment will be affected. The Army has estimated 5,000 layoffs at its own depots.

These are just preliminary. The list goes on. From those workforce reductions in the intelligence community, we don't know the overall impact of our Nation's safety. As we meet in the comfort and safety of this Chamber, there are Americans—men and women, some of them civilian contractors—who are working for our military and intelligence agencies who are watching the threats to the United States every single second, every minute, every hour, every day.

We don't want to shortchange them because in doing that we shortchange our protection, our defense. Every State is going to feel these job losses.

The day before yesterday I was at Scott Air Force Base near Belleville, IL. At that base, the Rock Island Arsenal in the Quad Cities and Air Guard units across Illinois—Springfield, Peoria—the effect is going to be significant: 15,000 civilian personnel in Illinois will be furloughed for 22 days over the next 7 months, essentially a 20-percent pay cut. That means \$52 million is coming out of the pockets of those working families in my State who are trying to get through the worst recession we have had in decades.

About 1,500 of these civilian furloughs are Guard technicians. These people are the backbone of the National Guard in every State with critical maintenance and training responsibilities. There might have been a day in the distant past when we could say, well, it is just the National Guard. We have learned better. When it came to Iraq and Afghanistan, it was America's Reserves and National Guard who stepped up. Time and time again, deployment after deployment, they went into action, and we were proud of what

they did. To shortchange them when it comes to this basic maintenance and reliability is shortsighted.

The loss of Guard and Reserve training in Illinois is equivalent to almost \$20 million lost. Delaying or canceling necessary military construction means it will cost more in the future to the tune of about \$27 million. In the Quad Cities, the Rock Island manufacturing hub could lose \$197 million in workload. These cuts don't make sense—not for Illinois, not for America.

I want to talk about what sequestration means for civilian families in my State of Illinois. The across-the-board cuts that are scheduled to begin on Friday will work a real hardship on families, children, and the elderly. Seventy thousand young kids across the country will be kicked out of Head Start. Head Start is the pre-K program which gets young kids off on the right foot, to enable them to learn when they arrive in kindergarten and school. Mr. President, 2,700 preschoolers in Illinois will be eliminated from the program because of sequestration.

Loan guarantees for small businesses are way down. That is the engine of our economy, one of the best job creators. They are going to be cut by \$540 million nationwide. Fewer jobs, less innovation, less economic growth. In just a single recent year, more than 2,300 small businesses used these loan guarantees in Illinois, and now there will be a dramatic reduction.

If sequestration takes place, the food we eat is going to be at least threatened, if not slowed down; 2,100 fewer food inspections will occur, putting our children at risk and costing many jobs in the food production industry and definitely slowing down production.

The Centers for Disease Control estimates each year roughly one in six Americans, about 48 million people, get sick; 128,000 are hospitalized; and 3,000 die of foodborne diseases. Is food inspection important? You bet it is. It is clear we need more food inspection in the United States, not less, as the sequestration would cause.

Up to 373,000 mentally ill adults would be prevented from receiving necessary treatment, putting them at risk of hospitalization, crime, and homelessness.

Cuts to medical research would mean delays in finding cures to heart disease, cancer, and Alzheimer's, which are so important to every family in America. Illinois alone will lose \$38 million in funding for medical research and innovation as a result of the sequestration.

How badly will it set back research and innovation? This is how the head of NIH under President George W. Bush described it:

We are going to maim our innovation capabilities if you do these abrupt deep cuts at NIH. It will impact science for generations to come.

The National Science Foundation would issue nearly 1,000 fewer research

grants and awards. This translates to \$20 million less for scientific research in my State.

A recent National Science Foundation grant helped build and support the National Center for Supercomputing Applications at the University of Illinois. What a dynamo of job creation this is, and now we are cutting it back.

This center hosts several supercomputers which are used to model and solve some of the most serious engineering challenges facing us in the world. Health and nutrition services would be dramatically reduced putting women, children, and the elderly at risk.

I know what the other side said. Peggy Noonan, the great speech writer who appears on television regularly—and I disagree with her politics, but I admire her writing skills immensely—says: We are living in a government of “freak out” and the President is trying to freak us out by telling us all the terrible things that are going to happen as a result of sequestration.

I have news for Ms. Noonan. These are real cuts. They will be noticed. They will have a long-term impact. If the President didn't speak out about what these cuts meant, he would be derelict in his own important responsibilities. I am glad he is telling us. I am glad the American people see it coming, and I hope, as they see it coming, they will join us in a way of trying to avoid it and find a better approach.

As many as 376 fewer Illinois women will be screened for cancer because of these cuts; 5,576 fewer children will receive lifesaving vaccinations; \$764,000 less will be spent to provide seniors with basic Meals on Wheels. The list goes on.

That is the bad news. Is there a way out of it? There will be. The Senate will get a chance to vote tomorrow. The House has decided in a very curious move to basically leave town and ignore this. They passed two bills last year which have expired. They don't even apply anymore, and Speaker BOEHNER announced earlier this week, well, it is now up to the Senate.

I am not sure if things have changed. I was paying pretty close attention, but under the Constitution I believe we have a House and a Senate. Unless we have gone to some Nebraska model, a unicameral model, there is nothing we can do in the Senate to cure this problem alone. We need to have the cooperation of the House. The Speaker can't wash his hands of this and walk away, which, apparently, he suggested he could earlier this week.

We are going to come up with a balanced approach, one that makes a lot more sense than what I have just described. It is going to be a combination of spending cuts—yes, there will be some—and increased revenues. We are going to close some loopholes which benefit wealthy individuals and big

corporations. We can replace sequestration, which I have just described, and avoid the damage and cuts and still achieve deficit reduction.

In January, Congress agreed to use a balanced mix of spending cuts and new revenues to delay sequestration to March 1. Congress agreed on a bipartisan basis to split it 50–50 between taxes and spending cuts. Leader REID voted for it, as did Speaker BOEHNER. Senator MCCONNELL, the Republican leader, voted for it, as well as Leader PELOSI. Senate Budget Committee chairman PATTY MURRAY voted for it, as did House Republican Budget Committee chairman PAUL RYAN. This bipartisan approach of equal cuts and tax increases apparently had the whole-some bipartisan support in both Chambers.

The American people agreed, incidentally, that it makes sense. Those who have been successful in America—God bless them. They have done well. Many of them have created big businesses and jobs. It is not unreasonable to ask them to pay back some, particularly if they happen to be in those income categories like a man I know named Warren Buffett, one of the wealthiest people in America. He has said over and over again there is something wrong with the tax system when he pays a lower tax rate on his income than his secretary. I think he is right.

The change we are making to come up with revenue basically is to apply the Buffett rule. The money you make over \$1 million is going to be subject to higher taxation, up to \$5 or \$6 million. That money will be captured over the next 10 years to enable us to reduce the deficit and reduce the impact of sequestration. It would close that loophole, a loophole which I think needs to be closed and is long overdue, and the American people agree we should close other loopholes—oil and gas company loopholes, for example, offshore tax haven loopholes.

In line with these priorities, the Senate Democrats tomorrow will put forth a balanced approach to avoid sequestration for the rest of this year and give Congress more time to pass a long-term budget agreement. Our bill would ensure that millionaires are not paying a lower tax rate than the people who work for them or the janitors who clean their offices. The Buffett rule is an important step in reducing the inequality in the Tax Code.

Even as our economy has recovered, this inequality, unfortunately, has grown. A recent study found the top 1 percent of income earners captured 121 percent of the income gains in the first 2 years of the recovery. They were the first to get well in a big way. What about the rest of America? The top 1 percent captured 121 percent of the income gains, and the other 99 percent fell further behind. Let us reverse this once and for all. This income inequal-

ity is inconsistent with balanced economic growth. The Senate Democrats' plan also closes tax loopholes that actually cut taxes for companies that move factories overseas. I cannot imagine why there would be a reward in the Tax Code for a company in America that decides to offshore its production and lay off American workers. If they want to do that, if that is a corporate decision to make more money, it shouldn't be with the incentive or the reward of our Tax Code. That is a tax policy that should be put to rest once and for all.

On the spending side, our bill cuts wasteful direct payments in our agricultural programs, and I come from an agricultural State. Those direct payments should come to an end. They are made to farmers in good times and bad. This is not a safety net. In many instances, it is a windfall. We made this a part of the farm bill—the bipartisan bill that passed the Senate—and we include it in this approach for deficit reduction.

The Pentagon has to play a role in further deficit reduction, and they know it. I have long said we need to make smart cuts in defense programs, not the sequestration approach. The Senate Democrats' bill includes these smart defense cuts and, importantly, delays them until after we have ended the war in Afghanistan next year.

This choice should be an easy one for every Senator and every American. We simply have to choose. Are we for national security, education, infrastructure, and innovation or are we for special interest tax loopholes, subsidies and giveaways? That is what it boils down to.

For over 200 years, our national values have reflected that we want to stand together when it comes to keeping America strong, educating our children, leading the world in research, and building the infrastructure for the 21st century. Our votes tomorrow will be an indication of whether we still believe that.

We were never supposed to be at this moment in time. We weren't supposed to face this sequestration. It was supposed to be such a parade of horrors we would do everything we could to avoid it. We voted for it on a bipartisan basis, sent it to the President, and he signed it into law. I know he felt—and he said it publicly—it would never reach that point. Well, it has reached that point. Now the question is, Are we going to throw up our hands and say that is the way Washington works now?

We lurch from one crisis to the next. The crisis this week is sequestration. Three weeks from now it will be the continuing resolution. This is no way to run a government and it is no way to run a nation. I implore the Speaker and all the leaders on both sides of the aisle, for goodness' sake, don't say it is

the other guy's responsibility. We have to come together and solve this problem. That is why we were sent here.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise to speak on the nomination of Jack Lew to be the Secretary of the Treasury. Am I in order to do that?

The PRESIDING OFFICER. The Senator may proceed.

Mr. GRASSLEY. Mr. President, the problem we face with Mr. Lew's nomination is that the Senate does not have answers to very basic and factual questions about Mr. Lew. How can we make an informed decision on his nomination if we don't have answers to basic questions?

Let me provide several examples, starting with New York University. He worked for this tax-exempt university and he was given a subsidized \$1.4 million mortgage. Mr. Lew claims he cannot remember the interest rate he paid on his \$1.4 million mortgage the tax-exempt New York University gave him.

Does that pass the laugh test? I asked Mr. Lew to provide details on the mortgage to Congress. He refused repeatedly to provide full details and documentation of this taxpayer-subsidized mortgage. The explanations he did provide were needlessly complex, making it almost impossible to understand the structure of his loan.

What is he hiding? Why can't Congress get a straight answer out of this nominee to be our next Secretary of Treasury?

When Mr. Lew was executive vice president of New York University, the school received kickbacks on student loans from Citigroup. Then Mr. Lew went to work for that same Citigroup. When I asked Mr. Lew if he had any conversations with Citigroup about these kickbacks while he was at New York University, he once again "could not recall." I asked for any documents related to his involvement in the kickbacks and he refused to search for them.

Did those conversations occur? We don't know.

On Monday, the New York Times uncovered a \$685,000 payment that New York University gave Jack Lew on his way out the door. The New York Times called the payment "unusual." It is a shame Mr. Lew failed to provide these details as part of his confirmation process, leaving us to rely on the press to dig out the details.

He told the committee he received "severance pay" from New York University but did not disclose the amount. The dictionary defines severance pay as: "A sum of money, usually based on length of employment, for which an employee is eligible upon termination."

Was Mr. Lew terminated? If so, why was he terminated? If not, was the sev-

erance package truly a parting gift from the university? I don't know the answers to those questions because Mr. Lew was not forthcoming with the answers.

When it comes to questions about investments in the Cayman Islands, things get even less transparent. Mr. Lew claimed he did not know Ugland House was a notorious tax haven. He claims he did not know he had his money in the Cayman Islands. He claims he was not aware of any Citigroup Cayman Islands account.

Again, this does not pass the laugh test. President Obama and Chairman BAUCUS have highlighted Ugland House as a problem over a long period of years. When Mr. Lew was at Citigroup for years he signed documents which disclosed the fact that he was investing money in the Cayman Islands.

This is his distinctive signature, right here; the Ugland House description here, and the Grand Cayman name here. It is very obvious this signature doesn't belong to anybody else. It has been highlighted, and there have been a lot of newspaper articles about it. How are we going to have that signature on the dollar bill if he gets to be Secretary of Treasury?

So everybody knows to whom that belongs. Yet with all this information, he is telling the committee he doesn't know anything about the Cayman Islands or where his money was going.

We have so many more questions for Mr. Lew.

This is what the Wall Street Journal said last week in reference to Mr. Lew's past:

Investor in Cayman Islands tax haven? Check. Recipient of a bonus and corporate jet rides underwritten by taxpayers at a bailed-out bank? Check. Executive at a university that accepted student-loan kickbacks toward a favored bank? Check. Excessive compensation with minimal disclosure? Check.

Mr. Lew's eagerness and skill in obtaining bonuses, severance payments, housing allowances, and other perks raise very serious questions about whether he appreciates who pays the bills. How will he approach the burden on taxpayers to pay the government's bills? Will he act as cavalierly toward the taxpayers as Treasury Secretary as he did at Citigroup and New York University?

But despite all these questions, we are right now, this very day, rushing ahead to a vote on this nomination. Clearly, these questions don't matter to Mr. Lew's supporters because they are confident they have the votes. Unfortunately, they even have some assistance from my side of the aisle. But transparency and sunlight are essential for Congress and for the American people because with transparency and sunlight comes accountability.

Those supporting Mr. Lew today better not expect any real answers out of him in the future if he will not answer

these questions before confirmation. Whether we serve on the Finance Committee or on any other committee, we must do our constitutional job of oversight. We pass laws and we appropriate money and so we have a responsibility as Senators to make sure the laws are faithfully executed, which means we have to get answers from Cabinet people or people generally in the executive branch of government. If there are questions about the seriousness of faithfully executing the laws, faithfully spending the money we appropriate, we must ask questions. Do you think we will get answers from Mr. Lew after he becomes Secretary of the Treasury if he will not answer questions before his confirmation?

The larger problem, though, may be that when Mr. Lew actually does try to answer a question, he confirms our concerns. For example, when Mr. Lew was caught with the Cayman Islands bank account, he said: Well, I didn't make any money. Apparently, there is now a brand new standard. It is OK to invest in "the largest tax scam in the world"—and those are the President's words about the Cayman Islands and Ugland House, the largest tax scam in the world—so long as you don't make any money. That is the new standard.

When Mr. Lew was asked about New York University's investment in Cayman Island investments, again he could not recall them. Mr. Lew received over \$1.2 million in his final year at New York University. He was hired specifically to run the business side of New York University. Yet despite all this, he claims he had no specific knowledge of where NYU's money was being invested.

When I asked Mr. Lew if he could explain morally his decision to take almost \$1 million from an insolvent company supported by taxpayers, he could not answer. He said this to me: "I will leave it to others to judge." Mr. Lew refused to explain why he thought the bonus was justified. Since Mr. Lew could not answer that question, today I answer it for my colleagues, as they consider a "yes" or "no" vote on this nomination.

It is important we hold members of this administration equal to the standards they set for everyone else. When it comes to oversight, I don't think anybody is going to question this Senator is an equal opportunity overseer, because I raise these same questions about oversight whether we have a Republican administration or a Democratic administration. I believe it is important to hold members of this administration equal to the standard they set for everyone else.

Let's look at that standard. In the past, the President has railed against the "fat cats" on Wall Street. Today, the President nominates a man who took a bonus from a bailed-out, financially insolvent bank. The President

has constantly complained about the high cost of college tuition. While Mr. Lew was at NYU, the university increased tuition nearly 40 percent while he was getting paid more than the New York University president.

In the not-so-distant past, the President has called the Uglend House "the biggest tax scam in the world." Today, he nominates a man who invested there. In fact, the President has repeatedly railed against the Cayman Islands and Cayman Islands investments.

Mr. Lew is a serial Cayman Islands investor. On his watch, Citigroup invested money there, New York University invested money there, and he invested his own money there.

I believe it is essential to hold everyone to the same standards they set for others. For these reasons, I vote NO on this nomination.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, as we review the Lew nomination—I think all of us should ask a number of questions about any nominee. One of them deals with their professional competence, their proven integrity, and their good judgment.

Senator GRASSLEY has invested a good deal of time working on and understanding some of the things that happened when Mr. Lew was at Citigroup, the bank that apparently had the largest losses of any of the Wall Street banks, and it was not a good tenure there. He was a financial adviser; and it shows that, to the extent he has had any real banking experience, his experience has proven not to be successful. It is like the football player who might have played some games but he lost.

In early 2008, Mr. Lew became a top executive in the Citigroup Alternative Investment Unit, which houses hedge funds and private equity investments. News reports indicate that massive losses in this department played a role in leading to a Federal bailout of Citigroup—his department.

One troubling aspect of Mr. Lew's department was that he was betting against the taxpayers. That is what the experts conclude: Citigroup, under Mr. Lew's leadership, was betting on the collapse of the housing market.

Simon Johnson, an economist at MIT and a liberal, testified before our Budget Committee and said this about the crisis:

This mismanagement of risk was comprehensive in that organization.

He was talking about Citigroup, their mismanagement of risk was com-

prehensive. On January 16, 2009, Citigroup announced a loss of \$18.7 billion, the same day that taxpayers bailed out Citigroup with \$301 billion in loan guarantees. What a dramatic event that is, and was.

Mr. Lew's previous experience as an adviser at Citigroup provides a pretty good indication that he was in the wrong place and didn't perform well under these circumstances.

The day before the taxpayers came to Citigroup's rescue, Mr. Lew received a bonus. The President has been vigorous in attacking those who received Wall Street bonuses. He said it was wrong and it shouldn't happen. And in this case, he is exactly right: Mr. Lew should not have gotten this bonus. But it doesn't seem to bother the President to promote this man to Secretary of Treasury.

Here is what happened: Mr. Lew received a bonus, for the mismanagement that occurred there, in an amount exceeding \$940,000. Almost a \$1 million bonus. How many people do you know who get a \$1 million bonus? The bonus was in addition to the \$1.1 million salary he was paid for his work at Citigroup.

One news account of this event, citing that Securities and Exchange Commission filing, states this:

His unit lost billions of dollars in 2008 as its bets turned sour. In the first quarter of 2008 alone, the unit lost \$509 million. The company stopped publicly disclosing the unit's individual numbers thereafter, but the part of the company that absorbed alternative investments lost \$20.1 billion in 2008.

We should be concerned about Mr. Lew assuming the role as America's top financial adviser and economic advocate. He has told us to be concerned about this, if we would listen to him. During his confirmation hearings before the Budget Committee in 2010 to be Director of Office of Management and Budget, Mr. Lew was asked his views on the Wall Street financial collapse which he was smack dab in the middle of. What did he say about that?

Well, he said, Senator, when we discussed it, I mentioned to you I do not consider myself an expert on some of these aspects of the financial industry. My experience in the financial industry had been as a manager, not as an investment adviser. I would defer to others who were more expert in the industry and parse it better than that.

In other words, he disclaimed any real knowledge of the business. If so, how did he get the No. 1 job? Was it because of his political connections to the Clinton administration? And when he got a bonus to leave Citigroup, he only got that bonus if he was going to the Federal Government—the kind of crony capitalism that Larry Kudlow has so raised questions about.

Mr. Kudlow's question: Why did Citigroup allow him to have a bonus when he departed the bank, when he

led one of the worst divisions in the history of any banking department—any bank, ever—and he only got that if he was going to work for the government?

And Mr. Kudlow knows Wall Street. He knows people all through Wall Street. You have seen him on television nightly. He was an economist for the Federal Reserve, an economist for the chief economist for the Senate Budget Committee at one time, and worked for the Office of Management and Budget. He raises the question of crony capitalism. Why?

Maybe Citibank, and the Wall Street financial community in desperate straits, thought: Wouldn't it be nice to have our guy move over to the White House, be right in the President's office and be Director of Office of Management and Budget? We are glad to see him go over there and we are glad to pay him \$1 million. Maybe he will take our phone calls.

That is what Mr. Kudlow was talking about. And the Wall Street Journal—the Wall Street Journal believes in a free market. They are not opposed to people making a bonus. The Wall Street Journal sensed in his maneuverings an unhealthy crony capitalism deal, where people move back and forth from businesses and they use their government connections to advantage the business they left or they might return to. It is unhealthy. It is not free market capitalism; it is crony capitalism. It is not good.

The President was against all these bonuses and he is against a lot of this, and we are going to have an open administration, but he doesn't seem to worry about that.

So, such experience as Mr. Lew had demonstrates a lack of financial success, dramatic failures, in effect, \$20 billion in losses in 2008 alone; but yet he got a \$1 million bonus.

There is another matter of great importance. I remember when it happened. Judd Gregg from New Hampshire, former chairman of the Budget Committee, former ranking member of the Budget Committee—long-time member of that committee—worried about the future debt and unsustainable financial path of America and came up with an idea. In 2003, he proposed legislation, which was enacted, that placed a legal requirement that the President of the United States submit legislation if Medicare trustees—the people who run the Medicare Program—issue a funding warning for the program as part of their annual report. If America's trustees see they are on a funding path that is unsustainable and dangerous for Medicare, they shall formally notify the President of the United States. This would require the President to analyze the problem and submit legislation to Congress to see if we can't put Medicare on a sound path.

That is a simple event. Shouldn't we thank Judd Gregg for that? This provision has been commonly referred to as the Medicare trigger, and it is intended to ensure that steps are taken to shore up the program's finances before it is too late.

President Bush was the first one to receive that warning when he was in office, and he submitted legislation to deal with the Medicare crisis. He complied with the law.

The law states this:

If there is a Medicare funding warning made in a year . . . the President shall submit to Congress, within the 15-day period beginning on the date of the budget submission to Congress under subsection (a) for the succeeding year, proposed legislation to respond to such warning.

This is in the United States Code. When I say it is in law, it is in the United States Code. It requires that to occur. And it makes ever so much sense, does it not? Shouldn't we be worried about a program as important to Americans as Medicare? Shouldn't we be honestly dealing with it? Wouldn't Congress want to know what the President's plan is to fix it? He doesn't get to dictate that, but he gets an opportunity to lay out a vision to how to place it on a sound path.

Why wouldn't he want to do that? What objection should he ever have to that? He "shall" submit this, according to the law. President Bush did. But by contrast 2012—last year—marked the fourth consecutive year the Obama administration failed to submit such a legislative proposal despite the clear and unambiguous legal obligation to do so.

They say: We think we offered something with our Patient Protection Act—ObamaCare—and we do not have to do it.

They don't get to decide. The question is Medicare trustees—they said the warning is in effect. They sent the notice to the White House. And this is when the President's action is triggered. Mr. Lew, if he is confirmed, will be chairman of the Medicare trustees, as Secretary of Treasury of the United States. That is one of his top responsibilities.

So for 2 of those 4 years, 2010 through 2011, Jack Lew was the Director of the Office of Management and Budget. He also served in that office in part of 2012. As Director, he was the person responsible for drafting and submitting fiscal proposals and complying with budget law under 31 U.S. Code, section 1105. That is his duty, legally.

The House and Senate Budget Committees as well as a strong majority of the Senate Republican conference have written letters asking the Obama administration to respond to the Medicare trigger, the Medicare warning, and submit legislation to Congress dealing with Medicare's funding shortfall, as the law requires. But to this day they

have not complied, just refused, just as the Senate majority here refused to produce a budget in 4 years even though the U.S. Code calls for a budget to be submitted.

Meanwhile, the nonpartisan Medicare Actuary, who is a person who is really good with the numbers on Medicare and has great respect in the Congress, projects that on its current course, Medicare faces a \$36.9 trillion unfunded obligation over a 75-year period. Yet the President's most recent budget submission would actually increase Medicare spending relative to the current law, putting the program in an even more unsustainable position.

Yesterday I joined with Senator CORNYN and 20 other Republican Senators in sending another letter to the President on this matter. We wrote this:

During his testimony before the Finance Committee, Mr. Lew was asked about your administration's failure to abide by federal law while he served as OMB Director. Mr. Lew stated that the decision not to comply with the law was made prior to his service at OMB. We find it stunning and noteworthy that so far Mr. Lew has not provided adequate responses to congressional inquiries on the matter. Congress needs a clearer understanding about his role in the violation of this law, including exactly when Mr. Lew became aware of this legal requirement and what counsel, if any, he provided the Administration on whether it should comply with the law.

That is what was written, and of course they have not responded. I suspect they have no intention of responding. They have not responded before. I ask, should we not consider this before we advance him from the position of chief of staff to the Chairman of the Board of Trustees of Medicare, who has a duty to protect the program? And he will not even respond to the legal mandate that they lay out a proposal to fix Medicare when it is in a dangerous, unsustainable path, as it is today.

There are other matters I would mention, but I see my good colleague Senator SANDERS here.

I will be pleased to yield at this time.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. I thank the Senator from Alabama for yielding. I also intend to vote against Jack Lew to be our next Secretary of the Treasury but, in fact, for very different reasons than my colleague from Alabama.

Let me begin by stating that I have had the opportunity to speak with Jack Lew in my office on several occasions. It is very clear to me that Jack Lew is a very intelligent person. He is a very serious man. I applaud his many years of public service to our country. Furthermore, I believe that this afternoon he will be confirmed by the Senate. But I have to say that he will not be confirmed with my vote. The reason for that is that at this particular moment in American history, we find ourselves in the most difficult economic moment since the Great Depression.

The reality is—and we do not talk about it too much, the media doesn't talk about it too much, but most people understand—the great middle class of this country is disappearing. Poverty is extraordinarily high. Over 46 million Americans are living in poverty. At the same time, while the middle class collapses and poverty is extraordinarily high, the wealthiest people in this country are doing phenomenally well and we are seeing record-breaking profits for large corporations.

The question is—given the fact that the Secretary of the Treasury is one of the most important positions in our Government, having enormous powers unto himself in addition to being a key adviser to the President, the question is, Is the new Secretary of Treasury prepared to take on the increasingly powerful oligarchy that controls the economic and political life of our Nation and stand with the working families of America who are being battered and beaten up every single day? I do not believe by any stretch of the imagination that Jack Lew is that person.

This is the economic reality we are confronting today, and this is the economic reality we need a Secretary of Treasury to work with the American people to improve. We have the most unequal distribution of wealth and income of any major country on Earth, worse than at any time since before the Great Depression. Today the wealthiest 400 Americans own more wealth than the bottom half of America—150 million people. Four hundred to 150 million. Do I believe Jack Lew sees this as a serious problem he is going to address? I do not.

Today one family, the Walton family—one of the major welfare beneficiaries in America because they pay their workers such low wages and provide such poor benefits that many of their workers are on Medicaid, food stamps, assisted housing—that one family owns more wealth than the bottom 40 percent of American families. Do I believe Jack Lew is going to say: Wait a minute, that doesn't make sense, we have to change those policies. No, I do not.

Today the top 1 percent owns 38 percent of the wealth in America, which is incredible unto itself. But even more incredible is that the bottom 60 percent own less than 3 percent of the Nation's wealth. This is not only a moral issue, it is not only an economic issue because when you have that kind of wealth and income disparity, working families are not going to have the money to spend to buy goods and services to create jobs, it is also a political crisis because as a result of Citizens United, this 1 percent can now spend unlimited sums of money to elect those candidates who support their agenda and to create terror on the floor of the Senate on the part of any Member who is going to vote against their interests.

Gee, should I vote to deal with the greed on Wall Street if Wall Street is going to pour millions of dollars against me in my reelection campaign?

Do I believe Jack Lew as Secretary of Treasury is going to begin to address the issues of income inequality and wealth inequality in this country? Not for a second do I believe he will do that.

While the wealthiest people are doing phenomenally well, the Federal Reserve reported last year that median net worth for middle-class families dropped by nearly 40 percent from 2007 to 2010. Can you believe that? It dropped by 40 percent. That is the equivalent of wiping out 18 years of savings for the average middle-class family.

This is even more incredible, and it is absolutely important. I get tired of being one of the very few people up here who talk about it. I hope there will be some other Senators who will talk about what is, in fact, one of the major issues facing this country—income and wealth inequality.

In terms of income, here is a fact that is literally beyond comprehension. The last study on this subject showed that from 2009 through 2011, 100 percent of all new income went to the top 1 percent. All of the new income generated went to the top 1 percent, while the bottom 99 percent—those include some pretty wealthy people—actually saw a loss in their income. What that tells us is that it almost doesn't matter that economic growth now is obviously low. It is not as high as we want it, but it almost doesn't matter because all of the new income generated by this economic growth is going to go to the top 1 percent. Do I think this is an issue Jack Lew is going to address? No, unfortunately, I do not.

Real unemployment in this country is not what the papers report—7.8 or 7.9 percent. Real unemployment is over 14 percent if we count those people who have given up looking for work or who are working part time when they want to work full time—some 23 million people. Have I heard one word from Jack Lew about the need to come up with programs to put millions of people back to work immediately, including the young people whose unemployment rate is higher than that of the general public or people of color who are also economically suffering? I have not.

Millions of people are still underwater on their mortgages, and millions more have seen the American dream of home ownership turn into a nightmare of foreclosure.

The next Secretary of Treasury will be facing enormous challenges. Let me mention just a few. The next Secretary of Treasury will play a central role in regulating and overseeing Wall Street and large financial institutions. Let's never forget that as a result of the greed, recklessness, and illegal behav-

ior on Wall Street, millions of Americans lost their jobs, their homes, their life savings, and their ability to send their kids to college. That is all attributable to the greed and recklessness and illegal behavior on Wall Street.

We need a Secretary of Treasury who does not come from Wall Street but is prepared to stand up to the enormous power of Wall Street. We need a Treasury Secretary who will end the current business model of Wall Street, which is operating the largest gambling casino this world has ever seen, and demand that Wall Street start investing in a productive economy where businesses actually produce real goods and services and create jobs. Do I believe Jack Lew is going to be doing that? No, I do not.

In my view, we need a Secretary of the Treasury who will understand that when the largest banks in this country have become even larger, it is time to break them up. Do I believe Jack Lew will work to break up these huge financial conglomerates? No, I do not.

Today the 10 largest banks in America are bigger than they were before the financial crisis began. You may remember that we bailed out Wall Street because they were too big to fail; that if these banks went under, they would take a significant part of the American and world economies with them and the taxpayers of this country had to bail them out. Now we find that every single one of the top 10 financial institutions today is larger than they were when we bailed them out some years ago because they were too big to fail.

Today the six largest financial institutions in this country—JPMorgan Chase, Bank of America, Citigroup, Wells Fargo, Goldman Sachs, and MetLife—have assets equal to two-thirds of the GDP of this country—over \$9.6 trillion. Six financial institutions have assets equal to two-thirds of the GDP of the United States of America. These six financial institutions issue two-thirds of all of the credit cards, half of all of the mortgages, control 95 percent of all derivatives, and hold nearly 40 percent of all bank deposits in this country.

Do I think this issue—this concern—is something Jack Lew will address? Not in a million years. While millions of Americans continue to struggle through the worst economic crisis since the 1930s, Wall Street is doing phenomenally well today. They caused the recession, we bailed them out, and now they are doing phenomenally well. Financial institutions made over \$143 billion in profits in 2012. It was the most profitable year on record with the exception of 2006, just before the economic meltdown. Incredibly, the financial industry now makes almost half of all nonfarm corporate profits in the United States—up from about 10 percent in 1947.

As someone who has worked hard to elect Barack Obama on two occasions,

I remain extremely concerned that virtually all of his key economic advisers have come from Wall Street, and Jack Lew is no exception to that.

Let me be clear. It is not just because Mr. Lew served as a chief operating officer at Citigroup during the financial crisis; it is not just because Citigroup awarded Mr. Lew a \$940,000 bonus as he was leaving to join the State Department; it is not just because Citigroup received a total of \$2.5 trillion in virtually zero-interest loans from the Fed or that the Treasury Department provided Citigroup with a bailout of more than \$45 billion during Mr. Lew's tenure at Citigroup; I am opposed to Mr. Lew's nomination because of the views he now holds about Wall Street and the financial bailout.

On September 22, 2010, when I asked Mr. Lew at a Budget Committee hearing if he believed deregulation of Wall Street significantly caused the crisis—something that almost all economists agree with—here is what he said:

I don't believe that deregulation was the proximate cause. I would defer to others who are more expert about the industry to parse it better than that.

At his confirmation hearing at the end of this month, Jack Lew called the Glass-Steagall Act “anachronistic,” and said that the Dodd-Frank Act had “effectively” dealt with the issue of too big to fail. I could not disagree more.

In my view, we don't need another Treasury Secretary who thinks that the deregulation of Wall Street did not significantly contribute to the financial crisis. We need someone who will stand up to these huge financial institutions on behalf of the American people, small businesses, and working families and say enough is enough: Wall Street, you cannot continue to operate the way you are.

The next Treasury Secretary will be the lead negotiator for the President on how to reduce the deficit, an issue we are all concerned about. Here is the issue: Do we balance the budget by cutting Social Security, Medicare, Medicaid, education, nutrition, and programs that middle-income and working families depend upon? We could do it that way. PAUL RYAN, chairman of the House Budget Committee, will come up with that proposal, and it will mean huge suffering for tens and tens of millions of families who are already hurting. That is one way we could do deficit reduction.

First of all, I think that approach is way out of touch with what the American people want. The American people have been very clear: They do not want cuts in Social Security, they do not want to cut veterans programs, and they do not want to cut Medicare or Medicaid.

The American people have also been clear that at a time when the wealthiest people and largest corporations are

doing phenomenally well, when their effective tax rates are the lowest in decades, when they enjoy huge loopholes that enable them to avoid paying their vast share in taxes, the American people say: Those guys have got to start paying their fair share.

All of us will remember a few years ago when Wall Street was on the verge of collapse because of their greed and recklessness. They came crawling to the Congress and the taxpayers of America and said: We are Americans; we love America; bail us out. Congress—against my vote—bailed them out.

Now these same corporations that told us how much they love America are not only shipping our jobs to China and other countries, they are stashing their profits in the Cayman Islands, Bermuda, and other tax havens and avoiding their responsibility as taxpayers. Offshore tax schemes have become so absurd that one five-story office building in the Cayman Islands is now the home to more than 18,000 corporations. Everybody knows what that is about. All that is is a mail drop for corporations. They don't exist there; they are just using that address as a means to avoid paying taxes to the United States and other countries.

Let me give a few examples of some of these large corporations and what they have done to avoid paying American taxes at a time when revenue today, as a percentage of GDP, is almost at the lowest it has been in decades. The choice is to cut Social Security, Medicare, and Medicaid, or ask enormously profitable corporations to stop using loopholes to avoid paying taxes. I will give just a few examples, although I could give many examples.

In 2010, the Bank of America—one of the largest financial institutions in this country, an institution bailed out by the working families of this country when they were on the verge of collapse—set up more than 200 subsidiaries in the Cayman Islands, which, by the way, has a corporate tax rate of zero, so they can avoid paying U.S. taxes. How is that? We bail them out, they run to the Cayman Islands, set up 200 separate subsidiaries in order to avoid paying taxes to America. It is time for Congress and it is time for the Secretary of Treasury to address that issue. In a million years do I think Jack Lew is prepared to do that? No, I don't. We need a Secretary of Treasury who will do that.

Not only did the Bank of America pay nothing in Federal income taxes, but in 2010 it received a rebate from the IRS worth \$1.9 billion that year. They pay nothing in taxes, they are enormously profitable, they were bailed out by the American people, and then they get a rebate from the IRS for almost \$2 billion. Then people say: We don't have enough revenue; we have to cut Social Security; we have to cut nutrition pro-

grams for hungry children. Yet when one of the largest financial institutions in the country gets a rebate and doesn't pay any taxes, at least for some of my colleagues, that is okay.

In 2010, JPMorgan Chase operated 83 separate subsidiaries incorporated in offshore tax havens to avoid paying some \$4.9 billion in U.S. taxes. That same year Goldman Sachs operated 39 subsidiaries in offshore tax havens to avoid an estimated \$3.3 billion in U.S. taxes. Citigroup—where Mr. Lew actually worked—has paid no Federal income taxes for the last 4 years after establishing 25 subsidiaries in offshore tax havens. On and on it goes.

Wall Street, which was bailed out by the American workers, caused the recession, is now enormously profitable. Its CEOs get huge compensation packages, but when it comes to paying their taxes, suddenly they love the Cayman Islands. My suggestion is that the next time these crooks destroy their banks and need to be bailed out, let them go to the Government of the Cayman Islands to get their bailout and not the taxpayers of the United States of America.

Let me conclude by talking about trade for a moment because the Secretary of the Treasury gets involved heavily in trade issues. Trade is not a sexy issue, but it is an enormously important issue. I think it is important for all of us to understand that our current, unfettered, free-trade policy has been an unmitigated disaster for the working people of this country. Last year our trade deficit was more than \$540 billion. Permanent normal trade relations with China—remember when that came up? Oh, my goodness, we are going to open up the Chinese market, we are going to create all kinds of jobs in the United States, we are going to sell all of our products to the large population in China. Well, not quite. Not quite. PNTR with China led to the loss of nearly 3 million American jobs, and the NAFTA agreement led to the loss of nearly 1 million American jobs as large multinationals continue to throw American workers out on the street and move to China, Mexico, and other countries where workers are paid pennies an hour.

In 2008, I supported then-Senator Barack Obama when he told the AFL-CIO in Philadelphia the following:

What I refuse to accept is that we have to sign trade deals like the South Korea Agreement that are bad for workers. What I oppose—and what I have always opposed—are trade deals that put the interest of multinational corporations ahead of the interests of American workers—like NAFTA, and CAFTA, and permanent normal trade relations with China. And I'll also oppose the Colombia Free Trade Agreement if President Bush insists on sending it to Congress because the violence against unions in Colombia would make a mockery of the very labor protections that we have insisted be included in these kind of agreements. So you can trust me when I say that whatever trade

deals we negotiate when I'm President will be good for American workers, and they'll have strong labor and environmental protections that we'll enforce.

That was Barack Obama, candidate for President in 2008. Unfortunately, President Obama signed those bad trade deals into law while Mr. Lew was the Director of the Office of Management and Budget. As a result, more American jobs have been lost and our trade deficits for all of those countries have gone up. In my view, we need a Secretary of Treasury who will work to fundamentally rewrite our trade policies to ensure that American jobs are no longer our No. 1 export. Do I believe Jack Lew will be that person? Not a chance.

I will conclude by simply saying this: This country faces the most difficult economic times since the Great Depression. Tens of millions of working families, seniors, and children are struggling every single day to keep their heads above water while the wealthiest people are doing phenomenally well and large multinational corporations are enjoying record-breaking profits.

Because of all the money Wall Street and these large profitable corporations have, they are investing in the political process, putting in huge amounts of money—hundreds and hundreds of millions of dollars—to elect candidates who will represent their interests and not the interests of the average American.

Now is the time to have people in the Obama administration who are going to stand with the American people, stand with workers, stand with seniors, and have the courage to take on the big money interests that are causing so many problems for our Nation. In my view, Jack Lew is not that person and I will vote against him becoming our next Secretary of Treasury.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Alabama.

MR. SESSIONS. Mr. President, I will just say that I share some of the views of Senator SANDERS. I believe he said we need to stand up to the oligarchy that controls our economy and is involved in depressing wages. I would say most businesses like to pay their employees all they can, but it is better to not pay them more and they look for good workers at lower wages and that is the way they work and that is their interest. We can't look at the big corporations for objective analysis on how to create an economy that serves working Americans. If one thinks that, one is not truly a free market person as I like to see myself. I guess Senator SANDERS sees more of a government-dominated economy and would have the same skepticism about how it works.

So I think we do need to ask ourselves a good deal about what is happening when working Americans have

not seen their wages increase. Their wage increases, if at all, have been short of inflation. This has gone on for a decade and something is unhealthy and we need to do better. Mr. Lew did come from that crowd and, apparently, for what he knows about it is a part of it, and I think skepticism is certainly warranted, as I have indicated.

I believe unemployment is high, and higher than people think, and we need to work together. Senator SANDERS talks about trade deals. The Presiding Officer and I have worked together. We got a bipartisan piece of legislation passed that tried to equalize currency differences between the United States and China which would begin to level the playing field rather significantly in favor of American workers who are now being unfairly competed against via currency manipulation by China. That has to be confronted, and I am prepared to do that.

I also hope my colleagues will give some thought to the problem of immigration. There is no doubt that large amounts of immigration, low-skilled, medium-skilled workers pull down the wages of American working people. So we need to have an honest, effective, lawful system of immigration that serves the American interests as a whole and part of that is to ask ourselves: Is it pulling wages down? In one sense, I would say immigration is the other side of the coin of trade. It is one thing to take a plant and move it to a country and place it down and they work for less; it is another thing to bring the workers from that same country to the United States to work for less, and then the manufacturer may not be hiring American people, may not be able to do so at wages they would need to work. So I would just make that point.

With regard to Mr. Lew, he has made a number of very serious false representations. I am going to put this up one more time. These are words that should live in infamy. They should be an example to anyone in the future who thinks they can come before the Congress and make false representations or make them to the American people. The budget Mr. Lew produced as Office of Management and Budget Director in 2011—he brought it out in February. The day before he produced it, he made this statement on CNN. He also made similar statements on other television programs that Sunday morning. The budget was officially to be produced on Monday. This is what he said:

Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.

That was Candy Crowley on CNN that morning. Was that true? Should

we consider a man to be Secretary of Treasury, an august position that requires great credibility and integrity, knowledge about how to manage a government and a business and the world economy, if he is not correct on that?

I have asked my colleagues throughout the day: Does anybody defend this? Will anybody come forward and say this is an honest statement of the condition of America at this time when he made that statement, that we are not going to be adding to the debt anymore?

When Mr. Lew submitted that budget the next morning, Monday morning, he made press statements, but he submitted a stack of documents that came with the budget; it was 6 to 8 inches high, and it had tables and accounting from his office. They are his numbers from the Office of Management and Budget where he was a Director. Those numbers show this: They show that there was never a single year in 10 years in which there was a budget surplus. The lowest single deficit in that 10-year period was \$600 billion, in 1 year; the lowest, \$600 billion. The highest deficit President Bush had in his whole 8 years was under \$500 billion. This is the lowest in 10. The 5 years, according to his own numbers, the deficits went up to \$740 billion, \$750 billion in the 10th year, going up. Truthfully, they were going up even more so in the next 10 years.

The Congressional Budget Office came in and they analyzed the same numbers and they take assumptions and policies. They use the same framework and the same policies, but they traditionally make more realistic assumptions. They concluded that in the 10th year, the deficit wouldn't be \$744 billion but 1,200 billion, 1.2 trillion. They say Mr. Lew's assumptions were too rosy. He projected more growth than was likely to occur and got better numbers than were likely to occur.

But, regardless, I am not basing my complaint on the fact he had too rosy a scenario; I am basing my concern on the fact that Mr. Lew misstated what was in his own report, even his rosy numbers. How can he say we are spending only money we have each year, when the lowest deficit is \$600 billion?

He came before the Budget Committee and I asked him about it. I was flabbergasted. How could he say that? We looked at the budget he submitted and had a full—as much time as we liked, but the numbers were clearly not sustaining what he was saying publicly. So I asked him: Is it an accurate statement? Is this an accurate statement? I read it right back to him. This is what he said:

It's an accurate statement that our current spending will not be increasing the debt.

He went on to say:

We have stopped spending money we don't have.

I would just say if we are going to have a compromise around here, if we

are going to discuss rationally how to get this country on a sound path, we can't have the budget director saying basically he has a surplus when he doesn't come close to having a surplus. Erskine Bowles, the man President Obama appointed to head the debt commission, said a few days after this, I think the 13th or the 14th: This budget goes nowhere close to where they will have to go to avoid a fiscal nightmare. That is President Obama's expert who spent a year heading, cochairing the Simpson-Bowles deficit commission—nowhere near. Yet what did Mr. Lew say about it? Don't worry, American people. You don't have to tighten your belt. No agencies have to make cuts. If those mean Republicans make any suggestions of reducing spending, we will just attack them because they are hurting old people, children, schools, and so forth.

That is the game that was played. I don't appreciate it. It is not right. We do not need to have high-ranking officials coming before this government misrepresenting the most fundamental facts about our future on the most critical issue of our time.

Admiral Mullen said the debt is the greatest threat to this Nation's national security. If the Office of Management and Budget Director can't tell the truth, he doesn't need to be promoted to be the Secretary of Treasury, one of the great Cabinet positions in the United States; the top, primary economic position in our country—and the world, for that matter.

What does this prove? It proves he has a political staff mentality, not an august, independent personality of leadership. I hate to say that. I don't know Mr. Lew personally. I have met him, but that is about it. I haven't been involved in these negotiations where he has been the "heavy" according to Mr. Bob Woodward in his book, and the people who were in there whom he obstructed and refused to allow compromises to go forward. He was the point man for the failure of the discussions that had been going on for several years between the White House and the Congress to try to reach a plan that would put America on a sound course.

What is particularly amazing is that at the same time he was announcing the President's budget—later on that year Congressman RYAN and the House Republicans passed a 10-year budget that would change the debt course of America, tighten spending across the board, alter tax rates in a way to create economic growth, reduce the deficit dramatically, and put us on a sustainable, long-term path. I wouldn't agree with everything in it, but it was a very solid effort. Erskine Bowles praised the effort. Alice Rivlin, President Clinton's OMB Director, also complimented the effort. But President Obama and Jack Lew trashed it and politically spent 2 years campaigning

against it while the Members of this body refused to bring forth a budget at all—not the Senate Democrats, oh no. Senator REID said it would be foolish for us to bring forth a budget. Today marks the 1,400th day since this body has passed a budget. Passing a budget in the Congress is required by the United States Code. Unfortunately, it does not put people in jail if they do not do their duty. But it is in there, and it was not done.

So Mr. Lew has been very loose, made statements that are not justifiable. They are just not justifiable.

For example, on February 15—2 days after this—being interviewed by National Public Radio, he said:

If we're able to reduce the deficit to the point where we can pay for our spending and invest in the future, that is an enormous accomplishment. This budget has specific proposals that would do that.

It does not. It does not bring us to the point where we can pay for our spending and invest in the future. We have nothing but unsustainable deficits each year.

He goes on to say, in a different CNN interview: It takes real actions now so that between now and five years from now, we can get our deficit under control so that we can stabilize things so that we're not adding to the debt anymore.

Again, there is not a single year in Mr. Lew's budget that the deficit was lower than \$600 billion.

Oh, later, at ABC, he said:

This budget has a lot of pain—

It did not have much cuts, that is for sure.

[But] it does the job, it cuts the deficit in half by the end of the president's first term.

Give me a break.

The fourth year in President Obama's term, the deficit was \$1,200 billion. That is what it averaged all 4 years. President Bush's average deficits were probably \$250 billion, \$300 billion maybe. The highest he ever had was \$450 billion.

So when he says he is going to cut the deficit in half—no, not so. He did not come close to cutting the deficit in half. He went on to say:

It's going to take a lot of hard work just to take us to the point where we're not adding to the debt.

He did a White House blog on February 13—the same day as this:

Like every family, we have to tighten our belts—

That is true—

and live within our means while we are investing in the things that we need to have a strong and secure future. . . . We know that you have to stabilize where we are going before you can move on and solve the rest of the problem. This budget does that.

So I think those descriptions of his budget are stunningly erroneous, and I do not believe it was a mistake. He served in the Office of Management and Budget under President Clinton. He

was not the boss, but he was one of the top ones. He knew the budget continued to add to the debt every single year in an unprecedented and unsustainable amount.

He produced a budget that made no change in America's debt course of any significance—virtually none—and then announced it solved all our problems. He basically told the American people: Well, don't you worry. Stick with us. We have a plan. You do not have to have all those cuts. You do not have to have those cuts. These people just want to get your money. Follow us. Relax. Cool it. It is OK. We have a plan. Our plan will solve this problem.

It was not true, and I am very unhappy with that. I think we cannot allow that to continue.

He did other things. He served as one of the top people in the OMB during President Clinton's term for a period of time. He knows how the budget process works. He, in my opinion, was totally on board with the majority leader in the Senate, Senator REID, in his decision not to bring up a budget. They did this jointly. They talked about it. There is no doubt about that. This was all a planned strategy not to expose Senate Democrats to any real reduction in spending but to attack anybody who had the gumption to lay out a real plan that might change the spending in America. That was the campaign strategy. So he worked on that. That is where he was.

So we began—and I was the ranking Republican on the Budget Committee—we had all these young Senators who got elected in 2010. They wanted to be on the Budget Committee. They wanted to be involved in fixing this country's financial problem. They campaigned on it. They talked about it all over their States. It was the most competitive committee here. We had a long list of people who wanted to get on the committee. They all could not get on. But we got some very good, talented people to join the committee and we do not have a budget. We have not had a budget in 1,400 days.

So Mr. Lew was asked: Why doesn't the Senate do a budget? Do you know what he said? This is a quote on CNN.

. . . we . . . need to be honest. You can't pass a budget in the Senate of the United States without 60 votes. . . .

Yes, we do need to be honest. Let me read the quote again:

. . . we . . . need to be honest. You can't pass a budget in the Senate of the United States without 60 votes. . . .

Surely, he knows we cannot filibuster a budget. Surely, he knows a budget is passed by a simple majority. That is why a budget is so important. That is what the Budget Act did. It said the country needs a budget. It should not be filibustered. You should be able to pass a budget with 51 votes, and it cannot be filibustered. It has been that way since 1974. It is in the United States Code—the Budget Act.

He said that twice. Mr. Lew has to know better than that. Everybody knows that. We cannot filibuster a budget. And yet he was defending the inaction in the Senate and did not seem to care whether his words were true, I would suggest, and that is not good.

So we get into problems with integrity as it comes to spending in America. Time and time again, we have estimates that underestimate the cost of a program and at the same time overestimating the revenue for the program.

Just 2 days ago, I asked for and received—actually, 1 day ago, yesterday—from the Government Accountability Office an accounting of the President's health care proposal. As you remember, the President said: I will not sign a bill that adds one dime to the national debt—not one dime. Everybody said: How are you going to add all these people into government health care and it not cost money? Oh, we are sure this is not going to happen. Trust us. Trust us. Do it. But we just got back a report. They conclude that there are several parts of the bill that project savings that will not occur, resulting in a shortfall of revenue over the life of the bill. They indicate it would add more than \$6.2 trillion to the primary debt of the United States. In other words, with an unfunded liability of that much, it would take \$6.2 trillion being deposited today and paying out over 75 years to supplement this program to keep it from failing. It will cost more than a dime. It will cost \$6.2 trillion. It is another unsustainable program. It does not have dedicated revenue. It is going to cost more than this, frankly. But this is the latest report that hammers this idea that it is not.

So I guess what I am saying is, this is truly serious. Our total budget today is less than \$4 trillion. This is going to add \$6 trillion. Our budget this year is about \$3.5 trillion. That is how much we spend. We take in about \$2.5 trillion. We spend \$3.5 trillion. Thirty-six percent of what we spent last year was borrowed money because we do not bring in enough money to pay for our current expenses.

We just got a report yesterday from the Government Accountability Office—an independent group that does good work—saying it is going to add \$6.2 trillion to the deficits. That is why we have to have integrity here. This is how we go broke. This is how we are getting this country in a position we do not need to be in.

During my remarks today, I have exhaustively documented the case against the confirmation of Mr. Lew. I do not do it for personal reasons. I do it simply because I think it is the right thing for our country. I have detailed his disastrous budget plans that were rebuked by editorial boards across this country and unanimously rejected by

Congress. Remember, his budget was brought up in the House. It got not a single Republican or Democratic vote. It was brought up in the Senate—not a single Republican or Democrat voted for the budget. What a rejection. This is the man we are going to promote to Secretary of Treasury?

I have discussed his repeated, knowing, and deliberate false statements about those budget plans—most notoriously his claim that “our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we’re not adding to the debt anymore. . . .”

I have discussed his curiously enriching time at a failed division of Citigroup, the bank that had the greatest difficulties, perhaps, of any bank, and he headed the division where some of the worst problems were. He got a big bonus just about the time they got a \$310 billion bailout loan guarantee—\$310 billion.

As I close my remarks, I would appeal to my colleagues to oppose Mr. Lew. I would appeal to my colleagues to defend the integrity of the Senate, to defend the right of our constituents to hear the truth from government officials through CNN or whatever program they are hearing, and to defend the idea—the very concept—of truth itself as an objective matter.

I would also like to place this in a wider context. Today is the 1,400th day since Senate Democrats have passed a budget. They say we will have one this year. Maybe we will. Why has this gone on so long? Because they decided it would be better to offer no solution, no plan, to help struggling Americans and, instead, tear down anyone who dared offer a plan to solve our Nation’s economic problems. This is the heart of the problem in Washington right now. We have one political party that sees the budget debate as an exercise in political warfare, to advance power, not problem solving.

At the center of this strategy is the White House, and at the center of the White House is Mr. Lew. In his campaign for reelection, President Obama repeatedly said he had a plan to “pay down our debt.” If he did, he never submitted it to Congress. He did not have one. He even ran a campaign ad, late in the campaign, saying:

I believe the only way to create an economy built to last, is to strengthen the middle class—asking the wealthy to pay a little more so we can pay down our debt in a balanced way. So we can afford to invest—

More, I guess—

in education, manufacturing, and home-grown American energy, and for good middle class jobs.

But did he have such a plan? Not Mr. Lew’s plan, at that point his Chief of Staff, supervising the OMB Director, who followed him. Again, this was the strategy: offer a plan that does nothing to alter our dangerous debt course

while pretending it does just the opposite. Then, once you have done that, attack anyone who dares to propose to reduce the size of the bureaucracy, attack anyone who suggests Washington is too powerful—attack, attack, attack, while never offering anything that would actually work to help Americans who are struggling every day. After the White House budget was submitted in 2011, this budget I have referred to that he announced, President Obama, if you remember, spoke at George Washington University in your area, with Congressman PAUL RYAN, the House Budget chairman in attendance, sitting right before us.

Congressman RYAN, as you remember, had laid out a plan which would fix the financial future of America, if adopted, and put us on a sound course. President Obama responded:

One vision has been championed by Republicans in the House of Representatives. . . . It’s a plan that aims to reduce our deficit by \$4 trillion over the next 10 years. . . . But the way this plan achieves [that goal] would lead to a fundamentally different America than the one we’ve known throughout most of our history. . . . This is a vision that says up to 50 million Americans have to lose their health insurance in order for us to reduce the deficit. And who are those 50 million Americans? Many are someone’s grandparents who wouldn’t be able to afford nursing home care without Medicaid. Many are poor children. Some are middle-class families who have children with autism or Down’s syndrome. . . . These are the Americans we’d be telling to fend for themselves.

This is our level of debate in Washington: when Congressman RYAN deals honestly with the challenges we face to tighten the belts across the board, create mechanisms to enhance American growth and job creation, this is what the President said—with him sitting right there.

Senator REID produces nothing, brings out no budget, because he says it is foolish to do so? He meant foolish politically. He didn’t mean foolish for America not to bring forth a budget. How could it possibly be foolish for America, the United States Senate, to comply with U.S. law that says we should bring up a budget?

Majority Leader REID said of one Republican reform effort that it was “a mean-spirited bill that would cut the heart out of the recovery that we have in America today. It goes after little children, poor little boys and girls. We want them to learn to read.”

This is the level of debate we have in this country. This is why we have a sequester that can’t be fixed, this kind of ridiculous talk. Somebody needs to stand up and say we are tired of it.

My plan, my view for America, is to help poor people be prosperous, rise out of poverty. We don’t judge that by how many checks we send out, how much deficit we run up, and leave our country in danger. The Republicans, candidly, have not done enough to stand up to these egregious attacks. We need

to defend ourselves more effectively and aggressively. Voting against Jack Lew would be a vote against dishonest tactics, misrepresentation of facts.

Every Republican ought to ask themselves, should I vote to advance a man to a top position he is not really qualified for, who is loyal to the President’s political agenda, and places that above telling the truth?

The painful truth is to some extent this political strategy has been successful up to now. President Obama and his Senate majority have blocked fiscal reform and continued on our path to fiscal disaster. It is time we pointed out that the establishment they are shielding from cuts, the big government apparatus they continually defend, is hurting people every day. It is bloated, it is inefficient, it is duplicative, and fraud occurs every day.

Their policies, their endless support of the bureaucracy has created poverty, joblessness, and dependency. It has created low wages, low growth.

In cities such as Baltimore, Detroit, and Chicago, governed almost exclusively by Democrats and Democratic policy at every level, the good, hard-working people are hurt every day by these leftist policies. They do not work.

In the city of Baltimore, one in three children live in poverty. One in three Baltimore residents are on food stamps. Imagine that, the great city of Baltimore.

In Chicago, where roughly 500 homicides occurred in 2012, 51 percent of the city’s children live in a single-parent home.

In Detroit, almost one in three households had not a single person working at any time in the last 12 months. Almost one-third of them hadn’t had a single person working. The city’s violent crime rate is among the worst in the country. More than one-half of all Detroit children live in poverty.

This should not happen. What is the response? Borrow more money and send out more checks. This is not the way to help people. These are the consequences of leftist policies. We are opposed to those policies. They do not work. They hurt the people, they pretend and assert that they are helping.

We are fighting for policies that create jobs, create rising wages, create opportunity, help more people earn a good living and care for themselves, be independent and prosperous and get on the road to higher wages, supervisory positions, health care and retirement benefits. This can be possible in this country. We are trying to lift people out of poverty and strengthen family and community. We are trying to protect the good and decent people of this country from a debt crisis.

Erskine Bowles and Alan Simpson told us this Nation has never faced a

more predictable financial crisis. They said if we don't get off this course, this unsustainable path, we may have another one, and it may be worse than the 2007 one.

Where does Mr. Lew stand? Where does the White House stand? They did everything they could to defend the bureaucracy, no matter the cost in wasted dollars or lost jobs. Mr. Lew submitted an indefensible budget plan that would have caused further social and economic devastation. They deliberately misled the Nation about that plan, deliberately misled the country about it. He knew this wasn't true, and then he participated in a strategy that shot down any efforts from the Republican side to reform the situation.

I urge my colleagues to reject these tactics from the White House. I urge them to stand up for the good and decent people of this country who work hard every day, try to do the right thing, want to get ahead, and want to see their wages rise instead of stagnate. I urge them to vote to hold high government officials accountable by putting politics ahead of policy or sacrificing truth for political gain. I urge them to oppose Mr. Lew.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. I ask to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. COBURN. I want to spend a few minutes this afternoon talking about what is going to happen on March 1, something we have known is going to happen for 18 months. Nobody really wanted it to happen this way, but I want to make the case if we give the administration the flexibility, we can easily swallow \$85 billion a year in reductions.

I am going to go through a small set of oversight reports I have actually done in the last year or so talking about waste within the Federal Government.

We looked at the urban area security grants of the Department of Homeland Security. We looked at the Department of Defense, the programs that were in the Department of Defense which don't have anything to do with defense; that is \$67 billion a year.

Let me say that again: \$67 billion a year is spent in the Department of Defense which has nothing to do with defending the country.

We outlined the 100 most wasteful projects, we put that out in December of this year, a treasure map. We looked at the Market Access Program and what it is actually doing to some of the wealthiest agricultural businesses in this country. It is subsidizing their export of sales. Money for nothing, all of the money that we spent that hadn't actually accomplished anything. We did a report on that.

Next we did a report on the subsidies for the rich and famous because we do have a mixed-up Tax Code, and over \$30 billion a year in benefits goes to a very small number of people in this country inappropriately through our tax cuts. The discussion and disagreements we are going to have on that will be about what do you do with that. Everybody agrees we probably ought to fix that. Do you fix it by just raising taxes or do you fix it by reforming the Tax Code and actually getting greater taxes coming into the Federal Government?

The other point I wanted to make is there are a lot of things we may sequester that I have been talking about for years, which actually haven't gotten any traction, but I suspect right now will be getting some traction. The first one is the grant programs in the Department of Homeland Security.

In one area, the Urban Area Security Initiative, which is a component of the Homeland Security grants, we spend \$170 million a year on one grant program. What we did when we looked at it is we found tremendous amounts of waste that have nothing to do with increasing the security in the communities where this money was spent.

Let me give you a few examples: domestic drones that have limited capability, can't fly over anything that is populated because they are not reliable enough. Also, underwater robots, snow cone machines, security upgrades for spring baseball training programs and stadiums, color printers, BearCat vehicles for communities of 20,000 people who will never have a need for that piece of equipment. Yet we spent it because the people making those pieces of equipment are so good at helping cities get grants whether they need them or not, they apply for them.

Columbus, OH, bought an underwater robot, \$98,000. They don't have a facility, a true natural lake or other lake in which they could actually utilize this piece of equipment, but they bought it anyway.

Spring training in Arizona, \$90,000 to install video surveillance at the Peoria Sports Conference Complex. The Seattle Mariners and San Diego Padres have their spring training there.

Here are Urban Area Security Initiative grants which are supposed to be spent on security. What we found is a large portion of the money across the country is not being spent on security; it is being used to augment aspects of what communities need.

This is a good way to trim \$700 million through these grants. While I am at it, what we do know is the Department of Homeland Security, 6 months ago, had \$8 billion in unobligated balances. Secretary Napolitano made a decision—and her basis was for stimulus, economic stimulus—she would take the requirements off of those grants and push that money out the door. They were only able to push \$3 billion out

the door, so there is still \$5 billion sitting in Homeland Security in unobligated money from last year alone that hadn't been spent. This addresses many of the issues that we are talking about in terms of the sequestration.

The Department of Defense, in terms of the "department of everything"—let me outline for you a minute. Not all this money could be saved because they are doing some things, but they have no business being at the Department of Defense, with \$67.9 billion over 10 years in nondefense spending; nonmilitary research and development, \$6 billion a year. And education, the average cost to educate a child on base in America—not our foreign bases, not where we actually need private schools—is over \$51,000 per year per student.

We could consolidate that program, as we do at all but 16 bases, and over 10 years save \$9 billion.

There are STEM programs, 103 different STEM—science, technology, engineering, and math—programs within the Pentagon alone. Consolidating those would save \$1.7 billion over the next 10 years. These are programs not necessarily initiated by Congress either, I might say. They do have the flexibility on a lot of these programs to make those changes.

The Department of Defense tuition assistance program totally duplicates our veterans assistance program. So you can do in-service, have access to tuition while you are in-service and then have the identical access to tuition afterward, and you can claim them both.

So we have multiple duplications there. And there is nothing wrong with wanting to give an educational benefit to our troops, but we don't need to do it twice. That is a significant \$5.4 billion.

Alternative energy. We have a Department of Energy. Their whole goal is to work on alternative energy and renewable energy and efficiency within energy. The Department of Defense is spending \$700 million a year on research in alternative energy that totally duplicates everything we are doing everywhere else. So there is \$700 million we should not be spending at the Pentagon for something that is already being done somewhere else.

We also know we have a benefit for our military families called the PX and commissaries. But when we go out and price products, what we find is you can actually buy at retail stores at a lower price than you can at the commissary. For the cost of running all those organizations, we could give every troop an additional \$1,000 a year and save \$5 billion over the next 10 years. We could give them \$1,000 more, and they would be able to buy at lower prices from a commercial vendor versus a commissary.

Overhead support and supply services. Over 300,000 military members are

performing civilian-type jobs. In other words, these are Army, Marine, Navy, and Air Force personnel trained as warfighters, and we have them doing nonmilitary jobs at the Pentagon. We could put civilian employment in place and have these military people available to be warfighters and save \$37 billion over the next 10 years just in the differential in what our total costs are for the two different types of employees.

So when we talk about a sequester taking \$85 billion, I have just cited over \$85 billion over 10 years just by looking at a few programs. So we hear the number, and we think about the Federal Government being twice the size it was 11 years ago and that we are 27 percent higher in terms of discretionary spending in nondefense and that even if the sequester goes through, as it is now planned for the military, the military expenditures will actually still be greater next year than what they are this year. So it is important that we talk honestly with the American people about where we are on these projects.

Let me just for a second talk about a report called the "Waste Book." We put it out every year. We gave 100 examples of the most egregious ways tax dollars were wasted last year.

Examples include \$450,000 for an unused airport in my State and \$325,000 for robotic squirrels. This was a grant issued to study what we already know about robotic squirrels and their interactions with rattlesnakes. I can't see that as a priority for us. At a time when we are running \$1.2 trillion deficits, we don't need to be spending money on that type of research.

We spend \$91 million a year giving—you won't believe this one—charitable status to the NFL, the PGA, and several other sports entities. So on the profits they make, the PGA defers taxes coming to the Federal Government in terms of \$91 million a year. Now, I don't know of a pro sports team that isn't in the business of being profitable, yet the organizations they send a lot of this money through we are allowing to hide that money through the Tax Code. That is \$91 million a year. Why are we doing that?

Another example: \$27 million was spent by the State Department on pottery classes in Morocco. The whole project was an abject failure, but the real question is, Why are we spending \$27 million on pottery classes in Morocco? Could we spend \$27 million and have a better effect for the Moroccan people than a failed pottery class program? The answer is, certainly.

The size of the State Department is twice the size it was 5 years ago—twice the size in terms of total expenditures.

The other thing we talked about is the subsidy for the rich and famous in terms of what is out there. On average, we found \$30 billion a year that mil-

lionaires—people who make at least \$1 million a year—enjoy in benefits from tax giveaways and Federal grant programs. That is \$30 billion a year. That is \$300 billion. That is over one-third of what we are talking about on the sequestration. Yet we have done nothing on that.

This has been out for a year, by the way. Here are some more examples. We have \$74 million spent on unemployment checks that went to millionaires last year. That is right, \$74 million went out to people who made \$1 million, but we still paid them unemployment. We spent \$316 million on people who are making more than \$1 million a year farming. We sent them \$316 million worth of subsidies and \$89 million for preservation of their ranches and their estates. These are people making an adjusted gross income above \$1 million a year. We sent them \$9 billion in retirement checks, we sent them \$75.6 million in energy tax credits for their homes, we sent them \$7.5 million for costs and damages due to emergencies, and we also gave them a writeoff on their gambling losses in excess of \$3 billion.

The other thing I found very unusual as we looked at this is that people making an adjusted gross income in excess of \$1 million were given \$16 million in government-backed education loans. That is right, \$16 million in government-backed education loans.

One of the other areas we did a study on was the Market Access Program. We have all heard of Sunkist and Welch's and Blue Diamond. In 2012 we paid them \$6 million from the taxpayers to help them sell their products overseas. These are hundred-million-dollar corporations, minimally. They are billion-dollar corporations. We don't do that for the rest of all the corporations in this country, but because they happen to be associated with an agriculture program, we decided to subsidize the overseas products of the very well-to-do corporations. That may be a laudable goal, but at a time of tight priorities, it is not a laudable goal. Over \$2 billion has been spent on this program, which has indirectly subsidized their advertising costs. So \$2 billion has gone to very profitable agricultural companies that, if we were to look at their 10-Ks, their SEC reports, they are doing just fine. They don't need the Federal taxpayer to do this.

The California wine industry, which had domestic sales of \$18 billion in 2009—it is higher than that now—got \$7 million, and the American cotton industry received \$20 million and received another \$4.7 million from a separate USDA market access program.

Finally, I wish to talk for a minute about more than \$70 billion in Federal funds that has been left unspent years after it has been appropriated. We have \$70 billion sitting out there in accounts that has been obligated but not spent,

now older than 5 years old, which means it is never going to be spent. So that money is sitting in a bank account somewhere that we could pull back, if we had effective management, because people didn't use the money in a grant, they didn't use the money in a program, and yet we have failed to do that. So we are borrowing an extra \$70 billion every year to fund the government when we have \$70 billion out there in accounts that should revert back to the Treasury.

At the end of this year the Federal Government had \$2 trillion in unexpended funds. This is according to OMB, not the Congressional Budget Office. The Office of Management and Budget says that two-thirds of this money was obligated, but a third of it wasn't obligated. So you have \$650 billion in unobligated balances sitting in the Federal Government accounts that we are not shuffling around to direct to the things that are most important.

Let me finish, but first I would like to make one other point. I got a letter this week from the mayor of a medium-sized town in my State. It is from the mayor of McAlester, OK. I am going to enter this letter into the RECORD because in this letter we see a demonstration of the kind of leadership that is needed when there is a financial problem in front of you.

Let me read this.

The City of McAlester is currently working hard to rebalance our budget after a sudden downturn in our revenues over the past two months. As you know, municipalities in Oklahoma are required by statute to maintain a balanced budget.

In other words, it is a law in Oklahoma that you have to have a balanced budget. So what has he done?

Continuing to read:

The first step we took was to implement a hiring freeze.

So they reassigned workers. And with a revenue shortfall projected at \$1.2 million, they took every other expense account category, including supplies, repairs and maintenance, fuel, utilities, travel and training, consulting services and legal services, and reduced their budgets. In other words, they responded.

The mayor continued in his letter:

None of these cuts are without pain. But all will be accomplished while maintaining essential city services.

Now, for McAlester, a \$1.2 million budget cut is a bigger hit than we are talking about with sequestration. If the mayor of a community of 25,000 people can make the adjustments to serve his constituency without decreasing services, why can't we?

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to which I just referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MCALISTER, OK,
February 26, 2013.

Hon. TOM COBURN, M.D.,
Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR DR. COBURN: The City of McAlester is currently working hard to rebalance our budget after a sudden downturn in our revenues over the past two months. As you know, municipalities in Oklahoma are required by statute to maintain a balanced budget. With sales tax receipts abruptly falling by ten percent compared to the prior year, we have had to act quickly to reduce costs.

The first step we took was to implement an immediate hiring freeze. The budgeted positions that are currently open include two street maintenance workers, a full-time and a part-time administrative assistant, a water plant operator, a police officer, an animal control officer, a firefighter, an accounting manager, a meter reader and a planning director. We will reallocate work among other employees wherever we can. If we determine that an unfilled position will affect the safe operation of the community, only then will the position be filled.

With a revenue shortfall projected at \$1.2 million, we are also making budget reductions in virtually every other expense category including supplies, repairs and maintenance, fuel, utilities, travel and training, consulting services, legal services, etc. Of course, we have also zeroed out any contingency amounts we had included in the budget for the unexpected. However, we have been careful to retain budget items for long-term infrastructure projects as we consider it unwise to risk damaging our city's future.

None of these cuts are without pain. But all will be accomplished while maintaining essential city services. By reducing our spending in these areas, we anticipate we can finish the fiscal year without having to dip into emergency fund balances.

Prompted by what we see as an economic situation likely to continue into the next fiscal year and potentially beyond, we are also taking this opportunity to thoroughly review our local government cost structure. The goal is to organize in a way that is more efficient and more effective. By stretching each revenue dollar to the max and by prioritizing our needs and wants, we hope to narrow or eliminate the gap between what citizens expect from their government and what they are willing and able to pay for.

Best regards,

STEVE HARRISON,
Mayor, City of McAlester.

Mr. COBURN. The final point I would make is the following: A little more than 3 years ago we passed an amendment that I offered that forced the Government Accountability Office—the government's accounting office—and the Comptroller General to identify every program in the Federal Government, and not only to identify it but to outline where we have duplications and overlaps. And they have done a wonderful job. We are going to get the last third of that report about a month from today, April 1, but what do we know so far? We know we have about \$370 billion in the first two-thirds of this where they say there is massive duplication. There is \$370 billion worth of expenditures a year.

I have talked with the President, and he disagrees with me on this, but when you think about it, we have 47 separate

job training programs, of which all but three overlap. They are highly ineffective in total. So why don't we have two or three? We spend almost \$19 billion on those programs. We could spend \$9 billion, cut it down to three programs, put metrics on it, and make sure it is working. The reason I know it is not working is I looked at every job training program in my own State, and the ones that are most successful are the ones that are totally State run without any Federal Government interference. The ones that are federally run—and some are good, I will give you that, but most are not—most are not successful in efficiently and effectively giving somebody a life skill and getting them into employment.

We have 253 different, duplicative Department of Justice grant programs spending \$2 billion a year. If you are needing a grant, you might apply to DOJ in one of these 253 areas and then you might apply again over here in another area for the same thing. And the fact is that the Government Accounting Office says: We don't know if people are double- and triple-dipping. As a matter of fact, what did we find? We have people getting the same amount of money from different grant programs from the same grant application. So what we have is a tremendous problem.

We just discovered in the State of Oklahoma that we have a housing administrator for a city that has no houses. There are 3,700 housing administrators in the United States—probably closer to 4,000 because we are still counting. Some of those have very big responsibilities. I don't mean to diminish them at all. But couldn't we consolidate those, especially in areas such as rural Oklahoma and the other rural States so we spread that overhead and have fewer housing administrators?

We have 56 financial literacy programs. Think about that for a minute, 56 different programs for the Federal Government to create a program to make you financially literate.

First of all, there is a problem with that because we are not financially literate, borrowing \$1.2 trillion a year. No. 2, we don't know what the words efficiency and effectiveness mean in the Federal Government—or, at least, have limited knowledge of that. And, finally, why do we have that many financial literacy programs? There is no sane answer to that question.

As I outlined in some of the others, 160 housing assistance programs, \$170 million a year. We have 53 programs across 4 agencies to help entrepreneurs. The Federal Government is helping entrepreneurs? Our entrepreneurial spirit is not very active and not very successful in terms of what we are doing within the government, and yet we spend \$2.6 billion on it.

We have 15 different separate unmanned aerial aircraft programs with-

in the Federal Government. We are going to spend \$37 billion on that. Why do we have 15? Maybe two or three, because we have different requirements, but 15?

So we have the massive amount of duplication that is going on within the Federal Government which implies massive amounts of duplicative administrative and overhead costs. I would bet that one-third of what is happening in the sequester, if you consolidated programs—didn't eliminate any, just consolidated the management—you could save one-third of what the sequester is just from the administrative overhead associated with those.

So when you hear discussions about we shouldn't be doing the sequester, that the sequester is going to be painful—and it is; I don't deny that. But it doesn't have to be. All it takes is a small drop of common sense, both in Congress and the executive branch, to work our way through these problems.

My hope is the President will work with us on giving him flexibility in terms of managing this.

Remember, \$85 billion really isn't 85. It is only going to be about 44. That is what we are talking about. It is disproportionately heavy on the defense. I have a lot of colleagues on my side who disagree with me on the waste that is in the Pentagon, but I have seen it, I have looked at it, and I have had a lot of people inside the military call and talk to me about the waste that is there. We now have an admiral for every ship we have in the Navy. Nobody else has that anywhere else in the world, and with that comes an average of 200 other employees per admiral.

The question is, Can we do this? Should we do it? And can we do it in a way that is best for the American people? We are going to cut this money one way or the other. It is not because a Republican wants to cut it or because the President wants to cut it or because a Democrat wants to cut it. We are going to cut it because the math in our future is going to force us to cut it. I know people don't think discretionary programs are much of the problem with what we are spending money on, but I would surmise that well over 15 percent of everything we do in discretionary spending—including the Pentagon—is not effective or efficient.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask permission to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING DR. FRANK CLECKLEY ON HIS RETIREMENT

Mr. MANCHIN. Mr. President, I rise to pay tribute to Dr. Franklin D. Cleckley, one of the true giants of the legal system of West Virginia. I do so

because Frank is getting ready to retire after nearly half a century of service to our great State—as a lawyer, as a professor, as a judge, and as an unwavering champion of justice. I wish to congratulate him for the extraordinary job he has done and to thank him for his countless contributions to the betterment of West Virginia.

Dr. Cleckley's stellar and pioneering legal career began in 1965 when he earned his law degree from Indiana University. It will end next week at West Virginia University with a retirement ceremony that so many of his family, friends, and colleagues will be attending to celebrate this great man. I only wish I could be there because I have valued and appreciated his friendship for so many years.

Frank Cleckley joined the faculty at West Virginia University College of Law in 1969, after serving as a lawyer in the U.S. Navy Judge Advocate General's Corps at the height of the Vietnam war. Not only was he the first African American on the staff at the West Virginia University College of Law, he was also the first full-time African-American professor in the history of West Virginia University.

As a law professor at West Virginia University, Frank literally wrote the book on practicing law in West Virginia. He authored two you will find in every courtroom and every lawyer's office in West Virginia—the "Handbook on Evidence for West Virginia Lawyers," and the "Handbook on West Virginia Criminal Procedure." These two books are continually updated and are, in the words of the West Virginia Supreme Court, the bible for West Virginia's judges and attorneys.

Of course, for the generations of West Virginia law students who have passed through Dr. Cleckley's classroom, the fact that he wrote those two books is a source of great amusement for them, whenever they hear him quoting himself in his lectures. "As it says in 'Cleckley,'" Professor Cleckley would say with a smile.

Also, as a member of the West Virginia Supreme Court of Appeals, the first African-American justice in our State, Frank Cleckley would pay special attention when lawyers stumbled over evidence in their arguments. And on more than one occasion, Justice Cleckley would quietly quip to one of his colleagues: There's one lawyer who didn't take my evidence class.

Frank Cleckley grew up in Huntington, WV, the youngest of 11 children. At one point, his ambition was to play pro football. But after working for former Indiana Congressman J. Edward Roush in the 1960s, he found his true calling—to be a lawyer and champion of civil rights.

Throughout his legal career, he has been an exceptional trial lawyer, not only in antidiscrimination lawsuits, but also in representing clients who

couldn't pay him. In fact, he came to be known as the "poor man's Perry Mason." He has been a one-man legal aid society.

He also was instrumental in reviving the Mountain State Bar Association, the oldest minority bar in the United States. In 1990, he established the Franklin D. Cleckley Foundation to help former prisoners with education and employment opportunities. Two years later, he set up another organization to bring civil rights leaders to the West Virginia University as lecturers.

Last fall, as he reflected on his long legal career, Frank said that when he was a kid in Huntington, he wanted to do something with his life that was meaningful and important in West Virginia. Well, he did. But it turns out it wasn't the NFL, as he once thought. It was WVU. Frank Cleckley is a true Mountaineer. He helped West Virginia University become the nationally respected institution it is today.

The Reverend Martin Luther King, Jr. once said that the arc of the moral universe is long but it bends toward justice. And, in my view, one of the reasons it bends toward justice is there are people such as Frank Cleckley bending it with their honesty, their integrity, and their commitment to what is right.

It fills me with great pride to stand here today and tell the Senate about the accomplishments of Prof. Frank Cleckley and his service to West Virginia. He is a great lawyer, he is a great man, and a great West Virginian, and Gayle and I join his family and friends in celebrating his long and distinguished pursuit of justice.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, shortly, I hope, we will be voting on the confirmation of Jack Lew to be the next Secretary of the Treasury, and I urge my colleagues to support that nomination. He is the right person at the right time to be Secretary of the Treasury. He has devoted his entire life to public service. I thank him for that, and I thank him for his willingness to continue to serve his Nation. He has a great record of accomplishment.

I have known Jack Lew for 26 years. I have served with him on common issues, and I want to bring to the attention of my colleagues some of the things he has done. He first served in the House of Representatives as a staff person for Speaker of the House Tip O'Neill. In that capacity, one of the responsibilities he had was to be the liaison to the commission that was working on Social Security reform when President Reagan was President of the United States. I mention that because I think we all point to that time when a Democratic-controlled Congress and a Republican administration were able to deal with one of the most difficult challenges of the time, the solvency of

Social Security, and they were able to come together with a bipartisan product. Jack Lew's fingerprints were involved in that transaction. He was able to bring us together. We need that type of person as Secretary of the Treasury today, a person who will bring together our Nation with the type of fiscal policy that Democrats and Republicans can rally behind as we look for a solution to our fiscal issues.

He was President Clinton's OMB Director, and during that time we balanced the Federal budget. We were able to do something that has only been done once in my lifetime; that is, we actually balanced the Federal budget. Jack Lew was the architect of bringing us together to balance the Federal budget. We need that type of leadership in the Treasury today—a person who understands fiscal responsibility and understands how to do it in a way where you can create job growth. During those years, let me remind us, we created millions of jobs.

He then returned to public service as the OMB Director for President Obama and as Chief of Staff. He has the experience we need to be Secretary of the Treasury, and he has the political know-how to bring us together—Democrats, Republicans, Americans—to do what is right for this country.

I am proud he is willing to step forward. I urge my colleagues to support his nomination. He is the right person at the right time to lead our Nation on fiscal policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that there be 10 minutes remaining for debate, equally divided in the usual form, on the Lew nomination; that following the use or yielding back of time, the Senate proceed to vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, earlier today I spoke in support of Jack Lew's nomination to be the next Treasury Secretary. Over the last 6 hours or so some have come to the Senate floor to question Mr. Lew's character, claiming he has not been forthcoming throughout his confirmation.

Let me remind my colleagues that Mr. Lew participated in one of the most thorough reviews of any candidate for this position: a process that included hours of interviews and the examination of 6 years of tax records and more than 700 questions for the RECORD. In comparison, the committee asked Secretary Geithner only 289 questions—only; Secretary Paulson 81; and Secretary Snowe 75 questions. Remember, Jack Lew was asked over 700 questions.

Throughout the confirmation process, Mr. Lew has been nothing but open and transparent. I believe he has

gained the trust and confidence of many in this Chamber. In fact, 19 of 24 Senators on the Senate Finance Committee yesterday voted on a bipartisan basis in favor of Jack Lew's nomination.

Many recognize that Mr. Lew is well qualified to be the Nation's next Treasury Secretary. He has demonstrated time and again that he has the knowledge and policy expertise to help get the Nation's economy back on track. He is a very smart man and a very dedicated, total public servant.

If confirmed by the Senate today, Mr. Lew has said he is eager to work with all of us here in the Congress to strengthen the American economy and create more jobs. That is the key, work together to create more jobs. The only way we could get past these constant budget battles is by working together, Republicans and Democrats, in the House and the Senate, and we need to work with Mr. Lew and the administration to craft policies that create more jobs and spark economic growth.

If confirmed, we will be entrusting Mr. Lew with the authority to oversee America's financial system and economic policy. It is a great responsibility, one which I believe Mr. Lew will live up to. I think he has what it takes.

The Treasury Secretary is obviously the top economic adviser to the President. He works for the President and he works for the country. So the second role of the Treasury Secretary is to speak to the Nation about our Nation's finances. It is a dual role. He is working for the President and he is also working for all of us, the people of the United States of America. It is a very prestigious, very important position. When he speaks, he is speaking for America on financial matters and also on economic matters. It is a separate role that all Treasury Secretaries perform, the good ones, and I think Jack Lew is going to be a very good one.

I ask my colleagues to confirm Mr. Lew today as the Nation's next Treasury Secretary so he can get to work and help strengthen the economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I will wrap up here with a few thoughts before we vote. I spent a good deal of time today delineating a series of serious, deep problems with this nomination, why I truly believe he should not be confirmed. I suppose maybe there are votes to confirm him. We will see as that goes forward. I do not see any need to delay any further, but it is time for the American people and the Members of this Senate to consider where we are with this nomination.

On February 13 of 2011, a day before the President submitted the budget, the budget Jack Lew wrote, he went on CNN and other TV stations and said

these words, words that will live in infamy if we care anything in this body about respectful treatment from the executive branch, if we have any commitment to the plain truth. He said:

Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.

How unbelievable a statement could that be, since his own numbers—not somebody else's, his own numbers when he submitted the budget on Monday, the next day—showed that the lowest single deficit in any one of the 10 years was \$600 billion. He would have added \$13 trillion to the gross debt of the United States over 10 years and the numbers, the deficits were going up in the last 5 years—a totally unsustainable course.

Erskine Bowles, the head of the fiscal commission, was in shock, I think, when he saw this. He was appointed by President Obama to head the commission. He said this will take them nowhere near where they have to go to avoid the Nation's fiscal nightmare—nowhere near. And he was absolutely right about that.

Then he also said, on CNN on a different day, another interview, the budget “takes real actions now so that between now and 5 years from now, we can get our deficit under control so that we can stabilize things so we're not adding to the debt anymore.”

It had never come close to that. It is a horrible thing. He said this. I asked him about it before the committee. I read that very quote to him before the committee 3 days later and this is what he said. I asked him, is it an accurate statement, this statement right here? And he said:

It's an accurate statement that our current spending will not be increasing the debt.

He went on to add:

We've stopped spending money that we don't have.

First of all, this Senate, this Congress, should defend the integrity of our process. We should not have high government officials come before our committees and before the American people and misrepresent in such a dramatic way the financial condition of our country. I called it then and I repeat now that this, I believe, was the greatest financial misrepresentation in the history of this Republic. If anybody has one that is bigger, let me hear it, but I don't think they will. I said that earlier today. You tell me—\$13 trillion added to the debt and they say we are not going to be adding to the debt anymore.

The budget was a terrible budget. It was a terrible budget. Editorial board after editorial board—the Washington Post, the Los Angeles Times, the Den-

ver Post, the Dallas Morning News—there must have been 40 editorial boards that hammered this budget for failing to lead—the Wall Street Journal, Financial Times, Investor's Business Daily—they all hammered this budget because this was early in 2011, after the 2010 elections, after the shellacking of the big spenders, and there was a hope somehow that we would be able then to get the administration to come around and change some things. But they stayed right with their big spending policies. They stayed right with it and they decided not to tell the truth, that we are not backing down, we are going to continue to spend, we are not going to cut spending. They would not say that. This is what they said. Whereas their budget did just the opposite.

I feel strongly about this. This is not right. We in Congress should not have this kind of misrepresentation before us and we should not reward people who participate in such misrepresentation. He is the architect of the administration's calculated plan to misrepresent the budget, to not have a budget in the Senate, to not expose themselves any more than possible, to attack Republicans such as PAUL RYAN in the House, who actually laid out a plan that would change the debt course of America. That is what the plan was, and Mr. Lew was the architect of it and he executed it. Boy, what was it like, do you think, for him to be in the Senate, in the White House, and have to be told or asked: Would you go out and say this?

Mr. Geithner, Secretary of the Treasury—I ask consent to have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. Geithner—and this is important, colleagues—Treasury Secretary Geithner came before the committee. He would not repeat these words. I questioned him. Of course he tried to avoid it but eventually when asked directly he honestly said: Senator, this budget will not put us on a sustainable path, exactly opposite of what Mr. Lew was saying.

I ask my colleagues to consider this. I ask them not to award the person who participated in so calculated a plan to misrepresent the financial condition of America and cause the American people to believe we had some sort of time that had the country on a sound path when we remain to this day on an unsustainable path that endangers working Americans.

I yield the floor.

Mr. CARDIN. Mr. President, I yield back all remaining time. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be. There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of

Jacob J. Lew, of New York, to be Secretary of the Treasury.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 71, nays 26, as follows:

[Rollcall Vote No. 25 Ex.]

YEAS—71

Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Paul
Blunt	Heitkamp	Portman
Boxer	Hirono	Pryor
Brown	Hoeven	Reed
Burr	Isakson	Reid
Cantwell	Johanns	Rockefeller
Cardin	Johnson (SD)	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Cowan	Levin	Toomey
Donnelly	Manchin	Udall (NM)
Durbin	McCain	Warner
Feinstein	McCaskill	Warren
Flake	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—26

Alexander	Enzi	Risch
Barrasso	Fischer	Roberts
Boozman	Grassley	Rubio
Chambliss	Heller	Sanders
Coburn	Inhofe	Scott
Corker	Johnson (WI)	Sessions
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—3

Begich	Lautenberg	Udall (CO)
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I think the Senator from West Virginia is preparing to speak, but I will speak if he is not ready.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I understand the Senator from West Virginia is going to have the floor, followed by the Senator from Tennessee, and I wish to be recognized to make some remarks following the Senator from Tennessee.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senator is correct.

CONGRESSIONAL VETERANS JOBS CAUCUS

Mr. MANCHIN. Mr. President, just over a year ago my good friend, Senator MARK KIRK of Illinois, and I launched a new caucus in the Senate. Our purpose was to bring attention to the problem of unemployment among our military veterans. Mark and I looked at everything the Department of Veterans Affairs and other government agencies were doing to help veterans find jobs. We believed the private sector needed to be more involved, so we created the Senate Veterans Jobs Caucus.

Today, the Senate Veterans Jobs Caucus is the Congressional Veterans Jobs Caucus. It is a bicameral, bipartisan group of 37 Senators and 46 House Members brought together by a shared commitment to the newest generation of veterans.

This week we are kicking off the caucus's activities for the 113th Congress with a "Day on The Hill." It is an event highlighting our work on behalf of veterans, and particularly our showcase program, "I Hire Veterans."

Not only will we be recruiting more Members of Congress to join our caucus, but we will also be enlisting more businesses to join the eight major corporate partners that have already joined our ranks. These corporations expect to hire about 200,000 veterans in the next 5 years.

The members of the Congressional Veterans Jobs Caucus are leading by example. We are hiring veterans to work in our Senate and House offices. My colleagues will probably see the signs as they go by our offices that say "I Hire Veterans." It is a logo displayed proudly in our offices—the same logo my colleagues will see in the businesses that share our commitment to veterans.

Our I Hire Veterans Program is basically our new yellow ribbon, a special welcome home and a commitment to serve those who have served our country in the most difficult and dangerous circumstances.

There is no sugarcoating the fact that the job market is tough, especially for our young veterans. Unem-

ployment among these veterans has reached crisis proportions according to the latest data from the Bureau of Labor Statistics. Listen to these figures, if my colleagues will. They are astonishing. For veterans 18 to 24 years of age, their unemployment rate is 31.3 percent—31 percent. Even more staggering is the jobless rate for female veterans in that same age bracket of 18 to 24, and that is over 55 percent unemployment. The employment situation isn't much better for the National Guard and Reserves because employers are reluctant to hire somebody who may be subject to being called to duty, and this generation of National Guardsmen and Reserves are coming home from a decade of repeated deployment that, in many cases, interrupted or delayed their careers or education. Many of them are just now realizing how difficult it can be to jumpstart school or a career.

If we don't do something it is going to get worse. With more than 100,000 service men and women expected to re-enter civil life each year over the next 5 years, their challenge to find jobs is only going to intensify. Listen to the veterans, and we would be surprised when they tell us that sometimes the stress of finding a job in a tough economy can match the stress of combat in some of the most dangerous and distant places in the world.

Imagine for a moment that you are 21 and just back from the rugged streets of Kandahar, reunited with your family, and you are going up and down the streets of your hometown looking for a job week after week with no luck at all. That is real stress. That is pressure, and that is what more than 3 out of 10 of our young veterans are experiencing right now as we speak.

Like every generation of American warriors before them, today's veterans make great hires. They lead by example. They understand teamwork. They are flexible and open to change. They are tech savvy. And talk about performing under pressure—even in the most stressful situations, with limited resources, they get the job done.

After World War II, with the millions of American GIs returning home, President Harry Truman appointed GEN Omar Bradley to run the Veterans' Administration. Bradley was a popular choice, and his steely approach to helping veterans was widely admired. Bradley's marching orders to the VA were simple: "We are dealing with veterans, not procedures, with their problems, not ours."

You will find that same kind of commitment to today's generation of veterans in the Congressional Veterans Jobs Caucus.

It is simply unacceptable that when the courageous Americans who fight our wars finally get to come home, they have to fight for jobs. The Congressional Veterans Jobs Caucus is

committed to making sure that does not happen.

America has said it is time to bring our troops home. After a decade of war and incredible sacrifice by our warriors, the homecomings are well underway. It is not always easy to come home from war. But the homecoming will be easier if we fulfill our obligations, and that includes making sure our fighting men and women come home to a job.

After all, as General Bradley said: "We are dealing with veterans, not procedures, with their problems, not ours."

I would ask all of my colleagues here—we have 37 of our Senators signed up to this Veterans Jobs Caucus—I would hope we would have 100, and we are going to be working hard for that. I want to thank my good friend Senator MARK KIRK from Illinois for helping launch this. We have worked together. We will continue to work with all of our Senators. We appreciate and thank you.

● Mr. KIRK. Mr. President, more than 2 million Americans have served our Nation in Iraq, Afghanistan, and other post-9/11 missions around the world. Now, as these men and women return home, they are confronting yet another challenge—finding a job.

According to the Bureau of Labor Statistics, unemployment among younger veterans has reached staggering proportions. Nearly one-third of all veterans aged 18–24—and more than half of female veterans in that range—are unemployed.

Roughly 800,000 veterans call Illinois home. And in 2010, Illinois' veteran unemployment rate was the fourth highest in the country.

That is why I joined with my good friend and colleague, Senator JOE MANCHIN (D-WV), in forming the Congressional Veterans Jobs Caucus. And 1 year later, 35 Senators and 46 Representatives from across the political spectrum have joined the effort.

We are bringing together government and business leaders, veteran service organizations, and educational institutions to identify solutions to reduce vets' unemployment. And I am proud to report that several Illinois employers, such as State Farm and Caterpillar are stepping up to help.

At a time when so many see a divided government, we owe it to our veterans to cast aside our differences and work across the aisle to help solve this problem.●

The PRESIDING OFFICER. The Senator from Tennessee.

THE DIFFERENCE BETWEEN A FILIBUSTER AND A MOTION TO CUT OFF DEBATE

Mr. ALEXANDER. Mr. President, I come to the floor to attempt to clear up some confusion about Senate proce-

dures. The confusion I wish to address is that some observers of the Senate seem to have a hard time telling the difference between a filibuster that is designed to kill the nomination of a Cabinet member or a judge and a motion by the majority leader to cut off debate. Let me say that again—the difference between a filibuster that is designed to prevent the nomination of a Cabinet member or a judge on one hand or a motion by the majority leader of the Senate to cut off debate.

There is a big difference. But sometimes I read in the newspapers that Republicans are filibustering, for example, Senator Hagel, as if a majority of Republicans or a majority of the Senate intended to deny the confirmation of Senator Hagel through a filibuster, when, in fact, what most of the Republicans were saying was: The nomination of the former Senator has come to the floor only 2 days ago. We have Senators who have legitimate questions about the nomination, and we wish to have some time to discuss it.

In that case, we were forced to have a vote on a motion by the majority leader to cut off debate on Thursday before the recess, even though the Democratic leadership and the White House had been told by Republican Senators—enough of us—if we voted after the recess there would be plenty of votes to make sure the President's nominee had an up-or-down vote, as we have done throughout history in the U.S. Senate.

Now, for whatever reason, the majority leader and the White House felt they had to push through a vote and then went into a large complaint that Republicans are filibustering the President's nominee, Republicans are obstructionists of the President's nominee, when all we were doing was doing what Senators historically do, which is ask for a sufficient time to exercise our constitutional duty of advice and consent.

Advice and consent is our best known constitutional responsibility. Books have been written about it, movies have been written about it, and speeches have been made about it time after time. If we do not do it, we would be derelict in our duty.

So there is a big difference between asking for time to exercise our constitutional duty of advice and consent and using a filibuster to prevent the nomination of a Cabinet member or a judge.

I went back through history as best I could. The Congressional Research Service has issued a report on what has happened throughout the Senate's history on Cabinet members and judges.

On district judges, according to CRS, no district judge nomination has ever failed to be confirmed because they failed to obtain cloture. Did it take some time? Were questions asked? Yes, of course. That is part of the process.

But the fact is, no district court nomination has ever failed to be confirmed because they failed to obtain cloture.

So if the majority leader will wait a sufficient amount of time for the minority members to have their questions answered, a district judge in this body today—and we have proved it time and time again—will not be denied his seat because of a 60-vote cloture vote. There will be an up-or-down vote on a district judge.

The same is true so far with a Cabinet member. The only exception I have found is when the Democrats, unfortunately, used a cloture vote—a 60-vote requirement—to block the nomination of John Bolton, President Bush's nominee to be U.S. Representative to the United Nations.

Some Presidents include that position in the Cabinet; some do not. But aside from that singular incident, which I point out was the Democrats—the Democrats—saying they are going to filibuster a nominee by the President and deny him a seat, so far as I have been able to tell, there has not ever been an instance in the history of the Senate where Republicans have used a filibuster to deny a Cabinet member an up-or-down vote when nominated by a President.

That only leaves circuit judge nominees. Up until 2003, so far as I have been able to find, the rule of the Senate was that the President's nominees to be on the Federal courts of appeals always received an up-or-down vote. They were decided by a vote of 51.

Then our friends on the Democratic side, when President Bush became President, decided they did not like that and they changed the practice. They began to filibuster President Bush's judges to deny them their seats.

I had just arrived in the Senate in 2003. I was very upset by that because I knew some of the nominees. I knew about Miguel Estrada. I knew how Charles Pickering, in Mississippi, had been a pioneer in the civil rights movement when people said he was not. I knew that William Pryor had been a law clerk to the Honorable John Minor Wisdom, the Federal courts of appeals judge for whom I clerked in New Orleans. I knew these were good people. They just happen to be conservative. They just happen to be Republicans. So our friends on the other side of the aisle said: We are going to filibuster and kill those nominees.

There were three others: Priscilla Owen, Carolyn Kuhl, Janice Brown. All the cloture votes failed. There was no final vote. And then there were four more in 2004. So there were 10 altogether. Democrats for the first time filibustered to kill 10 of President Bush's judges.

That produced a reaction. That produced Republicans who said: OK, we are going to change the rules of the Senate. We are going to make this a

majoritarian institution. We are going to decide these questions by 51 votes.

Well, cooler heads prevailed and we adopted a consensus that only in extraordinary cases would Federal appellate court judges be denied their seat by a cloture vote, by a 60-vote margin. In every other case, it would be 51 votes.

Based on the research I have been able to make, only two of President Obama's circuit court nominees have failed to obtain cloture and were not confirmed, and those are Caitlin Halligan and Goodwin Liu.

So the bottom line of history is, no district judge has ever been denied his seat or her seat by a filibuster. No Cabinet member—with the exception of John Bolton by the Democrats, if you want to count that—has been denied his or her seat by a filibuster.

As far as circuit court nominations go, the score is 10 to 2. The Democrats have filibustered to death 10 of President Bush's nominees, and Republicans, in return, have filibustered 2. I think that is an unfortunate precedent. I would like for the Senate to go back to where it was when even a nominee such as Clarence Thomas for the Supreme Court of the United States was decided by a majority vote.

In addition to that, of course, there is the question of: Do we filibuster legislation? The answer is yes, we do. And sometimes we do on either side to kill a bill. If a bill comes over here to abolish the secret ballot in union elections, I imagine Republicans will do their best to kill the bill with a 60-vote margin. Democrats would do the same with a right-to-work provision if Republicans were in charge. That has happened throughout history. And with lesser nominations that has happened. If a National Labor Relations Board nominee is controversial, there might be a 60-vote requirement—even with a nomination to the Tennessee Valley Authority.

I remember when the distinguished majority leader held up President Bush's TVA nominees because he thought the President should have appointed Democrats instead of Republicans. I pointed out to him that the law did not say he had to do that. But the majority leader said, well, he was going to hold them up anyway. I could not get him to stop doing that until I held up somebody he wanted from Nevada.

So this has gone on throughout history with lesser nominees. It is a part of the advice and consent of the Senate. It is a way we gather information. It is a way we make a point. It is a way we sometimes get something in exchange. It is a power that an individual Senator has.

As with all the powers we have, it should be exercised with restraint. If all 100 of us exercised all the privileges we have at any given time, nothing would happen.

Let me conclude by remarking my first point. Advice and consent is the best known responsibility of this Senate. It is a constitutional duty. We exercise it diligently. It often involves some delay. It often involves asking for more time to consider someone, getting information that was not easily gotten before. Every Senator knows that the time to ask a nominee about an issue is before that nominee is confirmed. They are able to talk about something, it seems, easily. Their appointments are not hard to get. So that is a part of what we do every day.

But I hope the observers of the Senate will make a distinction in the future between the majority leader's effort to cut off debate and the minority's intention to kill a nominee with a filibuster. Because we do not do it with district judges—never have. We do not do it with Cabinet members—never have. We have done it twice on the Republican side with circuit court judges; Democrats have done it 10 times—both unfortunate precedents, I think. But with Cabinet members and district judges, that is the record.

So there is a difference. There is a difference between asking for a reasonable amount of time to debate and exercise advice and consent and a filibuster with the intention of preventing the nomination entirely, finally, of a judge or a Cabinet member.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, while the Senator from Tennessee is on the floor—and because he referenced the filibuster of district judge nominees—let me say that there was a concerted effort to try to filibuster a district court nominee, one whom Senator REED and myself had a particularly keen interest in, since we recommended this candidate to the President, and it was the Senator from Tennessee, along with 10 of his Republican colleagues, who decided that was not in the best traditions of the Senate and who voted against the filibuster and to allow cloture so that the precedent remains that district judges will not be filibustered. I just want to take this opportunity to thank him for doing that, and to let him know he has my gratitude for that. I think it was in the best interests of the Senate. I do not think the Senator did it in order to gain any gratitude from me. I think he did it because, as a matter of principle, he thought this was the way the Senate should behave. But I certainly do appreciate it and I want to take this moment to say so.

CLIMATE CHANGE

Mr. WHITEHOUSE. I am here, actually, Mr. President, to once again urge Congress that we have to wake up to

the growing threat of climate change. The alarm bells are ringing. The signs are all around us. Yet we continue to sleepwalk through history, ignoring the warnings from the scientific community, from economists and business leaders—even from our military—of long-term shifts in the climate of our planet.

Another alarm has now sounded—this time by the Government Accountability Office, the taxpayers' watchdog. For the first time ever, the threat to the Federal Government of climate change has been included on the Government Accountability Office's High Risk List.

Every 2 years, at the start of a new Congress, GAO—the Government Accountability Office—provides the House and Senate with a list of program areas that are at high risk. GAO was the government's nonpartisan auditor, and the High Risk List is its catalog of threats to the integrity and performance of the Federal Government.

GAO says:

Solutions to high-risk problems offer the potential to save billions of dollars, improve service to the public, and strengthen the performance and accountability of the U.S. government.

House Oversight Committee chairman, DARRELL ISSA, has called the High Risk List “the most important report published.” As we face the indiscriminate spending cuts of the multi-billion-dollar sequester, Chairman ISSA pointed out that “the list represents tremendous opportunities to save those billions of dollars.” It is enough, actually, to prevent the sequester we are careening toward twice over.

Only 55 issues have been elevated to the High Risk List since it first began in 1990. The current list comprises 30 big-ticket problems, such as improving defense program management, protecting the Nation's cyber infrastructure, and modernizing Federal health programs. When a problem reaches GAO's High Risk List, it shouldn't matter if you are a Democrat or a Republican. These issues must be among the top priorities of Congress and of the Nation.

Add now to this list of serious national problems the destabilizing fiscal risk posed by climate change.

The Federal Government and our military—and by definition, the American taxpayer—own and operate hundreds of thousands of buildings and extensive infrastructure in every State, including utilities, flood control and navigation systems, powerplants, distribution networks, and irrigation systems, not to mention the usual roads and bridges. The Federal Government also manages about 650 million acres of land for grazing, for timber, for conservation, and for recreation. That is nearly 30 percent of the total area of the United States, and climate change is affecting virtually all of it.

The overwhelming majority of climate scientists tell us that the air and oceans are warming, that sea level is rising, and that we are changing the very chemistry of our oceans. These changes—some of them unprecedented in human history—increase the risk of extreme weather, such as heat waves, floods, droughts, and storms. As GAO points out, Federal assets in every corner of the country are at risk.

Storms crashing into the Southeast, wildfires burning throughout the West, and floods inundating the Northeast are not just local problems. Droughts are draining aquifers in the Midwest, warm temperatures are melting permafrost in Alaska, and rising, warming, more acidic oceans are eroding our national coast lines and threatening our lives and our seas. These are not just local problems. Climate change is a high-risk threat to our shared national well-being, our shared national wealth, and our shared national heritage.

The GAO High Risk List sounds yet another alarm that we are fools to ignore. For instance, GAO found that neither the National Flood Insurance Program nor the Federal Crop Insurance Corporation is prepared to deal with climate change.

Between 1980 and 2005, the Flood Insurance Program's exposure quadrupled to nearly \$1 trillion. The Crop Insurance Program increased 26-fold to \$44 billion. Yet GAO reports that these programs have not even developed the "information needed to understand their long-term exposure to climate change and not yet analyzed the potential impacts of an increase in the frequency or severity of weather-related events."

Major private insurance companies such as Allianz, Swiss Re, Munich Re, and Lloyd's of London have for years been developing strategies to address climate change. Our Federal insurance programs don't even have the basic information to address these risks.

Understanding and preparing for these risks is essential to protect our communities from catastrophic loss. According to NOAA, the value of flood insurance coverage in my home State of Rhode Island was \$2.2 billion in 2011. The Ocean State has received \$57 million in payouts since 1978, some of which helped Rhode Islanders recover from our record floods of 2010 brought on by extremely heavy rainfall. Folks who have flood coverage through the National Flood Insurance Program should know that heavy rainfall has increased in the Northeast by 74 percent since the 1950s, and scientists predict that warmer air will continue to increase the frequency of heavy rainfall and consequent flooding in the Northeast.

Disaster aid is expensive. FEMA has obligated more than \$80 billion in Federal disaster aid between 2004 and 2011. Another \$50.5 billion in emergency aid

was just approved for the northeastern communities devastated by Hurricane Sandy. PSE&G, New Jersey's largest utility, plans to spend over \$4 billion over 10 years to make its electric and gas systems more resilient to these severe storms. New Jersey's second largest utility, JDP&L, announced that it intends to spend \$200 million to do the same. According to Jeanne Fox, who is a commissioner on the New Jersey Board of Public Utilities, "This is a cost of climate change, pure and simple."

It is really time for us to wake up. In the private sector, the insurance and utility industries are facing the threat. Congress must now act responsively.

House Oversight Committee ranking member ELIJAH CUMMINGS asked GAO Comptroller Gene Dodaro if it was "GAO's opinion that regardless of the outcome of global negotiations to reduce carbon emissions, the United States Government should take immediate action to mitigate the risk posed by the climate change." Comptroller General Dodaro responded with a simple and unequivocal "yes."

In the High Risk List, GAO states that despite any possible future reduction of emissions, "greenhouse gases already in the atmosphere will continue altering the climate system for many decades." That is the way the laws of physics and chemistry work. Damage with lasting consequences is already done.

Many effects of climate change can be mitigated, and it is the responsibility of this Congress to help our Nation prepare and adapt. Some Federal efforts are underway. In 2003 the U.S. Department of Transportation initiated a study of climate risks to gulf coast transportation. It is now cooperating in that study with the South Alabama Regional Planning Commission. The Bureau of Land Management and the U.S. Forest Service are developing a drought vulnerability model, a carbon storage map, and an alpine monitoring program to help land managers in southwestern Colorado cope with the effects of a changing climate. The Centers for Disease Control and Prevention have a Climate-Ready States and Cities Initiative to help local health departments prepare for changes in health risks driven by climate change. EPA partnered with New York City's Department of Environmental Protection to develop a software tool that helps drinking water and wastewater utility operators understand how climate change poses risks to their facilities.

Rhode Island, I am proud to say, is one of many States that have formed a climate change commission. The commission is coordinating with Federal officials to identify specific State and local challenges that are presented by our changing climate. Twenty other States have similar climate action plans developed or underway.

Despite the actions by States, the actions in the private sector, and the warnings in the GAO High Risk List, special interest politics in Congress prevent the Federal Government from using our resources effectively and efficiently against this threat. The polluting special interests have Washington gripped in a barricade of obstruction, and the effect truly is disgraceful.

Consider, for example, NOAA's proposal to create a National Climate Service, akin to its renowned National Weather Service. This was a no-cost restructuring that would have centralized NOAA's work on understanding the climate, including its observations of climate change. The National Climate Service would have helped meet the growing local demand for climate change science information. This proposal was blocked by Republicans over in the House who simply don't want to hear about climate change. That kind of thinking will not get climate change off the High Risk List.

According to GAO, "The Nation's vulnerability can be reduced by limiting the magnitude of climate change through actions to limit greenhouse gas emissions. . . . While implementing adaptive measures may be costly, there is a growing recognition that the cost of inaction could be greater and—given the government's precarious fiscal position—increasingly difficult to manage given expected budget pressures."

Congress has been asleep long enough. We have a tradition in this body of taking the accounting of GAO—our nonpartisan watchdog—seriously and of taking GAO's High Risk List seriously. GAO now joins our defense and intelligence communities, our scientific research communities, our State and local governments, and major sectors of private industry that have all elevated climate change from their to-do list to their must-do list. It is time for Congress to wake up to its duties and to get to work.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader is recognized.

UNANIMOUS CONSENT AGREEMENT—S. 16

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Inhofe-Toomey bill at the desk be considered as the bill that qualifies for introduction under the February 14 consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

TO PROVIDE FOR A SEQUESTER REPLACEMENT—MOTION TO PROCEED

CLOTURE MOTION

Mr. MCCONNELL. I now move to proceed to S. 16, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, S. 16, an Inhofe/Toomey bill to cancel budgetary resources for fiscal year 2013:

Mitch McConnell, John Cornyn, Patrick J. Toomey, James M. Inhofe, Johnny Isakson, Richard Burr, John Thune, Tom Coburn, Jeff Sessions, Roger F. Wicker, Mike Johanns, Mike Crapo, Pat Roberts, Ron Johnson, James E. Risch, Jerry Moran, John Barrasso.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that tomorrow, February 28, at a time to be determined by the majority leader, after consultation with Senator MCCONNELL, the Senate proceed to vote on the motion to invoke cloture on the McConnell motion to proceed to Calendar No. 19, S. 16; that if cloture is not invoked, the motion to proceed be withdrawn and the Senate then proceed to vote on the motion to invoke cloture on the Reid motion to proceed to Calendar No. 18, S. 388; further, if cloture is invoked on the McConnell motion to proceed, the motion to proceed be agreed to and the Senate resume consideration of the Reid motion to proceed to S. 388 and vote on the motion to invoke cloture on the Reid motion; that if cloture is invoked on the Reid motion, the motion to proceed be agreed to; that if the motion to proceed to S. 16 was previously agreed to, the Senate then resume consideration of the bill and, upon disposition of S. 16, the Senate resume consideration of S. 388 if the motion to proceed was previously agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING C. EVERETT KOOP

Mr. DURBIN. Mr. President, I rise to speak about the passing of an extraor-

dinary American, a man who received the Presidential Medal of Freedom. I think he was one of the true leaders in my lifetime when it came to issues related to health care. Of course, I am referring to former U.S. Surgeon General C. Everett Koop.

It is hard to imagine today, as we reflect on all that has happened in the last several decades, the courage it took for Dr. Koop to step up and honestly describe the HIV/AIDS epidemic to the American people. This socially conservative doctor went so far as to make sure there was a mailing to every household in America that described the threat of this disease. There were many who thought that would never happen because of the political environment of the day. But Dr. Koop rose to the challenge and, in doing that, he saved lives in America. And he informed this country in a way that no other Surgeon General has about this looming danger.

If only that alone were his legacy, it would be more than enough. But I had a special personal friendship with him that related to our mutual efforts against the scourge of tobacco and the deaths related to that product. We have come a long way in America, and Dr. Koop was part of the progress we made. He was resolute in making it clear that tobacco was the No. 1 avoidable cause of death in America at his time, and is still today.

He was helpful in so many ways. When Senator FRANK LAUTENBERG and I, more than 25 years ago, teamed up—I was then in the House; FRANK in the Senate—to ban smoking on airplanes, it was something that neither Senator LAUTENBERG nor I could have predicted would have had the impact it did. It is one of the Malcolm Gladwell tipping points in health history in this country because when we took smoking off airplanes, people started asking the obvious question: If secondhand smoke is not healthy on an airplane, why is it healthy in a train, in a bus, in an office, in a hospital, in a restaurant, in a government building? And all of the dominoes started to fall.

America is a different place today. C. Everett Koop was one of the most courageous medical voices who stepped out time and time again to remind us of the importance of that issue. Once again, his leadership saved lives.

On the back pages of yesterday's Washington Post was an editorial entitled: "PEPFAR's glowing report card, 10 years later."

PEPFAR—the President's Emergency Plan for AIDS Relief—was begun under President George W. Bush. While President Bush and I haven't always seen eye to eye, I have the greatest respect for his leadership in the effort to end the global AIDS pandemic.

PEPFAR is the largest global health initiative ever undertaken focused on a single disease. When Congress reau-

thorized it in 2008, we asked for a report card on its effectiveness.

Well, a remarkable—and remarkably thorough—analysis of PEPFAR was just released by the National Institute of Medicine of the National Academy of Sciences. The verdict: PEPFAR has been "globally transformative," a "lifeline" and credited around the world for "restoring hope" in the long, difficult struggle against HIV/AIDS.

The report goes on to say that the program has set big goals "and has met or surpassed many of them" and it "has saved and improved the lives of millions" of men, women and children throughout the world.

That is an achievement that all Americans can be proud of.

On the front page of yesterday's newspapers was the story of one American who could take a special pride in our Nation's efforts to end the global AIDS pandemic.

C. Everett Koop died Monday at the age of 96.

He was called "America's Doctor." As U.S. Surgeon General during the Reagan administration, Dr. Koop informed—and really transformed—Americans' understanding of HIV/AIDS.

He saw beyond politics and ideology and understood that HIV/AIDS were not punishments, they were a public health emergency.

At a time when there was great fear and ignorance about HIV/AIDS and little treatment for the illness, Dr. Koop saw that information was the most useful weapon against AIDS.

In May 1988, he mailed a seven-page brochure, "Understanding AIDS," to every household in the country. It was an audacious act of leadership, especially in an administration in which almost no one else would even utter the word "AIDS" in public.

Dr. Koop was also a tireless campaigner against tobacco. As surgeon general, he released a report in 1982 that attributed 30 percent of all cancer deaths to smoking.

He wrote that nicotine was as addictive as heroin, warned against the hazards of secondhand smoke, and demanded that the warning labels on cigarette packs be rewritten to reflect the lethal dangers of tobacco.

It is probably hard for anyone younger than 40 and perhaps even 50 to understand how Dr. Koop's courage and candor fundamentally changed the public debate on smoking.

Before the Surgeon General's report, smoking was common in offices and restaurants and public buildings throughout America—even in the confined space of airline cabins.

In 1986, I cosponsored a bill in the House—and Senator LAUTENBERG cosponsored a measure in the Senate—to ban smoking on domestic flights of 2 hours or less. We didn't know it then but that law, which passed in 1987, was

the beginning of a smoke-free revolution that has saved countless lives.

Dr. Koop provided the facts and the leadership to make that change possible.

Remarkably, Charles Everett Koop had no background in public health when he was appointed by President Reagan in 1981 to head the commissioned corps of the U.S. Public Health Service.

He was, at the time, 64 years old and one of the world's leading pediatric surgeons. He was also a socially conservative Christian who had written a popular treatise against abortion.

He was born in Brooklyn, an only child, and he used to say that he had wanted to be a surgeon since he was 6 years old.

He attended Dartmouth College and Cornell University's Medical College and began his residency at the University of Pennsylvania Hospital in 1942.

In 1946, when he was not yet 30 years old, Dr. Koop became chief of surgery at Children's Hospital of Philadelphia.

Pediatric surgery as a medical specialty barely existed at that time. Most doctors viewed children then as little adults. Operations on newborns were rare and often fatal.

Dr. Koop established what is considered by many the first neonatal intensive care unit in the country.

President Bill Clinton awarded Dr. Koop the Presidential Medal of Freedom in 1995.

Dr. Koop's legacy will live on in the scores of pediatric surgeons he trained, many of whom went on to head pediatrics departments in hospitals in America and around the world.

His legacy will live on through the institute that bears his name, the C. Everett Koop Institute at Dartmouth University.

And Dr. Koop's legacy will live on in the millions of lives his work has helped save.

I want to read a quote from one of those millions of people. This is what one man wrote on the Washington Post Web site following the front-page story announcing Dr. Koop's death:

"When I was 6 months old, Dr. Koop was a pediatric surgeon in Philadelphia. On Thanksgiving night, he left his family dinner to perform an emergency operation on me for pyloric stenosis," a condition which prevents the stomach from emptying into the small intestine. "The surgery saved my life."

The man continued: "That was 68 years ago. I grew up . . . went to college and two graduate schools . . . got a commission in the Army . . . served 7½ years active duty with 2½ years in Vietnam in 2 infantry divisions . . . 25 years in the Army Reserves . . . and 30 years as a civilian intelligence officer in DC, with 15 years on the [Joint Chiefs] staff. [I was] in the Pentagon during the 9/11 attack."

He ends by saying: "I can only hope that in some small way, I have been

worthy of the life Dr. Koop gave me although I could never adequately repay him."

Dr. Koop's wife of 67 years, Elizabeth, died in 2007. He remarried in 2010.

I want to offer my condolences to his widow, Cora Hogue, to Dr. Koop's children and grandchildren and his many friends and colleagues.

As I mentioned, Dr. Koop lived to the impressive age of 96 years. But what is truly impressive is the fact that untold millions of people around the world have lived, and will continue to live longer, healthier lives, because of the professional excellence, wisdom, and courage of Dr. Charles Everett Koop. He served America well and he will be missed.

SELECT COMMITTEE ON ETHICS

RULES OF PROCEDURE

Mrs. BOXER. Mr. President, in accordance with rule XXVI(2) of the Standing Rules of the Senate, Senator ISAKSON and I ask unanimous consent that the Rules of Procedure of the Select Committee on Ethics, which were adopted February 23, 1978, and last revised November 1999, be printed in the RECORD for the 113th Congress. The committee procedural rules for the 113th Congress are identical to the procedural rules adopted by the committee for the 112th Congress.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE SELECT COMMITTEE ON ETHICS

PART I: ORGANIC AUTHORITY

SUBPART A—S. RES. 338 AS AMENDED

S. Res. 338, 88th Cong., 2d Sess. (1964)

Resolved, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the "Select Committee") consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of Paragraph 1 of Rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. For purposes of paragraph 4 of Rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c) (1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority Party and one member of the quorum is a member of the minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) (1) A member of the Select Committee shall be ineligible to participate in—

(A) any preliminary inquiry or adjudicatory review relating to—

(i) the conduct of—

(I) such member;

(II) any officer or employee the member supervises; or

(III) any employee of any officer the member supervises; or

(ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Select Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) A member of the Select Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Select Committee and the determinations and recommendations of the Select Committee with respect to any such preliminary inquiry or adjudicatory review. Notice of such disqualification shall be given in writing to the President of the Senate.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review or disqualifies himself or herself under paragraph (2) from participating in any preliminary inquiry or adjudicatory review, another Senator shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Select Committee with respect to such preliminary inquiry or adjudicatory review. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself or herself.

Sec. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) (A) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the Select Committee shall determine, after according to the individual concerned due notice and opportunity for a hearing, to have occurred;

(B) pursuant to subparagraph (A) recommend discipline, including—

(i) in the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these; and

(ii) in the case of an officer or employee, dismissal, suspension, payment of restitution, or a combination of these;

(3) subject to the provisions of subsection (e), by a unanimous vote of 6 members, order that a Member, officer, or employee be reprimanded or pay restitution, or both, if the Select Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate;

(4) in the circumstances described in subsection (d)(3), issue a public or private letter of admonition to a Member, officer, or employee, which shall not be subject to appeal to the Senate;

(5) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

(6) by a majority vote of the full committee, report violations of any law, including the provision of false information to the Select Committee, to the proper Federal and State authorities; and

(7) develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(b) For the purposes of this resolution—

(1) the term "sworn complaint" means a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as Members, officers, or employees of the Senate;

(2) the term "preliminary inquiry" means a proceeding undertaken by the Select Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred; and

(3) the term "adjudicatory review" means a proceeding undertaken by the Select Committee after a finding, on the basis of a preliminary inquiry, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c) (1) No—

(A) adjudicatory review of conduct of a Member or officer of the Senate may be conducted;

(B) report, resolution, or recommendation relating to such an adjudicatory review of conduct may be made; and

(C) letter of admonition pursuant to subsection (d)(3) may be issued, unless approved by the affirmative recorded vote of no fewer than 4 members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the Members of the Select Committee voting.

(d) (1) When the Select Committee receives a sworn complaint or other allegation or information about a Member, officer, or employee of the Senate, it shall promptly conduct a preliminary inquiry into matters raised by that complaint, allegation, or information. The preliminary inquiry shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred. The Select Committee may delegate to the chairman and vice chairman the discretion to determine the appropriate duration, scope, and conduct of a preliminary inquiry.

(2) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines by a recorded vote that there is not such substantial credible evidence, the Select Committee shall dismiss the matter. The Select Committee may delegate to the chairman and vice chairman the authority, on behalf of the Select Committee, to dismiss any matter that they determine, after a preliminary inquiry, lacks substantial merit. The Select Committee shall inform the individual who provided to the Select Committee the complaint, allegation, or information, and the individual who is the subject of the complaint, allegation, or information, of the dismissal, together with an explanation of the basis for the dismissal.

(3) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that a violation is inadvertent, technical, or otherwise of a de minimis nature, the Select Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline. The Select Committee may issue a public letter of admonition upon a similar determination at the conclusion of an adjudicatory review.

(4) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is such substantial credible evidence and the matter cannot be appropriately disposed of under paragraph (3), the Select Committee shall promptly initiate an adjudicatory review. Upon the conclusion of such adjudicatory review, the Select Committee shall report to the Senate, as soon as practicable, the results of such adjudicatory review, together with its recommendations (if any) pursuant to subsection (a)(2).

(e) (1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (a)(3) may, within 30 days of the Select Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the basis for the appeal to the Select Committee and the presiding officer of the Senate. The presiding officer of the Senate shall cause

the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) A motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Select Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

(f) The Select Committee may, in its discretion, employ hearing examiners to hear testimony and make findings of fact and/or recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

(h) The Select Committee shall adopt written rules setting forth procedures to be used in conducting preliminary inquiries and adjudicatory reviews.

(i) The Select Committee from time to time shall transmit to the Senate its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

Sec. 3. (a) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff director, a counsel, an assistant counsel, one or more investigators, one or more hearing examiners, and such technical, clerical, and other assistants and consultants as it deems advisable; and (8) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, by contract as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest rate of compensation which may be paid to a regular employee of the Select Committee.

(b) (1) The Select Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the executive branch of the Government) whenever the Select Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, which, in the determination of the Select Committee is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee.

(2) Any adjudicatory review as defined in section 2(b)(3) shall be conducted by outside counsel as authorized in paragraph (1), unless the Select Committee determines not to use outside counsel.

(c) With the prior consent of the department or agency concerned, the Select Committee may (1) utilize the services, information and facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Select Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

(d) (1) Subpoenas may be authorized by—

(A) the Select Committee; or

(B) the chairman and vice chairman, acting jointly.

(2) Any such subpoena shall be issued and signed by the chairman and the vice chairman and may be served by any person designated by the chairman and vice chairman.

(3) The chairman or any member of the Select Committee may administer oaths to witnesses.

(e) (1) The Select Committee shall prescribe and publish such regulations as it feels are necessary to implement the Senate Code of Official Conduct.

(2) The Select Committee is authorized to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction.

(3) The Select Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(4) The Select Committee may in its discretion render an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(5) Notwithstanding any provision of the Senate Code of Official Conduct or any rule or regulation of the Senate, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraphs (3) and (4) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

(6) Any advisory opinion rendered by the Select Committee under paragraphs (3) and (4) may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered: Provided, however, that the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and, (B) any person involved in any specific transaction or activity which is indistinguishable in all its mate-

rial aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(7) Any advisory opinion issued in response to a request under paragraph (3) or (4) shall be printed in the Congressional Record with appropriate deletions to assure the privacy of the individual concerned. The Select Committee shall, to the extent practicable, before rendering an advisory opinion, provide any interested party with an opportunity to transmit written comments to the Select Committee with respect to the request for such advisory opinion. The advisory opinions issued by the Select Committee shall be compiled, indexed, reproduced, and made available on a periodic basis.

(8) A brief description of a waiver granted under paragraph 2(c) [NOTE: Now Paragraph 1] of Rule XXXIV or paragraph 1 of Rule XXXV of the Standing Rules of the Senate shall be made available upon request in the Select Committee office with appropriate deletions to assure the privacy of the individual concerned.

Sec. 4. The expenses of the Select Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

Sec. 5. As used in this resolution, the term "officer or employee of the Senate" means—

(1) an elected officer of the Senate who is not a Member of the Senate;

(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) the Legislative Counsel of the Senate or any employee of his office;

(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) a Member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

SUBPART B—PUBLIC LAW 93-191—FRANKED MAIL, PROVISIONS RELATING TO THE SELECT COMMITTEE

Sec. 6. (a) The Select Committee on Standards and Conduct of the Senate [NOTE: Now the Select Committee on Ethics] shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3218(2) or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Any complaint filed by any person with the select committee that a violation of any section of title 39, United States Code, referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of 1 year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee,

if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by that complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

(c) Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

(d) The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551-559 and 701-706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

(e) The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

SUBPART C—STANDING ORDERS OF THE SENATE REGARDING UNAUTHORIZED DISCLOSURE OF INTELLIGENCE INFORMATION, S. RES. 400, 94TH CONGRESS, PROVISIONS RELATING TO THE SELECT COMMITTEE

SEC. 8. * * *

(c) (1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed, shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in

paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Standards and Conduct to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Standards and Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Standards and Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SUBPART D—RELATING TO RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS RECEIVED BY MEMBERS, OFFICERS AND EMPLOYEES OF THE SENATE OR THEIR SPOUSES OR DEPENDENTS, PROVISIONS RELATING TO THE SELECT COMMITTEE ON ETHICS

Section 7342 of title 5, United States Code, states as follows:

Sec. 7342. Receipt and disposition of foreign gifts and decorations.

“(a) For the purpose of this section—

“(1) ‘employee’ means—

“(A) an employee as defined by section 2105 of this title and an officer or employee of the United States Postal Service or of the Postal Rate Commission;

“(B) an expert or consultant who is under contract under section 3109 of this title with the United States or any agency, department, or establishment thereof, including, in the case of an organization performing services under such section, any individual involved in the performance of such services;

“(C) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or the government of the District of Columbia;

“(D) a member of a uniformed service;

“(E) the President and the Vice President;

“(F) a Member of Congress as defined by section 2106 of this title (except the Vice President) and any Delegate to the Congress; and

“(G) the spouse of an individual described in subparagraphs (A) through (F) (unless such individual and his or her spouse are separated) or a dependent (within the meaning of section 152 of the Internal Revenue Code of 1986) of such an individual, other than a spouse or dependent who is an employee under subparagraphs (A) through (F);

“(2) ‘foreign government’ means—

“(A) any unit of foreign governmental authority, including any foreign national, State, local, and municipal government;

“(B) any international or multinational organization whose membership is composed of any unit of foreign government described in subparagraph (A); and

“(C) any agent or representative of any such unit or such organization, while acting as such;

“(3) ‘gift’ means a tangible or intangible present (other than a decoration) tendered by, or received from, a foreign government;

“(4) ‘decoration’ means an order, device, medal, badge, insignia, emblem, or award tendered by, or received from, a foreign government;

“(5) ‘minimal value’ means a retail value in the United States at the time of acceptance of \$100 or less, except that—

“(A) on January 1, 1981, and at 3 year intervals thereafter, ‘minimal value’ shall be redefined in regulations prescribed by the Administrator of General Services, in consultation with the Secretary of State, to reflect changes in the consumer price index for the immediately preceding 3-year period; and

“(B) regulations of an employing agency may define ‘minimal value’ for its employees to be less than the value established under this paragraph; and

“(6) ‘employing agency’ means—

“(A) the Committee on Standards of Official Conduct of the House of Representatives, for Members and employees of the House of Representatives, except that those responsibilities specified in subsections (c)(2)(A), (e)(1), and (g)(2)(B) shall be carried out by the Clerk of the House;

“(B) the Select Committee on Ethics of the Senate, for Senators and employees of the Senate, except that those responsibilities (other than responsibilities involving approval of the employing agency) specified in subsections (c)(2), (d), and (g)(2)(B) shall be carried out by the Secretary of the Senate;

“(C) the Administrative Office of the United States Courts, for judges and judicial branch employees; and

“(D) the department, agency, office, or other entity in which an employee is employed, for other legislative branch employees and for all executive branch employees.

“(b) An employee may not—

“(1) request or otherwise encourage the tender of a gift or decoration; or

“(2) accept a gift or decoration, other than in accordance with, the provisions of subsections (c) and (d).

“(c)(1) The Congress consents to—

“(A) the accepting and retaining by an employee of a gift of minimal value tendered and received as a souvenir or mark of courtesy; and

“(B) the accepting by an employee of a gift of more than minimal value when such gift is in the nature of an educational scholarship or medical treatment or when it appears that to refuse the gift would likely cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States, except that

“(i) a tangible gift of more than minimal value is deemed to have been accepted on behalf of the United States and, upon acceptance, shall become the property of the United States; and

“(ii) an employee may accept gifts of travel or expenses for travel taking place entirely outside the United States (such as transportation, food, and lodging) of more than minimal value if such acceptance is appropriate, consistent with the interests of the United States, and permitted by the employing agency and any regulations which may be prescribed by the employing agency.

“(2) Within 60 days after accepting a tangible gift of more than minimal value (other

than a gift described in paragraph (1)(B)(ii)), an employee shall—

“(A) deposit the gift for disposal with his or her employing agency; or

“(B) subject to the approval of the employing agency, deposit the gift with that agency for official use. Within 30 days after terminating the official use of a gift under subparagraph (B), the employing agency shall forward the gift to the Administrator of General Services in accordance with subsection (e)(1) or provide for its disposal in accordance with subsection (e)(2).

“(3) When an employee deposits a gift of more than minimal value for disposal or for official use pursuant to paragraph (2), or within 30 days after accepting travel or travel expenses as provided in paragraph (1)(B)(ii) unless such travel or travel expenses are accepted in accordance with specific instructions of his or her employing agency, the employee shall file a statement with his or her employing agency or its delegate containing the information prescribed in subsection (f) for that gift.

“(d) The Congress consents to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance, subject to the approval of the employing agency of such employee. Without this approval, the decoration is deemed to have been accepted on behalf of the United States, shall become the property of the United States, and shall be deposited by the employee, within sixty days of acceptance, with the employing agency for official use, for forwarding to the Administrator of General Services for disposal in accordance with subsection (e)(1), or for disposal in accordance with subsection (e)(2).

“(e) (1) Except as provided in paragraph (2), gifts and decorations that have been deposited with an employing agency for disposal shall be (A) returned to the donor, or (B) forwarded to the Administrator of General Services for transfer, donation, or other disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949. However, no gift or decoration that has been deposited for disposal may be sold without the approval of the Secretary of State, upon a determination that the sale will not adversely affect the foreign relations of the United States. Gifts and decorations may be sold by negotiated sale.

“(2) Gifts and decorations received by a Senator or an employee of the Senate that are deposited with the Secretary of the Senate for disposal, or are deposited for an official use which has terminated, shall be disposed of by the Commission on Arts and Antiquities of the United States Senate. Any such gift or decoration may be returned by the Commission to the donor or may be transferred or donated by the Commission, subject to such terms and conditions as it may prescribe, (A) to an agency or instrumentality of (i) the United States, (ii) a State, territory, or possession of the United States, or a political subdivision of the foregoing, or (iii) the District of Columbia, or (B) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code. Any such gift or decoration not disposed of as provided in the preceding sentence shall be forwarded to the Administrator of General Services for disposal in accordance with paragraph (1). If the Administrator does not dispose of such gift or

decoration within one year, he shall, at the request of the Commission, return it to the Commission and the Commission may dispose of such gift or decoration in such manner as it considers proper, except that such gift or decoration may be sold only with the approval of the Secretary of State upon a determination that the sale will not adversely affect the foreign relations of the United States.

“(f)(1) Not later than January 31 of each year, each employing agency or its delegate shall compile a listing of all statements filed during the preceding year by the employees of that agency pursuant to subsection (c)(3) and shall transmit such listing to the Secretary of State who shall publish a comprehensive listing of all such statements in the Federal Register.

“(2) Such listings shall include for each tangible gift reported—

“(A) the name and position of the employee;

“(B) a brief description of the gift and the circumstances justifying acceptance;

“(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift;

“(D) the date of acceptance of the gift;

“(E) the estimated value in the United States of the gift at the time of acceptance; and

“(F) disposition or current location of the gift.

“(3) Such listings shall include for each gift of travel or travel expenses—

“(A) the name and position of the employee;

“(B) a brief description of the gift and the circumstances justifying acceptance; and

“(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift.

“(4) In transmitting such listings for the Central Intelligence Agency, the Director of Central Intelligence may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the Director certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources.

“(g)(1) Each employing agency shall prescribe such regulations as may be necessary to carry out the purpose of this section. For all employing agencies in the executive branch, such regulations shall be prescribed pursuant to guidance provided by the Secretary of State. These regulations shall be implemented by each employing agency for its employees.

“(2) Each employing agency shall—

“(A) report to the Attorney General cases in which there is reason to believe that an employee has violated this section;

“(B) establish a procedure for obtaining an appraisal, when necessary, of the value of gifts; and

“(C) take any other actions necessary to carry out the purpose of this section.

“(h) The Attorney General may bring a civil action in any district court of the United States against any employee who knowingly solicits or accepts a gift from a foreign government not consented to by this section or who fails to deposit or report such gift as required by this section. The court in which such action is brought may assess a penalty against such employee in any amount not to exceed the retail value of the gift improperly solicited or received plus \$5,000.

“(i) The President shall direct all Chiefs of a United States Diplomatic Mission to in-

form their host governments that it is a general policy of the United States Government to prohibit United States Government employees from receiving gifts or decorations of more than minimal value.

“(j) Nothing in this section shall be construed to derogate any regulation prescribed by any employing agency which provides for more stringent limitations on the receipt of gifts and decorations by its employees.

“(k) The provisions of this section do not apply to grants and other forms of assistance to which section 108A of the Mutual Educational and Cultural Exchange Act of 1961 applies.”

PART II: SUPPLEMENTARY PROCEDURAL RULES
145 Cong. Rec. S1832 (daily ed. Feb. 23, 1999)

RULE 1: GENERAL PROCEDURES

(a) OFFICERS: In the absence of the Chairman, the duties of the Chair shall be filled by the Vice Chairman or, in the Vice Chairman's absence, a Committee member designated by the Chairman.

(b) PROCEDURAL RULES: The basic procedural rules of the Committee are stated as a part of the Standing Orders of the Senate in Senate Resolution 338, 88th Congress, as amended, as well as other resolutions and laws. Supplementary Procedural Rules are stated herein and are hereinafter referred to as the Rules. The Rules shall be published in the Congressional Record not later than thirty days after adoption, and copies shall be made available by the Committee office upon request.

(c) MEETINGS:

(1) The regular meeting of the Committee shall be the first Thursday of each month while the Congress is in session.

(2) Special meetings may be held at the call of the Chairman or Vice Chairman if at least forty-eight hours notice is furnished to all members. If all members agree, a special meeting may be held on less than forty-eight hours notice.

(3) (A) If any member of the Committee desires that a special meeting of the Committee be called, the member may file in the office of the Committee a written request to the Chairman or Vice Chairman for that special meeting.

(B) Immediately upon the filing of the request the Clerk of the Committee shall notify the Chairman and Vice Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman or the Vice Chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, any three of the members of the Committee may file their written notice in the office of the Committee that a special meeting of the Committee will be held at a specified date and hour; such special meeting may not occur until forty-eight hours after the notice is filed. The Clerk shall immediately notify all members of the Committee of the date and hour of the special meeting. The Committee shall meet at the specified date and hour.

(d) QUORUM:

(1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of the routine business of the Select Committee not cov-

ered by the first subparagraph of this paragraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a Member of the Majority Party and one member of the quorum is a Member of the Minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) Except for an adjudicatory hearing under Rule 5 and any deposition taken outside the presence of a Member under Rule 6, one Member shall constitute a quorum for hearing testimony, provided that all Members have been given notice of the hearing and the Chairman has designated a Member of the Majority Party and the Vice Chairman has designated a Member of the Minority Party to be in attendance, either of whom in the absence of the other may constitute the quorum.

(e) ORDER OF BUSINESS: Questions as to the order of business and the procedure of the Committee shall in the first instance be decided by the Chairman and Vice Chairman, subject to reversal by a vote by a majority of the Committee.

(f) HEARINGS ANNOUNCEMENTS: The Committee shall make public announcement of the date, place and subject matter of any hearing to be conducted by it at least one week before the commencement of that hearing, and shall publish such announcement in the Congressional Record. If the Committee determines that there is good cause to commence a hearing at an earlier date, such notice will be given at the earliest possible time.

(g) OPEN AND CLOSED COMMITTEE MEETINGS: Meetings of the Committee shall be open to the public or closed to the public (executive session), as determined under the provisions of paragraphs 5 (b) to (d) of Rule XXVI of the Standing Rules of the Senate. Executive session meetings of the Committee shall be closed except to the members and the staff of the Committee. On the motion of any member, and with the approval of a majority of the Committee members present, other individuals may be admitted to an executive session meeting for a specific period or purpose.

(h) RECORD OF TESTIMONY AND COMMITTEE ACTION: An accurate stenographic or transcribed electronic record shall be kept of all Committee proceedings, whether in executive or public session. Such record shall include Senators' votes on any question on which a recorded vote is held. The record of a witness's testimony, whether in public or executive session, shall be made available for inspection to the witness or his counsel under Committee supervision; a copy of any testimony given by that witness in public session, or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness if he so requests. (See Rule 5 on Procedures for Conducting Hearings.)

(i) SECRECY OF EXECUTIVE TESTIMONY AND ACTION AND OF COMPLAINT PROCEEDINGS:

(1) All testimony and action taken in executive session shall be kept secret and shall not be released outside the Committee to any individual or group, whether governmental or private, without the approval of a majority of the Committee.

(2) All testimony and action relating to a complaint or allegation shall be kept secret and shall not be released by the Committee to any individual or group, whether governmental or private, except the respondent, without the approval of a majority of the Committee, until such time as a report to the Senate is required under Senate Resolution 338, 88th Congress, as amended, or unless otherwise permitted under these Rules. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(j) **RELEASE OF REPORTS TO PUBLIC:** No information pertaining to, or copies of any Committee report, study, or other document which purports to express the view, findings, conclusions or recommendations of the Committee in connection with any of its activities or proceedings may be released to any individual or group whether governmental or private, without the authorization of the Committee. Whenever the Chairman or Vice Chairman is authorized to make any determination, then the determination may be released at his or her discretion. Each member of the Committee shall be given a reasonable opportunity to have separate views included as part of any Committee report. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(k) **INELIGIBILITY OR DISQUALIFICATION OF MEMBERS AND STAFF:**

(1) A member of the Committee shall be ineligible to participate in any Committee proceeding that relates specifically to any of the following:

(A) a preliminary inquiry or adjudicatory review relating to (i) the conduct of (I) such member; (II) any officer or employee the member supervises; or (ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) If any Committee proceeding appears to relate to a member of the Committee in a manner described in subparagraph (1) of this paragraph, the staff shall prepare a report to the Chairman and Vice Chairman. If either the Chairman or the Vice Chairman concludes from the report that it appears that the member may be ineligible, the member shall be notified in writing of the nature of the particular proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees that he or she is ineligible, the member shall so notify the Chairman or Vice Chairman. If the member believes that he or she is not ineligible, he or she may explain the reasons to the Chairman and Vice Chairman, and if they both agree that the member is not ineligible, the member shall continue to serve. But if either the Chairman or Vice Chairman continues to believe that the member is ineligible, while the member believes that he or she is not ineligible, the matter shall be promptly referred to the Committee. The member shall present his or her arguments to the Committee in executive session. Any contested questions concerning a member's eligibility shall be decided by a majority vote of the Committee, meeting in executive session, with the member in question not participating.

(3) A member of the Committee may, at the discretion of the member, disqualify

himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review.

(4) Whenever any member of the Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review, or disqualifies himself or herself under paragraph (3) from participating in any preliminary inquiry or adjudicatory review, another Senator shall be appointed by the Senate to serve as a member of the Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Committee with respect to such preliminary inquiry or adjudicatory review. Any member of the Senate appointed for such purposes shall be of the same party as the member who is ineligible or disqualifies himself or herself.

(5) The President of the Senate shall be given written notice of the ineligibility or disqualification of any member from any preliminary inquiry, adjudicatory review, or other proceeding requiring the appointment of another member in accordance with subparagraph (k)(4).

(6) A member of the Committee staff shall be ineligible to participate in any Committee proceeding that the staff director or outside counsel determines relates specifically to any of the following:

(A) the staff member's own conduct;

(B) the conduct of any employee that the staff member supervises;

(C) the conduct of any member, officer or employee for whom the staff member has worked for any substantial period; or

(D) a complaint, sworn or unsworn, that was filed by the staff member. At the direction or with the consent of the staff director or outside counsel, a staff member may also be disqualified from participating in a Committee proceeding in other circumstances not listed above.

(1) **RECORDED VOTES:** Any member may require a recorded vote on any matter.

(m) **PROXIES; RECORDING VOTES OF ABSENT MEMBERS:**

(1) Proxy voting shall not be allowed when the question before the Committee is the initiation or continuation of a preliminary inquiry or an adjudicatory review, or the issuance of a report or recommendation related thereto concerning a Member or officer of the Senate. In any such case an absent member's vote may be announced solely for the purpose of recording the member's position and such announced votes shall not be counted for or against the motion.

(2) On matters other than matters listed in paragraph (m)(1) above, the Committee may order that the record be held open for the vote of absentees or recorded proxy votes if the absent Committee member has been informed of the matter on which the vote occurs and has affirmatively requested of the Chairman or Vice Chairman in writing that he be so recorded.

(3) All proxies shall be in writing, and shall be delivered to the Chairman or Vice Chairman to be recorded.

(4) Proxies shall not be considered for the purpose of establishing a quorum.

(n) **APPROVAL OF BLIND TRUSTS AND FOREIGN TRAVEL REQUESTS BETWEEN SESSIONS AND DURING EXTENDED RECESSES:** During any period in which the Senate stands in adjournment between sessions of the Congress or stands in a recess scheduled to extend beyond fourteen days,

the Chairman and Vice Chairman, or their designees, acting jointly, are authorized to approve or disapprove blind trusts under the provision of Rule XXXIV.

(o) **COMMITTEE USE OF SERVICES OR EMPLOYEES OF OTHER AGENCIES AND DEPARTMENTS:** With the prior consent of the department or agency involved, the Committee may (1) utilize the services, information, or facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee, the Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the Chairman and Vice Chairman of the Committee, acting jointly, determine that such action is necessary and appropriate.

RULE 2: PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

(a) **COMPLAINT, ALLEGATION, OR INFORMATION:** Any member or staff member of the Committee shall report to the Committee, and any other person may report to the Committee, a sworn complaint or other allegation or information, alleging that any Senator, or officer, or employee of the Senate has violated a law, the Senate Code of Official Conduct, or any rule or regulation of the Senate relating to the conduct of any individual in the performance of his or her duty as a Member, officer, or employee of the Senate, or has engaged in improper conduct which may reflect upon the Senate. Such complaints or allegations or information may be reported to the Chairman, the Vice Chairman, a Committee member, or a Committee staff member.

(b) **SOURCE OF COMPLAINT, ALLEGATION, OR INFORMATION:** Complaints, allegations, and information to be reported to the Committee may be obtained from a variety of sources, including but not limited to the following:

(1) sworn complaints, defined as a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as members, officers, or employees of the Senate;

(2) anonymous or informal complaints;

(3) information developed during a study or inquiry by the Committee or other committees or subcommittees of the Senate, including information obtained in connection with legislative or general oversight hearings;

(4) information reported by the news media; or (5) information obtained from any individual, agency or department of the executive branch of the Federal Government.

(c) **FORM AND CONTENT OF COMPLAINTS:** A complaint need not be sworn nor must it be in any particular form to receive Committee consideration, but the preferred complaint will:

(1) state, whenever possible, the name, address, and telephone number of the party filing the complaint;

(2) provide the name of each member, officer or employee of the Senate who is specifically alleged to have engaged in improper conduct or committed a violation;

(3) state the nature of the alleged improper conduct or violation;

(4) supply all documents in the possession of the party filing the complaint relevant to or in support of his or her allegations as an attachment to the complaint.

RULE 3: PROCEDURES FOR CONDUCTING A PRELIMINARY INQUIRY

(a) **DEFINITION OF PRELIMINARY INQUIRY:** A "preliminary inquiry" is a proceeding undertaken by the Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) **BASIS FOR PRELIMINARY INQUIRY:** The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint, or other allegation of, or information about, alleged misconduct or violations pursuant to Rule 2.

(c) **SCOPE OF PRELIMINARY INQUIRY:**

(1) The preliminary inquiry shall be of such duration and scope as is necessary to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Chairman and Vice Chairman, acting jointly, on behalf of the Committee may supervise and determine the appropriate duration, scope, and conduct of a preliminary inquiry. Whether a preliminary inquiry is conducted jointly by the Chairman and Vice Chairman or by the Committee as a whole, the day to day supervision of a preliminary inquiry rests with the Chairman and Vice Chairman, acting jointly.

(2) A preliminary inquiry may include any inquiries, interviews, sworn statements, depositions, or subpoenas deemed appropriate to obtain information upon which to make any determination provided for by this Rule.

(d) **OPPORTUNITY FOR RESPONSE:** A preliminary inquiry may include an opportunity for any known respondent or his or her designated representative to present either a written or oral statement, or to respond orally to questions from the Committee. Such an oral statement or answers shall be transcribed and signed by the person providing the statement or answers.

(e) **STATUS REPORTS:** The Committee staff or outside counsel shall periodically report to the Committee in the form and according to the schedule prescribed by the Committee. The reports shall be confidential.

(f) **FINAL REPORT:** When the preliminary inquiry is completed, the staff or outside counsel shall make a confidential report, oral or written, to the Committee on findings and recommendations, as appropriate.

(g) **COMMITTEE ACTION:** As soon as practicable following submission of the report on the preliminary inquiry, the Committee shall determine by a recorded vote whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

(1) The Committee may determine that there is not such substantial credible evidence and, in such case, the Committee shall dismiss the matter. The Committee, or Chairman and Vice Chairman acting jointly on behalf of the Committee, may dismiss any matter which, after a preliminary inquiry, is determined to lack substantial merit. The Committee shall inform the complainant of the dismissal.

(2) The Committee may determine that there is such substantial credible evidence,

but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. In such case, the Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline and which shall not be subject to appeal to the Senate. The issuance of a letter of admonition must be approved by the affirmative recorded vote of no fewer than four members of the Committee voting.

(3) The Committee may determine that there is such substantial credible evidence and that the matter cannot be appropriately disposed of under paragraph (2). In such case, the Committee shall promptly initiate an adjudicatory review in accordance with Rule 4. No adjudicatory review of conduct of a Member, officer, or employee of the Senate may be initiated except by the affirmative recorded vote of not less than four members of the Committee.

RULE 4: PROCEDURES FOR CONDUCTING AN ADJUDICATORY REVIEW

(a) **DEFINITION OF ADJUDICATORY REVIEW:** An "adjudicatory review" is a proceeding undertaken by the Committee after a finding, on the basis of a preliminary inquiry, that there is substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) **SCOPE OF ADJUDICATORY REVIEW:** When the Committee decides to conduct an adjudicatory review, it shall be of such duration and scope as is necessary for the Committee to determine whether a violation within its jurisdiction has occurred. An adjudicatory review shall be conducted by outside counsel as authorized by section 3(b)(1) of Senate Resolution 338 unless the Committee determines not to use outside counsel. In the course of the adjudicatory review, designated outside counsel, or if the Committee determines not to use outside counsel, the Committee or its staff, may conduct any inquiries or interviews, take sworn statements, use compulsory process as described in Rule 6, or take any other actions that the Committee deems appropriate to secure the evidence necessary to make a determination.

(c) **NOTICE TO RESPONDENT:** The Committee shall give written notice to any known respondent who is the subject of an adjudicatory review. The notice shall be sent to the respondent no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation, and description of the evidence indicating that a possible violation occurred. The Committee may offer the respondent an opportunity to present a statement, orally or in writing, or to respond to questions from members of the Committee, the Committee staff, or outside counsel.

(d) **RIGHT TO A HEARING:** The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand (not requiring discipline by the full Senate).

(e) **PROGRESS REPORTS TO COMMITTEE:** The Committee staff or outside counsel shall periodically report to the Committee concerning the progress of the adjudicatory review. Such reports shall be delivered to the Committee in the form and according to the schedule prescribed by the Committee, and shall be confidential.

(f) **FINAL REPORT OF ADJUDICATORY REVIEW TO COMMITTEE:** Upon completion of an adjudicatory review, including any

hearings held pursuant to Rule 5, the outside counsel or the staff shall submit a confidential written report to the Committee, which shall detail the factual findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended.

(g) **COMMITTEE ACTION:**

(1) As soon as practicable following submission of the report of the staff or outside counsel on the adjudicatory review, the Committee shall prepare and submit a report to the Senate, including a recommendation or proposed resolution to the Senate concerning disciplinary action, if appropriate. A report shall be issued, stating in detail the Committee's findings of fact, whether or not disciplinary action is recommended. The report shall also explain fully the reasons underlying the Committee's recommendation concerning disciplinary action, if any. No adjudicatory review of conduct of a Member, officer or employee of the Senate may be conducted, or report or resolution or recommendation relating to such an adjudicatory review of conduct may be made, except by the affirmative recorded vote of not less than four members of the Committee.

(2) Pursuant to S. Res. 338, as amended, section 2 (a), subsections (2), (3), and (4), after receipt of the report prescribed by paragraph (f) of this rule, the Committee may make any of the following recommendations for disciplinary action or issue an order for reprimand or restitution, as follows:

(i) In the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these;

(ii) In the case of an officer or employee, a recommendation to the Senate of dismissal, suspension, payment of restitution, or a combination of these;

(iii) In the case where the Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate, and subject to the provisions of paragraph (h) of this rule relating to appeal, by a unanimous vote of six members order that a Member, officer or employee be reprimanded or pay restitution or both;

(iv) In the case where the Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issue a public or private letter of admonition to a Member, officer or employee, which shall not be subject to appeal to the Senate.

(3) In the case where the Committee determines, upon consideration of all the evidence, that the facts do not warrant a finding that there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred, the Committee may dismiss the matter.

(4) Promptly, after the conclusion of the adjudicatory review, the Committee's report and recommendation, if any, shall be forwarded to the Secretary of the Senate, and a copy shall be provided to the complainant and the respondent. The full report and recommendation, if any, shall be printed and made public, unless the Committee determines by the recorded vote of not less than four members of the Committee that it should remain confidential.

(h) RIGHT OF APPEAL:

(1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (g)(2)(iii), may, within 30 days of the Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the appeal to the Committee and the presiding officer of the Senate. The presiding officer shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) S. Res. 338 provides that a motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

RULE 5: PROCEDURES FOR HEARINGS

(a) RIGHT TO HEARING: The Committee may hold a public or executive hearing in any preliminary inquiry, adjudicatory review, or other proceeding. The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand. (See Rule 4(d).)

(b) NON-PUBLIC HEARINGS: The Committee may at any time during a hearing determine in accordance with paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate whether to receive the testimony of specific witnesses in executive session. If a witness desires to express a preference for testifying in public or in executive session, he or she shall so notify the Committee at least five days before he or she is scheduled to testify.

(c) ADJUDICATORY HEARINGS: The Committee may, by the recorded vote of not less than four members of the Committee, designate any public or executive hearing as an adjudicatory hearing; and any hearing which is concerned with possible disciplinary action against a respondent or respondents designated by the Committee shall be an adjudicatory hearing. In any adjudicatory hearing, the procedures described in paragraph (j) shall apply.

(d) SUBPOENA POWER: The Committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such correspondence, books, papers, documents or other articles as it deems advisable. (See Rule 6.)

(e) NOTICE OF HEARINGS: The Committee shall make public an announcement of the date, place, and subject matter of any hearing to be conducted by it, in accordance with Rule 1(f).

(f) PRESIDING OFFICER: The Chairman shall preside over the hearings, or in his absence the Vice Chairman. If the Vice Chairman is also absent, a Committee member designated by the Chairman shall preside. If an oath or affirmation is required, it shall be administered to a witness by the Presiding Officer, or in his absence, by any Committee member.

(g) WITNESSES:

(1) A subpoena or other request to testify shall be served on a witness sufficiently in advance of his or her scheduled appearance to allow the witness a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel if desired.

(2) The Committee may, by recorded vote of not less than four members of the Committee, rule that no member of the Committee or staff or outside counsel shall make public the name of any witness subpoenaed by the Committee before the date of that witness's scheduled appearance, except as specifically authorized by the Chairman and Vice Chairman, acting jointly.

(3) Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Committee at least two working days in advance of the hearing at which the statement is to be presented. The Chairman and Vice Chairman shall determine whether such statements may be read or placed in the record of the hearing.

(4) Insofar as practicable, each witness shall be permitted to present a brief oral opening statement, if he or she desires to do so.

(h) RIGHT TO TESTIFY: Any person whose name is mentioned or who is specifically identified or otherwise referred to in testimony or in statements made by a Committee member, staff member or outside counsel, or any witness, and who reasonably believes that the statement tends to adversely affect his or her reputation may—

(1) Request to appear personally before the Committee to testify in his or her own behalf; or

(2) File a sworn statement of facts relevant to the testimony or other evidence or statement of which he or she complained. Such request and such statement shall be submitted to the Committee for its consideration and action.

(i) CONDUCT OF WITNESSES AND OTHER ATTENDEES: The Presiding Officer may punish any breaches of order and decorum by censure and exclusion from the hearings. The Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(j) ADJUDICATORY HEARING PROCEDURES:

(1) NOTICE OF HEARINGS: A copy of the public announcement of an adjudicatory hearing, required by paragraph (e), shall be furnished together with a copy of these Rules to all witnesses at the time that they are subpoenaed or otherwise summoned to testify.

(2) PREPARATION FOR ADJUDICATORY HEARINGS:

(A) At least five working days prior to the commencement of an adjudicatory hearing, the Committee shall provide the following information and documents to the respondent, if any:

(i) a list of proposed witnesses to be called at the hearing;

(ii) copies of all documents expected to be introduced as exhibits at the hearing; and

(iii) a brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing.

(B) At least two working days prior to the commencement of an adjudicatory hearing, the respondent, if any, shall provide the information and documents described in divisions (i), (ii) and (iii) of subparagraph (A) to the Committee.

(C) At the discretion of the Committee, the information and documents to be exchanged under this paragraph shall be subject to an appropriate agreement limiting access and disclosure.

(D) If a respondent refuses to provide the information and documents to the Committee (see (A) and (B) of this subparagraph), or if a respondent or other individual vio-

lates an agreement limiting access and disclosure, the Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(3) SWEARING OF WITNESSES: All witnesses who testify at adjudicatory hearings shall be sworn unless the Presiding Officer, for good cause, decides that a witness does not have to be sworn.

(4) RIGHT TO COUNSEL: Any witness at an adjudicatory hearing may be accompanied by counsel of his or her own choosing, who shall be permitted to advise the witness of his or her legal rights during the testimony.

(5) RIGHT TO CROSS-EXAMINE AND CALL WITNESSES:

(A) In adjudicatory hearings, any respondent and any other person who obtains the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses in his or her own behalf.

(B) A respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his or her behalf. An application shall be approved upon a concise showing by the respondent that the proposed testimony or evidence is relevant and appropriate, as determined by the Chairman and Vice Chairman.

(C) With respect to witnesses called by a respondent, or other individual given permission by the Committee, each such witness shall first be examined by the party who called the witness or by that party's counsel.

(D) At least one working day before a witness's scheduled appearance, a witness or a witness's counsel may submit to the Committee written questions proposed to be asked of that witness. If the Committee determines that it is necessary, such questions may be asked by any member of the Committee, or by any Committee staff member if directed by a Committee member. The witness or witness's counsel may also submit additional sworn testimony for the record within twenty-four hours after the last day that the witness has testified. The insertion of such testimony in that day's record is subject to the approval of the Chairman and Vice Chairman acting jointly within five days after the testimony is received.

(6) ADMISSIBILITY OF EVIDENCE:

(A) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Federal Rules of Evidence. Rules of evidence shall not be applied strictly, but the Presiding Officer shall exclude irrelevant or unduly repetitious testimony. Objections going only to the weight that should be given evidence will not justify its exclusion.

(B) The Presiding Officer shall rule upon any question of the admissibility of testimony or other evidence presented to the Committee. Such rulings shall be final unless reversed or modified by a recorded vote of not less than four members of the Committee before the recess of that day's hearings.

(C) Notwithstanding paragraphs (A) and (B), in any matter before the Committee involving allegations of sexual discrimination, including sexual harassment, or sexual misconduct, a Member, officer, or employee within the jurisdiction of the Committee, the Committee shall be guided by the standards and procedures of Rule 412 of the Federal Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only upon a determination of not less than four members of

the full Committee that the interests of justice require that such evidence be admitted.

(7) **SUPPLEMENTARY HEARING PROCEDURES:** The Committee may adopt any additional special hearing procedures that it deems necessary or appropriate to a particular adjudicatory hearing. Copies of such supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.

(k) **TRANSCRIPTS:**

(1) An accurate stenographic or recorded transcript shall be made of all public and executive hearings. Any member of the Committee, Committee staff member, outside counsel retained by the Committee, or witness may examine a copy of the transcript retained by the Committee of his or her own remarks and may suggest to the official reporter any typographical or transcription errors. If the reporter declines to make the requested corrections, the member, staff member, outside counsel or witness may request a ruling by the Chairman and Vice Chairman, acting jointly. Any member or witness shall return the transcript with suggested corrections to the Committee offices within five working days after receipt of the transcript, or as soon thereafter as is practicable. If the testimony was given in executive session, the member or witness may only inspect the transcript at a location determined by the Chairman and Vice Chairman, acting jointly. Any questions arising with respect to the processing and correction of transcripts shall be decided by the Chairman and Vice Chairman, acting jointly.

(2) Except for the record of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chairman and Vice Chairman, acting jointly, may order the transcript of a hearing to be printed without the corrections of a member or witness if they determine that such member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

(3) The Committee shall furnish each witness, at no cost, one transcript copy of that witness's testimony given at a public hearing. If the testimony was given in executive session, then a transcript copy shall be provided upon request, subject to appropriate conditions and restrictions prescribed by the Chairman and Vice Chairman. If any individual violates such conditions and restrictions, the Committee may recommend by majority vote that he or she be cited for contempt of Congress.

RULE 6: SUBPOENAS AND DEPOSITIONS

(a) **SUBPOENAS:**

(1) **AUTHORIZATION FOR ISSUANCE:** Subpoenas for the attendance and testimony of witnesses at depositions or hearings, and subpoenas for the production of documents and tangible things at depositions, hearings, or other times and places designated therein, may be authorized for issuance by either (A) a majority vote of the Committee, or (B) the Chairman and Vice Chairman, acting jointly, at any time during a preliminary inquiry, adjudicatory review, or other proceeding.

(2) **SIGNATURE AND SERVICE:** All subpoenas shall be signed by the Chairman or the Vice Chairman and may be served by any person eighteen years of age or older, who is designated by the Chairman or Vice Chairman. Each subpoena shall be served with a copy of the Rules of the Committee and a brief statement of the purpose of the Committee's proceeding.

(3) **WITHDRAWAL OF SUBPOENA:** The Committee, by recorded vote of not less than four members of the Committee, may withdraw any subpoena authorized for issuance by it or authorized for issuance by the Chairman and Vice Chairman, acting jointly. The Chairman and Vice Chairman, acting jointly, may withdraw any subpoena authorized for issuance by them.

(b) **DEPOSITIONS:**

(1) **PERSONS AUTHORIZED TO TAKE DEPOSITIONS:** Depositions may be taken by any member of the Committee designated by the Chairman and Vice Chairman, acting jointly, or by any other person designated by the Chairman and Vice Chairman, acting jointly, including outside counsel, Committee staff, other employees of the Senate, or government employees detailed to the Committee.

(2) **DEPOSITION NOTICES:** Notices for the taking of depositions shall be authorized by the Committee, or the Chairman and Vice Chairman, acting jointly, and issued by the Chairman, Vice Chairman, or a Committee staff member or outside counsel designated by the Chairman and Vice Chairman, acting jointly. Depositions may be taken at any time during a preliminary inquiry, adjudicatory review or other proceeding. Deposition notices shall specify a time and place for examination. Unless otherwise specified, the deposition shall be in private, and the testimony taken and documents produced shall be deemed for the purpose of these rules to have been received in a closed or executive session of the Committee. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear, or to testify, or to produce documents, unless the deposition notice was accompanied by a subpoena authorized for issuance by the Committee, or the Chairman and Vice Chairman, acting jointly.

(3) **COUNSEL AT DEPOSITIONS:** Witnesses may be accompanied at a deposition by counsel to advise them of their rights.

(4) **DEPOSITION PROCEDURE:** Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present. Questions may be propounded by any person or persons who are authorized to take depositions for the Committee. If a witness objects to a question and refuses to testify, or refuses to produce a document, any member of the Committee who is present may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If no member of the Committee is present, the individual who has been designated by the Chairman and Vice Chairman, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or Vice Chairman of the Committee, who may refer the matter to the Committee or rule on the objection. If the Chairman or Vice Chairman, or the Committee upon referral, overrules the objection, the Chairman, Vice Chairman, or the Committee as the case may be, may direct the witness to answer the question or produce the document. The Committee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

(5) **FILING OF DEPOSITIONS:** Deposition testimony shall be transcribed or electroni-

cally recorded. If the deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee's offices for review. Upon inspecting the transcript, within a time limit set by the Chairman and Vice Chairman, acting jointly, a witness may request in writing changes in the transcript to correct errors in transcription. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman and Vice Chairman, acting jointly, may rule on the witness's request, and the changes or attachments allowed shall be certified by the Committee's chief clerk. If the witness fails to make any request under this paragraph within the time limit set, this fact shall be noted by the Committee's chief clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

RULE 7: VIOLATIONS OF LAW; PERJURY; LEGISLATIVE RECOMMENDATIONS; EDUCATIONAL MANDATE; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

(a) **VIOLATIONS OF LAW:** Whenever the Committee determines by the recorded vote of not less than four members of the full Committee that there is reason to believe that a violation of law, including the provision of false information to the Committee, may have occurred, it shall report such possible violation to the proper Federal and state authorities.

(b) **PERJURY:** Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee does so under penalty of perjury. The Committee may refer any such case to the Attorney General for prosecution.

(c) **LEGISLATIVE RECOMMENDATIONS:** The Committee shall recommend to the Senate by report or resolution such additional rules, regulations, or other legislative measures as it determines to be necessary or desirable to ensure proper standards of conduct by Members, officers, or employees of the Senate. The Committee may conduct such inquiries as it deems necessary to prepare such a report or resolution, including the holding of hearings in public or executive session and the use of subpoenas to compel the attendance of witnesses or the production of materials. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, adjudicatory review, or other proceeding.

(d) **Educational Mandate:** The Committee shall develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(e) **APPLICABLE RULES AND STANDARDS OF CONDUCT:**

(1) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which

occurred prior to the effective date of the applicable provision of the Code.

(2) The Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Committee.

RULE 8: PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED MATERIALS

(a) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE MATERIALS:

(1) Committee Sensitive information or material is information or material in the possession of the Select Committee on Ethics which pertains to illegal or improper conduct by a present or former Member, officer, or employee of the Senate; to allegations or accusations of such conduct; to any resulting preliminary inquiry, adjudicatory review or other proceeding by the Select Committee on Ethics into such allegations or conduct; to the investigative techniques and procedures of the Select Committee on Ethics; or to other information or material designated by the staff director, or outside counsel designated by the Chairman and Vice Chairman.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of Committee Sensitive information in the possession of the Committee or its staff. Procedures for protecting Committee Sensitive materials shall be in writing and shall be given to each Committee staff member.

(b) PROCEDURES FOR HANDLING CLASSIFIED MATERIALS:

(1) Classified information or material is information or material which is specifically designated as classified under the authority of Executive Order 11652 requiring protection of such information or material from unauthorized disclosure in order to prevent damage to the United States.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of classified information in the possession of the Committee or its staff. Procedures for handling such information shall be in writing and a copy of the procedures shall be given to each staff member cleared for access to classified information.

(3) Each member of the Committee shall have access to classified material in the Committee's possession. Only Committee staff members with appropriate security clearances and a need-to-know, as approved by the Chairman and Vice Chairman, acting jointly, shall have access to classified information in the Committee's possession.

(c) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED DOCUMENTS:

(1) Committee Sensitive documents and materials shall be stored in the Committee's offices, with appropriate safeguards for maintaining the security of such documents or materials. Classified documents and materials shall be further segregated in the Committee's offices in secure filing safes. Removal from the Committee offices of such documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the staff director or by outside counsel designated by the Chairman and Vice Chairman.

(2) Each member of the Committee shall have access to all materials in the Commit-

tee's possession. The staffs of members shall not have access to Committee Sensitive or classified documents and materials without the specific approval in each instance of the Chairman, and Vice Chairman, acting jointly. Members may examine such materials in the Committee's offices. If necessary, requested materials may be hand delivered by a member of the Committee staff to the member of the Committee, or to a staff person(s) specifically designated by the member, for the Member's or designated staffer's examination. A member of the Committee who has possession of Committee Sensitive documents or materials shall take appropriate safeguards for maintaining the security of such documents or materials in the possession of the Member or his or her designated staffer.

(3) Committee Sensitive documents that are provided to a Member of the Senate in connection with a complaint that has been filed against the Member shall be hand delivered to the Member or to the Member's Chief of Staff or Administrative Assistant. Committee Sensitive documents that are provided to a Member of the Senate who is the subject of a preliminary inquiry, adjudicatory review, or other proceeding, shall be hand delivered to the Member or to his or her specifically designated representative.

(4) Any Member of the Senate who is not a member of the Committee and who seeks access to any Committee Sensitive or classified documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by majority vote whether to make documents or materials available. If access is granted, the Member shall not disclose the information except as authorized by the Committee.

(5) Whenever the Committee makes Committee Sensitive or classified documents or materials available to any Member of the Senate who is not a member of the Committee, or to a staff person of a Committee member in response to a specific request to the Chairman and Vice Chairman, a written record shall be made identifying the Member of the Senate requesting such documents or materials and describing what was made available and to whom.

(d) NON-DISCLOSURE POLICY AND AGREEMENT:

(1) Except as provided in the last sentence of this paragraph, no member of the Select Committee on Ethics, its staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole, or in part, or by way of summary, during tenure with the Select Committee on Ethics or anytime thereafter, any testimony given before the Select Committee on Ethics in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee Sensitive information, document or material, received or generated by the Select Committee on Ethics or any classified or Committee Sensitive information which may come into the possession of such person during tenure with the Select Committee on Ethics or its staff. Such information, documents, or material may be released to an official of the executive branch properly cleared for access with a need-to-know, for any purpose or in connection with any proceeding, judicial or otherwise, as authorized by the Select Committee on Ethics, or in the event of termination of the Select Com-

mittee on Ethics, in such a manner as may be determined by its successor or by the Senate.

(2) No member of the Select Committee on Ethics staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics, shall be granted access to classified or Committee Sensitive information or material in the possession of the Select Committee on Ethics unless and until such person agrees in writing, as a condition of employment, to the non-disclosure policy. The agreement shall become effective when signed by the Chairman and Vice Chairman on behalf of the Committee.

RULE 9: BROADCASTING AND NEWS COVERAGE OF COMMITTEE PROCEEDINGS

(a) Whenever any hearing or meeting of the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered in whole or in part, by television broadcast, radio broadcast, still photography, or by any other methods of coverage, unless the Committee decides by recorded vote of not less than four members of the Committee that such coverage is not appropriate at a particular hearing or meeting.

(b) Any witness served with a subpoena by the Committee may request not to be photographed at any hearing or to give evidence or testimony while the broadcasting, reproduction, or coverage of that hearing, by radio, television, still photography, or other methods is occurring. At the request of any such witness who does not wish to be subjected to radio, television, still photography, or other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

(c) If coverage is permitted, it shall be in accordance with the following requirements:

(1) Photographers and reporters using mechanical recording, filming, or broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the Committee members and staff, or with the orderly process of the meeting or hearing.

(2) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, the coverage shall be conducted and presented without commercial sponsorship.

(3) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(4) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(5) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and the coverage activities in an orderly and unobtrusive manner.

RULE 10: PROCEDURES FOR ADVISORY OPINIONS

(a) WHEN ADVISORY OPINIONS ARE RENDERED:

(1) The Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(2) The Committee may issue an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(b) **FORM OF REQUEST:** A request for an advisory opinion shall be directed in writing to the Chairman of the Committee and shall include a complete and accurate statement of the specific factual situation with respect to which the request is made as well as the specific question or questions which the requestor wishes the Committee to address.

(c) **OPPORTUNITY FOR COMMENT:**

(1) The Committee will provide an opportunity for any interested party to comment on a request for an advisory opinion

(A) which requires an interpretation on a significant question of first impression that will affect more than a few individuals; or

(B) when the Committee determines that comments from interested parties would be of assistance.

(2) Notice of any such request for an advisory opinion shall be published in the Congressional Record, with appropriate deletions to insure confidentiality, and interested parties will be asked to submit their comments in writing to the Committee within ten days.

(3) All relevant comments received on a timely basis will be considered.

(d) **ISSUANCE OF AN ADVISORY OPINION:**

(1) The Committee staff shall prepare a proposed advisory opinion in draft form which will first be reviewed and approved by the Chairman and Vice Chairman, acting jointly, and will be presented to the Committee for final action. If (A) the Chairman and Vice Chairman cannot agree, or (B) either the Chairman or Vice Chairman requests that it be taken directly to the Committee, then the proposed advisory opinion shall be referred to the Committee for its decision.

(2) An advisory opinion shall be issued only by the affirmative recorded vote of a majority of the members voting.

(3) Each advisory opinion issued by the Committee shall be promptly transmitted for publication in the Congressional Record after appropriate deletions are made to insure confidentiality. The Committee may at any time revise, withdraw, or elaborate on any advisory opinion.

(e) **RELIANCE ON ADVISORY OPINIONS:**

(1) Any advisory opinion issued by the Committee under Senate Resolution 338, 88th Congress, as amended, and the rules may be relied upon by

(A) Any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered if the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and

(B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(2) Any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of Senate Resolution 338, 88th Congress, as amended, and of the rules, and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result

of any such act, be subject to any sanction by the Senate.

RULE 11: PROCEDURES FOR INTERPRETATIVE RULINGS

(a) **BASIS FOR INTERPRETATIVE RULINGS:** Senate Resolution 338, 88th Congress, as amended, authorizes the Committee to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction. The Committee also may issue such rulings clarifying or explaining any rule or regulation of the Select Committee on Ethics.

(b) **REQUEST FOR RULING:** A request for such a ruling must be directed in writing to the Chairman or Vice Chairman of the Committee.

(c) **ADOPTION OF RULING:**

(1) The Chairman and Vice Chairman, acting jointly, shall issue a written interpretative ruling in response to any such request, unless

(A) they cannot agree,

(B) it requires an interpretation of a significant question of first impression, or

(C) either requests that it be taken to the Committee, in which event the request shall be directed to the Committee for a ruling.

(2) A ruling on any request taken to the Committee under subparagraph (1) shall be adopted by a majority of the members voting and the ruling shall then be issued by the Chairman and Vice Chairman.

(d) **PUBLICATION OF RULINGS:** The Committee will publish in the Congressional Record, after making appropriate deletions to ensure confidentiality, any interpretative rulings issued under this Rule which the Committee determines may be of assistance or guidance to other Members, officers or employees. The Committee may at any time revise, withdraw, or elaborate on interpretative rulings.

(e) **RELIANCE ON RULINGS:** Whenever an individual can demonstrate to the Committee's satisfaction that his or her conduct was in good faith reliance on an interpretative ruling issued in accordance with this Rule, the Committee will not recommend sanctions to the Senate as a result of such conduct.

(f) **RULINGS BY COMMITTEE STAFF:** The Committee staff is not authorized to make rulings or give advice, orally or in writing, which binds the Committee in any way.

RULE 12: PROCEDURES FOR COMPLAINTS INVOLVING IMPROPER USE OF THE MAILING FRANK

(a) **AUTHORITY TO RECEIVE COMPLAINTS:** The Committee is directed by section 6(b) of Public Law 93—191 to receive and dispose of complaints that a violation of the use of the mailing frank has occurred or is about to occur by a Member or officer of the Senate or by a surviving spouse of a Member. All such complaints will be processed in accordance with the provisions of these Rules, except as provided in paragraph (b).

(b) **DISPOSITION OF COMPLAINTS:**

(1) The Committee may dispose of any such complaint by requiring restitution of the cost of the mailing, pursuant to the franking statute, if it finds that the franking violation was the result of a mistake.

(2) Any complaint disposed of by restitution that is made after the Committee has formally commenced an adjudicatory review, must be summarized, together with the disposition, in a report to the Senate, as appropriate.

(3) If a complaint is disposed of by restitution, the complainant, if any, shall be notified of the disposition in writing.

(c) **ADVISORY OPINIONS AND INTERPRETATIVE RULINGS:** Requests for advisory opinions or interpretative rulings involving franking questions shall be processed in accordance with Rules 10 and 11.

RULE 13: PROCEDURES FOR WAIVERS

(a) **AUTHORITY FOR WAIVERS:** The Committee is authorized to grant a waiver under the following provisions of the Standing Rules of the Senate:

(1) Section 101(h) of the Ethics in Government Act of 1978, as amended (Rule XXXIV), relating to the filing of financial disclosure reports by individuals who are expected to perform or who have performed the duties of their offices or positions for less than one hundred and thirty days in a calendar year;

(2) Section 102(a)(2)(D) of the Ethics in Government Act, as amended (Rule XXXIV), relating to the reporting of gifts;

(3) Paragraph 1 of Rule XXXV relating to acceptance of gifts; or

(4) Paragraph 5 of Rule XLI relating to applicability of any of the provisions of the Code of Official Conduct to an employee of the Senate hired on a per diem basis.

(b) **REQUESTS FOR WAIVERS:** A request for a waiver under paragraph (a) must be directed to the Chairman or Vice Chairman in writing and must specify the nature of the waiver being sought and explain in detail the facts alleged to justify a waiver. In the case of a request submitted by an employee, the views of his or her supervisor (as determined under paragraph 12 of Rule XXXVII of the Standing Rules of the Senate) should be included with the waiver request.

(c) **RULING:** The Committee shall rule on a waiver request by recorded vote with a majority of those voting affirming the decision. With respect to an individual's request for a waiver in connection with the acceptance or reporting the value of gifts on the occasion of the individual's marriage, the Chairman and the Vice Chairman, acting jointly, may rule on the waiver.

(d) **AVAILABILITY OF WAIVER DETERMINATIONS:** A brief description of any waiver granted by the Committee, with appropriate deletions to ensure confidentiality, shall be made available for review upon request in the Committee office. Waivers granted by the Committee pursuant to the Ethics in Government Act of 1978, as amended, may only be granted pursuant to a publicly available request as required by the Act.

RULE 14: DEFINITION OF "OFFICER OR EMPLOYEE"

(a) As used in the applicable resolutions and in these rules and procedures, the term "officer or employee of the Senate" means:

(1) An elected officer of the Senate who is not a Member of the Senate;

(2) An employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) The Legislative Counsel of the Senate or any employee of his office;

(4) An Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) A member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) An employee of the Vice President, if such employee's compensation is disbursed by the Secretary of the Senate;

(7) An employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate;

(8) An officer or employee of any department or agency of the Federal Government whose services are being utilized on a full-time and continuing basis by a Member, officer, employee, or committee of the Senate in accordance with Rule XLI(3) of the Standing Rules of the Senate; and

(9) Any other individual whose full-time services are utilized for more than ninety days in a calendar year by a Member, officer, employee, or committee of the Senate in the conduct of official duties in accordance with Rule XLI(4) of the Standing Rules of the Senate.

RULE 15: COMMITTEE STAFF

(a) COMMITTEE POLICY:

(1) The staff is to be assembled and retained as a permanent, professional, non-partisan staff.

(2) Each member of the staff shall be professional and demonstrably qualified for the position for which he or she is hired.

(3) The staff as a whole and each member of the staff shall perform all official duties in a nonpartisan manner.

(4) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(5) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the Committee without specific advance permission from the Chairman and Vice Chairman.

(6) No member of the staff may make public, without Committee approval, any Committee Sensitive or classified information, documents, or other material obtained during the course of his or her employment with the Committee.

(b) APPOINTMENT OF STAFF:

(1) The appointment of all staff members shall be approved by the Chairman and Vice Chairman, acting jointly.

(2) The Committee may determine by majority vote that it is necessary to retain staff members, including a staff recommended by a special counsel, for the purpose of a particular preliminary inquiry, adjudicatory review, or other proceeding. Such staff shall be retained only for the duration of that particular undertaking.

(3) The Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the Executive Branch of the Government) whenever the Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, preliminary inquiry, adjudicatory review, or other proceeding, which in the determination of the Committee, is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee. The Committee shall retain and compensate outside counsel to conduct any adjudicatory review undertaken after a preliminary inquiry, unless the Committee determines that the use of outside counsel is not appropriate in the particular case.

(c) DISMISSAL OF STAFF: A staff member may not be removed for partisan, political reasons, or merely as a consequence of the rotation of the Committee membership. The Chairman and Vice Chairman, acting jointly, shall approve the dismissal of any staff member.

(d) STAFF WORKS FOR COMMITTEE AS WHOLE: All staff employed by the Committee or housed in Committee offices shall work for the Committee as a whole, under

the general direction of the Chairman and Vice Chairman, and the immediate direction of the staff director or outside counsel.

(e) NOTICE OF SUMMONS TO TESTIFY: Each member of the Committee staff or outside counsel shall immediately notify the Committee in the event that he or she is called upon by a properly constituted authority to testify or provide confidential information obtained as a result of and during his or her employment with the Committee.

RULE 16: CHANGES IN SUPPLEMENTARY PROCEDURAL RULES

(a) ADOPTION OF CHANGES IN SUPPLEMENTARY RULES: The Rules of the Committee, other than rules established by statute, or by the Standing Rules and Standing Orders of the Senate, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than four members of the full Committee taken at a meeting called with due notice when prior written notice of the proposed change has been provided each member of the Committee.

(b) PUBLICATION: Any amendments adopted to the Rules of this Committee shall be published in the Congressional Record in accordance with Rule XXVI(2) of the Standing Rules of the Senate.

SELECT COMMITTEE ON ETHICS

PART III—SUBJECT MATTER JURISDICTION

Following are sources of the subject matter jurisdiction of the Select Committee:

(a) The Senate Code of Official Conduct approved by the Senate in Title I of S. Res. 110, 95th Congress, April 1, 1977, as amended, and stated in Rules 34 through 43 of the Standing Rules of the Senate;

(b) Senate Resolution 338, 88th Congress, as amended, which states, among others, the duties to receive complaints and investigate allegations of improper conduct which may reflect on the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate; recommend disciplinary action; and recommend additional Senate Rules or regulations to insure proper standards of conduct;

(c) Residual portions of Standing Rules 41, 42, 43 and 44 of the Senate as they existed on the day prior to the amendments made by Title I of S. Res. 110;

(d) Public Law 93-191 relating to the use of the mail franking privilege by Senators, officers of the Senate; and surviving spouses of Senators;

(e) Senate Resolution 400, 94th Congress, Section 8, relating to unauthorized disclosure of classified intelligence information in the possession of the Select Committee on Intelligence;

(f) Public Law 95-105, Section 515, relating to the receipt and disposition of foreign gifts and decorations received by Senate members, officers and employees and their spouses or dependents;

(g) Preamble to Senate Resolution 266, 90th Congress, 2d Session, March 22, 1968; and

(h) The Code of Ethics for Government Service, H. Con. Res. 175, 85th Congress, 2d Session, July 11, 1958 (72 Stat. B12). Except that S. Res. 338, as amended by Section 202 of S. Res. 110 (April 2, 1977), and as amended by Section 3 of S. Res. 222 (1999), provides:

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of

any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

APPENDIX A OPEN AND CLOSED MEETINGS

Paragraphs 5 (b) to (d) of Rule XXVI of the Standing Rules of the Senate reads as follows:

(b) Each meeting of a standing, select, or special committee of the Senate, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in classes (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair

finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

APPENDIX B—"SUPERVISORS" DEFINED

Paragraph 12 of Rule XXXVII of the Standing Rules of the Senate reads as follows:

FOR PURPOSES OF THIS RULE—

(a) a Senator or the Vice President is the supervisor of his administrative, clerical, or other assistants;

(b) a Senator who is the chairman of a committee is the supervisor of the professional, clerical, or other assistants to the committee except that minority staff members shall be under the supervision of the ranking minority Senator on the committee;

(c) a Senator who is a chairman of a subcommittee which has its own staff and financial authorization is the supervisor of the professional, clerical, or other assistants to the subcommittee except that minority staff members shall be under the supervision of the ranking minority Senator on the subcommittee;

(d) the President pro tempore is the supervisor of the Secretary of the Senate, Sergeant at Arms and Doorkeeper, the Chaplain, the Legislative Counsel, and the employees of the Office of the Legislative Counsel;

(e) the Secretary of the Senate is the supervisor of the employees of his office;

(f) the Sergeant at Arms and Doorkeeper is the supervisor of the employees of his office;

(g) the Majority and Minority Leaders and the Majority and Minority Whips are the supervisors of the research, clerical, and other assistants assigned to their respective offices;

(h) the Majority Leader is the supervisor of the Secretary for the Majority and the Secretary for the Majority is the supervisor of the employees of his office; and

(i) the Minority Leader is the supervisor of the Secretary for the Minority and the Secretary for the Minority is the supervisor of the employees of his office.

CONFIRMATION OF CHUCK HAGEL AS SECRETARY OF DEFENSE

Mr. LAUTENBERG. Mr. President, today is Chuck Hagel's first day as our Secretary of Defense. This is a great development for our Armed Forces and the Nation they protect.

I was proud to support Chuck Hagel's nomination to become the Secretary of Defense, and I was proud to see his nomination confirmed with bipartisan support yesterday. Throughout his life, Chuck has displayed courage, wisdom, and leadership. And he has always served this Nation with dedication and resolve. I am confident he will be a strong and able leader of the men and women in our military, and I am confident he will do everything possible to keep our country safe.

I congratulate Secretary Hagel on his successful and well-deserved confirmation and wish him the best as he begins his leadership of our Department of Defense.

I yield the floor.

TRIBUTE TO RICK DEBOBES

Mr. LEVIN. Mr. President, there is a document posted on the wall of the of-

fices of the Senate Armed Services Committee with all of the staff listed in order of seniority, with the dates on which they started their service. The second name on the list is that of Rick DeBobes, the staff director of the committee, who joined the committee staff 24 years ago, on March 9, 1989. That record of service is all the more remarkable because Rick did not come to the Senate until after he had completed a distinguished 26-year career in the Navy. His last assignment on Active Duty was as legal advisor to Chairman of the Joint Chiefs of Staff William Crowe.

This week, Rick will retire for the second time, culminating an extraordinary record of 50 years of service to the Senate, the Navy, the men and women of our Armed Forces, and his country.

In the course of his service on the committee staff, Rick has played a key role in the enactment of 24 National Defense Authorization Acts. A proud graduate of Georgetown University, Rick received his law degree from Fordham University and a masters' degree in international law from the National Law Center at George Washington University. He has gone on to have what I am sure must be a far greater influence on international law than any of his professors or mentors could have imagined. It is no exaggeration to say that Rick DeBobes has been involved in writing or improving virtually every major piece of national security legislation to come before the Congress in the last quarter century, starting with the Goldwater-Nichols legislation that he helped shape before joining the committee staff.

For the last 10 years, Rick has served as staff director of the Senate Armed Services Committee—one of the toughest and most important jobs in the Senate. In this capacity, Rick has not only helped guide our annual National Defense Authorization Act to enactment each year, but also played a vital role in congressional oversight of our military operations in Iraq, Afghanistan, and elsewhere. His leadership of the committee staff has also seen the enactment of the Wounded Warrior Act, the Detainee Treatment Act, the Military Commissions Act of 2009, the Weapon Systems Acquisition Reform Act, TRICARE for Life, and the repeal of don't ask, don't tell, along with other major legislation. Rick's advice and counsel on all of these matters—informed by his unique background and experience—have been invaluable not only to me and to other members of the Armed Services Committee, but also to our military chiefs of staff, combatant commanders, and other senior military and civilian officials in the Department of Defense.

In the 16 years that I have served as chairman or ranking member of the Armed Services Committee, Rick has

spent countless hours in my office, discussing national security matters of every kind. He has joined me on virtually every overseas trip I have taken, including more than a dozen trips to Iraq and Afghanistan. We have met together with Senators, Secretaries of Defense, chiefs of staff, and foreign heads of state. We have been through markups, floor debates, and conferences together. Through all of this, I have not only appreciated and needed Rick's wise counsel, I have enjoyed his company.

Rick's hallmark as staff director has been the composure, the steadiness, and the sound judgment that he brings to the job every single day. The committee staff often line up outside Rick's office door, bringing him one crisis after another that needs to be addressed. Whether it is early in the morning before a hearing or late at night after a "Little 4" meeting in conference, Rick always makes time for the staff. And I don't think any of us have ever seen Rick lose his cool—except perhaps when his beloved Georgetown Hoyas basketball team blows a late lead.

As Rick leaves us to enjoy a well-deserved retirement with his wife Margaret, his children, and his grandchildren, I know I speak for the entire Armed Services Committee—members and staff—when I say: Thanks, Rick, for a job extraordinarily well done, and best wishes for the future.

ADDITIONAL STATEMENTS

CONGRATULATING WAYNE WILSON

• Mr. HELLER. Mr. President, today I wish to recognize one of Nevada's own, Wayne Wilson, for being named as a finalist for the Citizen Service Before Self Honors by the Congressional Medal of Honor Foundation. His efforts to assist disabled veterans have earned him this distinct honor, and I am both humbled and honored to recognize him today.

After graduating from the United States Army Sergeant Major Academy in 1976, Wayne served in the National Guard for over four decades. He served as command sergeant major of an engineer group and a combat engineer battalion. In 1984, he transferred to the Nevada National Guard and moved to Carson City. Throughout Wayne's lifetime, he has always remained an active member in the veteran community and has dedicated his free time to looking after this community's needs. Wayne was one of the original founders of the Veterans Guest House, is a lifetime member of the Disabled American Veterans, DAV, and has been named the Silver State's Veteran of the Month.

In 2008, Wayne founded the Northern Nevada Wheelchair Program to distribute wheelchairs to disabled veterans. Providing our Nation's greatest

heroes with mobility and independence is a unique gift and a singular act of heroism. His commitment to putting others first is a true example of sacrifice for the betterment of others.

In October 2012, I had the privilege of meeting Wayne when he was recognized by Governor Sandoval as Nevada's Veteran of the Month. His continued service and sacrifice to our country and veteran community makes me proud that Wayne calls Nevada home. Today, I ask my colleagues to join me in recognizing Wayne for his tireless efforts to better the Silver State.●

REMEMBERING CLARENCE JACKSON

● Ms. MURKOWSKI. Mr. President, I would like to take a moment to reflect on the sad news that Clarence Jackson, a Tlingit elder, "walked into the forest" on January 31, 2013, at the age of 78.

Clarence Jackson was an individual who committed his life to the Native peoples of Alaska. Clarence was invaluable and irreplaceable, as he generously shared his vast knowledge of the Tlingit language, history and culture. In 1972, Jackson signed the articles of incorporation for Sealaska Corporation that was created under the Alaska Native Claims Settlement Act. As one of the original incorporators of Sealaska Corporation, he was the only board member to serve continuously from the time Sealaska was founded. He also served on the board of directors for Sealaska Timber Corporation and served as the chairman of the Sealaska Heritage Institute's Council of Traditional Scholars. But many saw him as an ambassador to the community. He was a gentle man adept at using humor to reach people. In his capacity on the board, he represented Sealaska at funerals, celebrations, and many other community events.

Clarence was born in Kake, AK, on May 24, 1934. He lived there most of his life, attending Sheldon Jackson School in Sitka. He continued on to Sheldon Jackson College in 1954. Growing up immersed in his Tlingit community allowed him to become a very articulate orator. He excelled through his teachings of the Tlingit culture. After college, Clarence moved back to Kake, where he became a fisherman and operated a small store.

In the 1960's, Clarence became a delegate to the Central Council of Tlingit and Haida Indians in the Alaska Native claims movement. He served as this council's president from 1972 through 1976.

Clarence also advocated for the importance of preserving the cultural values of all Native people and eloquently spoke to this at Celebration 2012 in Juneau.

Clarence positively impacted the lives of everyone he met. He accom-

plished a great deal for his Native people, and he was blessed with a truly wonderful family. Thanks to modern technology, his stories and life experiences will live on for eternity.

On behalf of the Senate I extend condolences to Clarence's family, his wife of 58 years, Gertrude Louise "Lidda" Paddock, and the Tlingit people of Southeast Alaska. His life has been appropriately honored with a ceremony at Elizabeth Peratrovich Hall, in Juneau, AK.●

TRIBUTE TO JIM ALEXANDER

● Ms. AYOTTE. Mr. President, today I rise to recognize and congratulate chief of police M. James "Jim" Alexander, Jr., of the Lebanon New Hampshire Police Department for his more than 26 years of dedicated law enforcement service to our State and Nation.

The Chief began his law enforcement career as a police officer with the Brattleboro, VT, Police Department in 1987. Chief Alexander then joined the Lebanon New Hampshire Police Department in 1990 as a patrol officer. He was promoted to patrol supervisor in 1991, sergeant in 1996, lieutenant in 1999, captain in 2002, and deputy chief in 2004. Jim was appointed Lebanon's chief of police on March 1, 2006.

During his long career as a public safety professional, Chief Alexander has been a leader in promoting community-oriented policing, improving public safety within the State of New Hampshire, and promoting sound public policies and practices, which have helped keep New Hampshire one of the safest States in the Nation. Chief Alexander has worked tirelessly with his peers and with other public safety officials to better the administration of justice. He is well known for his collaboration with local, county, State, and Federal law enforcement agencies. He was recognized in 2007 with the Community Health Leadership Award, and in 2009 he received recognition for his extraordinary commitment and contributions to the Grafton County Drug Court Program. Under his leadership, the Lebanon, NH, Police Department was cited for the extraordinary assistance provided to the U.S. Marshals Service in helping to successfully end a dangerous 9-month-long standoff with convicted antigovernment activists.

As Chief Alexander celebrates his retirement, I commend him on a job well done. I ask my colleagues to join me in wishing him, his wife Deb, and their adult children, Nick and Jacqui, well in all future endeavors.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read twice and placed on the calendar pursuant to the order of February 14, 2013, as modified on February 26, 2013:

S. 16. A bill to provide for a sequester replacement.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-457. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tomatoes Grown in Florida; Decreased Assessment Rate" (Docket No. AMS-FV-12-0051; FV12-966-1 IR) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-458. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Change to Administrative Rules Regarding the Transfer and Storage of Excess Spearmint Oil" (Docket No. AMS-FV-12-0014; FV12-985-2 FR) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-459. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to Department of Defense counternarcotics support activities (OSS Control No. 2013-0256); to the Committee on Armed Services.

EC-460. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Alleged Crimes By or Against Contractor Personnel" (RIN0750-AH57) (DFARS Case 2012-D006) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-461. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Electronic Subcontracting Reporting System" (RIN0750-AG40) (DFARS Case 2009-D002) received during adjournment of the Senate in the Office of the President

of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-462. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Acquisition of Tents and Other Temporary Structures" (RIN0750-AH73) (DFARS Case 2012-D015) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-463. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, (15) reports relative to vacancies in the Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-464. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the Department of the Air Force, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-465. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, (2) reports relative to vacancies in the Department of the Army, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-466. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the Department of the Navy, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC-467. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft; to the Committee on Banking, Housing, and Urban Affairs.

EC-468. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC-469. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC-470. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-471. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans" (RIN1557-AD62) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-472. A communication from the Associate General Counsel for Legislation and Regulations, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Fair Housing Act's Discriminatory Effects Standard" (RIN2529-AA96) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-473. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle (AFV) program for fiscal year 2012; to the Committee on Energy and Natural Resources.

EC-474. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the status of all extensions granted by Congress regarding the requirements of Section 13 of the Federal Power Act; to the Committee on Energy and Natural Resources.

EC-475. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Independent Oversight Activities of the Department of Energy's Office of Health, Safety and Security for Fiscal Year 2012"; to the Committee on Energy and Natural Resources.

EC-476. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC-477. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report related to the Colorado River System Reservoirs for 2013; to the Committee on Energy and Natural Resources.

EC-478. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System, Sleeping Bear Dunes National Lakeshore, Bicycling" (RIN1024-AE11) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Energy and Natural Resources.

EC-479. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Regulatory Program" (Docket No. TX-065-FOR) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Energy and Natural Resources.

EC-480. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Alabama Regulatory Program" (Docket No. AL-077-FOR) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Energy and Natural Resources.

EC-481. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program; to the Committee on Environment and Public Works.

EC-482. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting, pursuant to law, the report of a rule entitled "Addition of South Sudan to the Restricted Destinations List" (RIN3150-AJ21) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Environment and Public Works.

EC-483. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Seismic Evaluation Guidance, Screening, Prioritization, and Implementation Details (SPID) for the Resolution of Fukushima Near-Term Task Force Recommendation 2.1: Seismic" received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-484. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene [Solstice 123zd(E)]" (FRL No. 9779-5) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC-485. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Alaska; Regional Haze State Implementation Plan" (FRL No. 9756-8) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC-486. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee: Revisions to Volatile Organic Compound Definition" (FRL No. 9780-8) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC-487. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protections for Subjects in Human Research Involving Pesticides" (FRL No. 9353-4) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC-488. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of a Group of Four Hydrofluoropolyethers (HFPEs)" (FRL No. 9779-3) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC-489. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Stay and Defer Sanctions, Sacramento Metropolitan Air Quality Management District" (FRL No. 9777-8) received in the Office of the President of the Senate on February 12, 2013; to the

the Committee on Environment and Public Works.

EC-490. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Hawaii; Update to Materials Incorporated by Reference" (FRL No. 9712-2) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC-491. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Kansas; Idle Reduction of Heavy-Duty Diesel Vehicles and Reduction of Nitrogen Oxides (NOx) Emissions for the Kansas City Ozone Maintenance Area" (FRL No. 9781-5) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC-492. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Knox County Supplement Motor Vehicle Emissions Budget Update" (FRL No. 9782-1) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC-493. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Restriction of Emission of Particulate Matter from Industrial Processes" (FRL No. 9781-7) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC-494. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method Request Submission Deadline for Petroleum and Natural Gas Systems Source Category" (FRL No. 9780-3) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC-495. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; PBR and PTIO" (FRL No. 9771-8) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC-496. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Findings of Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9784-6) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-497. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Deferral for CO₂ Emissions from Bioenergy and other Biogenic Sources Under the Prevention of Significant Deterioration Program" (FRL No. 9783-9) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-498. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision" (FRL No. 9783-7) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-499. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Revisions to the Knox County Portion of the Tennessee State Implementation Plan" (FRL No. 9785-5) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-500. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Prevention of Significant Deterioration" (FRL No. 9783-8) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-501. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Charlotte, Raleigh/Durham and Winston Salem Carbon Monoxide Limited Maintenance Plan" (FRL No. 9782-8) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-502. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for California" (FRL No. 9773-9) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC-503. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-005, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-504. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-004, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. Res. 59. An original resolution authorizing expenditures by the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE (for himself and Mr. TOOMEY):

S. 16. A bill to provide for a sequester replacement; placed on the calendar.

By Mr. VITTER (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. CHAMBLISS, Mr. COATS, Mr. COCHRAN, Mr. CORYN, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. RISCH, Mr. SHELBY, Mr. TOOMEY, Mr. WICKER, Mr. SESSIONS, Mr. LEE, and Mr. JOHANNES):

S. 17. A bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. AYOTTE (for herself, Mr. MCCAIN, Mr. GRAHAM, and Mr. INHOFE):

S. 18. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on Finance.

By Mr. CORYN (for himself, Mr. COBURN, Mr. ROBERTS, Mr. LEE, Mr. ENZI, Mr. BOOZMAN, Mr. FLAKE, Ms. MURKOWSKI, Mr. VITTER, Mr. INHOFE, Mr. BARRASSO, Mr. WICKER, Mr. HATCH, and Mrs. FISCHER):

S. 19. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Environment and Public Works.

By Mr. VITTER (for himself, Mr. CRAPO, Mr. MCCONNELL, Mr. PAUL, Mr. JOHANNES, Mr. BOOZMAN, Mr. FLAKE, Mr. COBURN, Mr. BLUNT, Mr. SHELBY, Mr. HELLER, Mr. TOOMEY, Mr. LEE, Mr. CHAMBLISS, Mr. CRUZ, Mr. ALEXANDER, Mr. INHOFE, Mr. CORYN, Mr. RISCH, and Mr. ISAKSON):

S. 20. A bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. MIKULSKI, Mr. BEGICH, and Ms. HIRONO):

S. 390. A bill to amend the Child Care and Development Block Grant Act of 1990 to authorize a national toll-free referral line and website, to develop and disseminate child care consumer education information for parents and to help parents access child care in their community, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 391. A bill to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 392. A bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself and Mr. CARPER):

S. 393. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Mr. GRAHAM, Mr. SCHUMER, and Mr. HOEVEN):

S. 394. A bill to prohibit and deter the theft of metal, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. VITTER, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MENENDEZ, Mr. MERKLEY, Mr. UDALL of Colorado, and Mr. WYDEN):

S. 395. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LAUTENBERG (for himself and Mr. WHITEHOUSE):

S. 396. A bill to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Ms. COLLINS, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 397. A bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Ms. MURKOWSKI, Ms. KLOBUCHAR, Ms. AYOTTE, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Ms. LANDRIEU, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 398. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S.J. Res. 8. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Internal Revenue Service of the Department of the Treasury relating to taxable medical devices; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. ROBERTS):

S. Res. 58. A resolution authorizing the reporting of committee funding resolutions for the period March 1, 2013 through September 30, 2013; considered and agreed to.

By Mr. BAUCUS:

S. Res. 59. An original resolution authorizing expenditures by the Committee on Finance; from the Committee on Finance; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. BROWN, and Mr. BLUMENTHAL):

S. Res. 60. A resolution supporting women's reproductive health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Ms. COLLINS):

S. Res. 61. A resolution designating March 1, 2013, as "Read Across America Day"; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 62. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. PAUL, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 15, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 146

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 172

At the request of Mr. MERKLEY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 172, a bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes.

S. 177

At the request of Mr. CRUZ, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

S. 186

At the request of Mr. SHELBY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 186, a bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

S. 210

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 296

At the request of Mr. LEAHY, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Rhode Island (Mr. REED) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 310

At the request of Mr. MORAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 310, a bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 346

At the request of Mr. HELLER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. VITTER, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MENENDEZ, Mr. MERKLEY, Mr. UDALL of Colorado, and Mr. WYDEN):

S. 395. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 395

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Puppy Uniform Protection and Safety Act".

SEC. 2. PROTECTION OF PUPPIES UNDER THE ANIMAL WELFARE ACT.

(a) HIGH VOLUME RETAIL BREEDER DEFINED.—Section 2 of the Animal Welfare Act (7 U.S.C. 2132) is amended—

(1) in subsection (l), by striking "research." and inserting "research";

(2) in subsection (n), by striking "section 13(b); and" and inserting "section 13(b);";

(3) in subsection (o), by striking "experimentation." and inserting "experimentation; and"; and

(4) by adding at the end the following:

"(p) HIGH VOLUME RETAIL BREEDER.—

"(1) DEFINITIONS.—In this subsection:

"(A) BREEDING FEMALE DOG.—The term 'breeding female dog' means an intact female dog aged 4 months or older.

"(B) HIGH VOLUME RETAIL BREEDER.—The term 'high volume retail breeder' means a person who, in commerce, for compensation or profit—

"(i) has an ownership interest in or custody of 1 or more breeding female dogs; and

"(ii) sells or offers for sale, via any means of conveyance (including the Internet, telephone, or newspaper), more than 50 of the offspring of such breeding female dogs for use as pets in any 1-year period.

"(2) RELATIONSHIP TO DEALERS.—

"(A) IN GENERAL.—For purposes of this Act, a high volume retail breeder shall be considered to be a dealer and subject to all provisions of this Act applicable to a dealer.

"(B) EXCEPTION.—The retail pet store exemption in subsection (f)(i) shall not apply to a high volume retail breeder."

(b) LICENSES.—Section 3 of the Animal Welfare Act (7 U.S.C. 2133) is amended—

(1) by striking "The Secretary" and inserting "(a) IN GENERAL.—The Secretary";

(2) in subsection (a) (as so designated), in the second proviso of the first sentence, by inserting "(other than a high volume retail breeder)" after "any retail pet store or other person"; and

(3) by adding at the end the following:

"(b) DEALERS.—A dealer (including a high volume retail breeder) applying for a license under subsection (a) (including annual renewals) shall include on the license application the total number of dogs exempted from exercise on the premises of the dealer in the preceding year by a licensed veterinarian under section 13(j)(2)."

(c) EXERCISE REQUIREMENTS.—Section 13 of the Animal Welfare Act (7 U.S.C. 2143) is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively;

(2) by redesignating the second subsection (f) (as redesignated by section 1752(a)(1) of Public Law 99-198 (99 Stat. 1645)) as subsection (g); and

(3) by adding at the end the following:

"(j) EXERCISE REQUIREMENTS.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall promulgate standards covering dealers that include requirements for the exercise of dogs at facilities owned or operated by a dealer, including exercise regulations that ensure that—

"(A) each dog that is at least 12 weeks old (other than a female dog with unweaned puppies) has daily access to exercise that—

"(i) allows the dog—

"(I) to move sufficiently to develop or maintain normal muscle tone and mass as appropriate for the age, breed, sex, and reproductive status of the dog; and

"(II) the ability to achieve a running stride; and

"(ii) is not a forced activity (other than a forced activity used for veterinary treatment) or other physical activity that is repetitive, restrictive of other activities, solitary, and goal-oriented;

"(B) the provided area for exercise—

"(i) is separate from the primary enclosure if the primary enclosure does not provide sufficient space to achieve a running stride;

"(ii) has flooring that—

"(I) is sufficient to allow for the type of activity described in subparagraph (A); and

"(II)(aa) is solid flooring; or

"(bb) is nonsolid, nonwire flooring, if the nonsolid, nonwire flooring—

"(AA) is safe for the breed, size, and age of the dog;

"(BB) is free from protruding sharp edges; and

"(CC) is designed so that the paw of the dog is unable to extend through or become caught in the flooring;

"(iii) is cleaned at least once each day;

"(iv) is free of infestation by pests or vermin; and

"(v) is designed in a manner to prevent escape of the dogs.

"(2) EXEMPTION.—

"(A) IN GENERAL.—If a licensed veterinarian determines that a dog should not ex-

ercise because of the health, condition, or well-being of the dog, this subsection shall not apply to that dog.

"(B) DOCUMENTATION.—A determination described in subparagraph (A) shall be—

"(i) documented by the veterinarian;

"(ii) subject to review and approval by the Secretary; and

"(iii) unless the basis for the determination is a permanent condition, reviewed and updated at least once every 30 days by the veterinarian.

"(C) REPORTS.—A determination described in subparagraph (A) shall be maintained by the dealer."

SEC. 3. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall promulgate any regulations that the Secretary determines to be necessary to implement this Act and the amendments made by this Act.

SEC. 4. EFFECT ON STATE LAW.

Nothing in this Act or the amendments made by this Act preempt any law (including a regulation) of a State, or a political subdivision of a State, containing requirements that provide equivalent or greater protection for animals than the requirements of this Act or the amendments made by this Act.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Ms. MURKOWSKI, Ms. KLOBUCHAR, Ms. AYOTTE, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Ms. LANDRIEU, Mr. BOXER, and Mrs. FEINSTEIN):

S. 398. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, I rise to introduce the National Women's History Museum Commission Act of 2013, a bill that would create a commission to evaluate and plan the establishment of a museum dedicated to women's history in our Nation's capital city. I appreciate the co-sponsorship of Senators MIKULSKI, MURKOWSKI, KLOBUCHAR, AYOTTE, STABENOW, SHAHEEN, MURRAY, LANDRIEU, BOXER, and FEINSTEIN.

American women have made invaluable contributions to our country in such diverse fields as government, business, medicine, law, literature, sports, entertainment, the arts, and the military. The need for a museum recognizing the contributions of American women is long overdue.

In 1999, a Presidential commission on commemorating women in American history concluded that: "Efforts to implement an appropriate celebration of women's history in the next millennium should include the designation of a focal point for women's history in our Nation's Capital."

Although Congress has made commendable provisions for the National Museum for African American History and Culture, the National Law Enforcement Museum, and the National Museum of the American Indian, there is

still no institution in the capital region dedicated to women's role in our country's history.

This National Women's History Museum Commission Act would be a good step toward rectifying this oversight. The legislation is very straightforward and would simply establish a commission, similar to what was done for the African American History and Culture Museum, to develop a feasible plan for the establishment of such a museum in here in Washington, D.C. However, unlike previous museum commissions, taxpayers will not shoulder the funding of this project. The proposed legislation calls for the commission to fund its own costs.

A museum dedicated to women's history would help ensure that future generations understand what we owe to the many generations of American women who have helped build, sustain, and advance our society. These key moments in history deserve a museum, which would present the stories of pioneering women like abolitionist Harriet Tubman, founder of the Girl Scouts Juliette Gordon Low, Supreme Court Justice Sandra Day O'Connor, astronaut Sally Ride, and Maine Senator Margaret Chase Smith.

Of special pride to the State of Maine is a legendary predecessor in the Senate seat I now hold: Margaret Chase Smith who was the first woman nominated for President of the United States by a major political party, and the first woman elected to both houses of Congress. Senator Smith began representing Maine in the U.S. House of Representatives in 1940, won election to the Senate in 1948, and enjoyed bipartisan respect over her long career for her independence, integrity, wisdom, and courage. She remains my role model and, through the example of her public service, an exemplar of the virtues that would be honored in the National Women's History Museum.

Again, I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 398

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Women's History Museum Commission Act of 2013".

SEC. 2. DEFINITIONS.

In this Act:

(1) **COMMISSION.**—The term "Commission" means the Commission to Study the Potential Creation of a National Women's History Museum established by section 3(a).

(2) **MUSEUM.**—The term "Museum" means the National Women's History Museum.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) **IN GENERAL.**—There is established the Commission to Study the Potential Creation of a National Women's History Museum.

(b) **MEMBERSHIP.**—The Commission shall be composed of 8 members, of whom—

(1) 2 members shall be appointed by the majority leader of the Senate;

(2) 2 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(c) **QUALIFICATIONS.**—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(1)(A) a demonstrated commitment to the research, study, or promotion of women's history, art, political or economic status, or culture; and

(B)(i) expertise in museum administration;

(ii) expertise in fundraising for nonprofit or cultural institutions;

(iii) experience in the study and teaching of women's history at the post-secondary level;

(iv) experience in studying the issue of the representation of women in art, life, history, and culture at the Smithsonian Institution; or

(v) extensive experience in public or elected service;

(2) experience in the administration of, or the planning for, the establishment of, museums; or

(3) experience in the planning, design, or construction of museum facilities.

(d) **PROHIBITION.**—No employee of the Federal Government may serve as a member of the Commission.

(e) **DEADLINE FOR INITIAL APPOINTMENT.**—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this Act.

(f) **VACANCIES.**—A vacancy in the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the same manner as the original appointment was made.

(g) **CHAIRPERSON.**—The Commission shall, by majority vote of all of the members, select 1 member of the Commission to serve as the Chairperson of the Commission.

SEC. 4. DUTIES OF THE COMMISSION.

(a) **REPORTS.**—

(1) **PLAN OF ACTION.**—The Commission shall submit to the President and Congress a report containing the recommendations of the Commission with respect to a plan of action for the establishment and maintenance of a National Women's History Museum in Washington, DC.

(2) **REPORT ON ISSUES.**—The Commission shall submit to the President and Congress a report that addresses the following issues:

(A) The availability and cost of collections to be acquired and housed in the Museum.

(B) The impact of the Museum on regional women history-related museums.

(C) Potential locations for the Museum in Washington, DC, and its environs (including the location located on public land bounded by Independence Avenue SW., 14th Street SW., 15th Street SW., and Jefferson Drive SW., in Washington, DC, that is established subject to chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act")).

(D) Whether the Museum should be part of the Smithsonian Institution.

(E) The governance and organizational structure from which the Museum should operate.

(F) Best practices for engaging women in the development and design of the Museum.

(G) The cost of constructing, operating, and maintaining the Museum.

(3) **DEADLINE.**—The reports required under paragraphs (1) and (2) shall be submitted not later than the date that is 18 months after the date of the first meeting of the Commission.

(b) **FUNDRAISING PLAN.**—

(1) **IN GENERAL.**—The Commission shall develop a fundraising plan to support the establishment and maintenance of the Museum through contributions from the public.

(2) **CONSIDERATIONS.**—In developing the fundraising plan under paragraph (1), the Commission shall consider—

(A) the role of the National Women's History Museum (a nonprofit, educational organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that was incorporated in 1996 in Washington, DC, and dedicated for the purpose of establishing a women's history museum) in raising funds for the construction of the Museum; and

(B) issues relating to funding the operations and maintenance of the Museum in perpetuity.

(c) **LEGISLATION TO CARRY OUT PLAN OF ACTION.**—Based on the recommendations contained in the report submitted under paragraphs (1) and (2) of subsection (a), the Commission shall submit for consideration to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees on Rules and Administration, Energy and Natural Resources, Environment and Public Works, and Appropriations of the Senate recommendations for a legislative plan of action to establish and construct the Museum.

(d) **NATIONAL CONFERENCE.**—Not later than 18 months after the date on which the initial members of the Commission are appointed under section 3, the Commission may, in carrying out the duties of the Commission under this section, convene a national conference relating to the Museum, to be comprised of individuals committed to the advancement of the life, art, history, and culture of women.

SEC. 5. DIRECTOR AND STAFF OF COMMISSION.

(a) **DIRECTOR AND STAFF.**—

(1) **IN GENERAL.**—The Commission may employ and compensate an executive director and any other additional personnel that are necessary to enable the Commission to perform the duties of the Commission.

(2) **RATES OF PAY.**—Rates of pay for persons employed under paragraph (1) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.

(b) **NOT FEDERAL EMPLOYMENT.**—Any individual employed under this Act shall not be considered a Federal employee for the purpose of any law governing Federal employment.

(c) **TECHNICAL ASSISTANCE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), on request of the Commission, the head of a Federal agency may provide technical assistance to the Commission.

(2) **PROHIBITION.**—No Federal employees may be detailed to the Commission.

SEC. 6. ADMINISTRATIVE PROVISIONS.

(a) **COMPENSATION.**—

(1) **IN GENERAL.**—A member of the Commission—

(A) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(B) shall serve without pay.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed a per diem allowance for travel expenses, at rates consistent with the rates authorized under subchapter I of chapter 57 of title 5, United States Code.

(b) GIFTS, BEQUESTS, DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission.

(c) FEDERAL ADVISORY COMMITTEE ACT.—The Commission shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 7. TERMINATION.

The Commission shall terminate on the date that is 30 days after the date on which the final versions of the reports required under section 4(a) are submitted.

SEC. 8. FUNDING.

(a) IN GENERAL.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.

(b) PROHIBITION.—No Federal funds may be obligated to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 58—AUTHORIZING THE REPORTING OF COMMITTEE FUNDING RESOLUTIONS FOR THE PERIOD MARCH 1, 2013 THROUGH SEPTEMBER 30, 2013

Mr. SCHUMER (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 58

Resolved, That notwithstanding paragraph 9 of rule XXVI of the Standing Rules of the Senate—

(1) not later than February 26, 2013, each committee shall report 1 resolution authorizing the committee to make expenditures out of the contingent fund of the Senate to defray its expenses, including the compensation of members of its staff, for the period March 1, 2013 through September 30, 2013; and

(2) the Committee on Rules and Administration may report 1 authorization resolution containing more than 1 committee authorization resolution for the period March 1, 2013 through September 30, 2013.

SENATE RESOLUTION 59—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. BAUCUS submitted the following resolution; which was referred from the Committee on Finance; to the Committee on Rules and Administration:

S. RES. 59

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ

personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed \$4,693,751, of which amount (1) not to exceed \$17,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

SENATE RESOLUTION 60—SUPPORTING WOMEN'S REPRODUCTIVE HEALTH

Mrs. BOXER (for herself, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. BROWN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 60

Whereas access to comprehensive reproductive health care is critical to improving the health and well-being of women and their families;

Whereas access to affordable contraceptives and medically accurate information prevents unintended pregnancies, thereby improving the health of women, children, families, and society as a whole;

Whereas title X of the Public Health Service Act (42 U.S.C. 300 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) cover health care and family planning services for millions of women and men who do not have other insurance coverage, with the Medicaid program alone covering 71 percent of publicly-funded family planning services and more than 40 percent of all births in the United States;

Whereas women need access to comprehensive, affordable insurance that covers family planning services, prenatal and postnatal care, miscarriage management, labor and delivery services, and abortion; and

Whereas the lack of adequate prenatal care increases the risks of infant and maternal mortality and preterm birth, which cost our health care system approximately \$26,000,000,000 annually: Now, therefore, be it

Resolved, That the Senate supports efforts to—

(1) ensure that women have access to contraception, other preventive services, and medically accurate information necessary to make health care decisions;

(2) ensure that the millions of women who rely on title X of the Public Health Service Act (42 U.S.C. 300 et seq.), the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and non-profit providers like Planned Parenthood continue to get cancer screenings, birth control, and other essential health care services;

(3) ensure that women have access to affordable insurance coverage for all pregnancy-related health care needs; and

(4) reduce health disparities between men and women and among women of different races, ethnicities, and sexual orientations.

SENATE RESOLUTION 61—DESIGNATING MARCH 1, 2013, AS “READ ACROSS AMERICA DAY”

Mr. REED (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 61

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and on providing additional resources for reading assistance, including through the programs authorized by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 1, the day before the anniversary of the birth of Theodor Geisel (also known as Dr. Seuss), as a day to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 1, 2013, as “Read Across America Day”;

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) honors the 16th anniversary of “Read Across America Day”;

(4) encourages parents to read with their children for at least 30 minutes on “Read Across America Day” in honor of the commitment of the Senate to building a country of readers; and

(5) encourages the people of the United States to observe “Read Across America Day” with appropriate ceremonies and activities.

SENATE RESOLUTION 62—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 62

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted an investigation into offshore profit shifting and the United States tax code;

Whereas, the Subcommittee has received a request from a federal law enforcement agency for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's investigation into offshore profit shifting and the United States tax code.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on February 27, 2013, at 2:30 p.m. in room of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 27, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "The Power of Transparency: Giving Consumers the Information They Need to Make Smart Choices in the Health Insurance Market."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Animal Drug User Fee Agreements: Advancing Animal Health for the Public Health" on February 27, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 27, 2013, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Hearing on the Assault Weapons Ban of 2013."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 27, 2013, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 27, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on February 27, 2013, in room 106 of the Dirksen Senate Office Building beginning at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be granted the privilege of the floor for the remainder of the 2013 calendar year: Melanie Rainer, Erik Hansen, Swarna Vallurupalli, Anderson Heiman, Tyler Evilsizer, Aaron Tjoa, Elizabeth Karan, and Peter Sokolove.

The PRESIDING OFFICER. Without objection, it is so ordered.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 14, H.R. 307.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the "Pandemic and All-Hazards Preparedness Reauthorization Act of 2013".

(b) *TABLE OF CONTENTS*.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.

Sec. 102. Assistant Secretary for Preparedness and Response.

Sec. 103. National Advisory Committee on Children and Disasters.

Sec. 104. Modernization of the National Disaster Medical System.

Sec. 105. Continuing the role of the Department of Veterans Affairs.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 201. Temporary reassignment of State and local personnel during a public health emergency.

Sec. 202. Improving State and local public health security.

Sec. 203. Hospital preparedness and medical surge capacity.

Sec. 204. Enhancing situational awareness and biosurveillance.

Sec. 205. Eliminating duplicative Project BioShield reports.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.

Sec. 302. Authorization for medical products for use in emergencies.

Sec. 303. Definitions.

Sec. 304. Enhancing medical countermeasure activities.

Sec. 305. Regulatory management plans.

Sec. 306. Report.

Sec. 307. Pediatric medical countermeasures.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 401. BioShield.

Sec. 402. Biomedical Advanced Research and Development Authority.

Sec. 403. Strategic National Stockpile.

Sec. 404. National Biodefense Science Board.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

(a) *IN GENERAL*.—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh-1) is amended—

(1) in subsection (a)(1), by striking “2009” and inserting “2014”; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “, including drills and exercises to ensure medical surge capacity for events without notice” after “exercises”; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “facilities), and trauma care” and inserting “and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,”; and

(II) by inserting “(including related availability, accessibility, and coordination)” after “public health emergencies”;

(ii) in subparagraph (A), by inserting “and trauma” after “medical”;

(iii) in subparagraph (B), by striking “Medical evacuation and fatality management” and inserting “Fatality management”;

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following new subparagraph:

“(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.”;

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting “(which may include such dental health assets)” after “medical assets”; and

(vii) by adding at the end the following:

“(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.”;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting “, including the unique needs and considerations of individuals with disabilities,” after “medical needs of at-risk individuals”; and

(ii) in subparagraph (B), by inserting “the” before “purpose of this section”; and

(D) by adding at the end the following:

“(7) COUNTERMEASURES.—

“(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological, or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

“(B) For purposes of this paragraph, the term ‘countermeasures’ has the same meaning as the terms ‘qualified countermeasures’ under section 319F-1, ‘qualified pandemic and epidemic products’ under section 319F-3, and ‘security countermeasures’ under section 319F-2.

“(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability of States, local communities, and tribal communities to prepare for, respond to, and be resilient in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

“(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

“(B) promoting familiarity with local medical and public health systems.”.

(b) AT-RISK INDIVIDUALS.—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh-16) is amended—

(1) by striking paragraphs (5), (7), and (8);

(2) in paragraph (4), by striking “2811(b)(3)(B)” and inserting “2802(b)(4)(B)”;

(3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated), the following:

“(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;”;

(5) by amending paragraph (2) (as so redesignated) to read as follows:

“(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);”;

(6) by inserting after paragraph (6), the following:

“(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

“(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.”.

SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

(a) IN GENERAL.—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh-10) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by inserting “, security countermeasures (as defined in section 319F-2),” after “qualified countermeasures (as defined in section 319F-1)”;

(B) in paragraph (4), by adding at the end the following:

“(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

“(E) IDENTIFICATION OF INEFFICIENCIES.—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

“(F) COORDINATION OF GRANTS AND AGREEMENTS.—Align and coordinate medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

“(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and

“(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

“(G) DRILL AND OPERATIONAL EXERCISES.—Carry out drills and operational exercises, in consultation with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

“(i) identified threats for which countermeasures are available and for which no countermeasures are available; and

“(ii) unknown threats for which no countermeasures are available.

“(H) NATIONAL SECURITY PRIORITY.—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures.”; and

(C) by adding at the end the following:

“(7) COUNTERMEASURES BUDGET PLAN.—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasure priorities described in subsection (d). Each such plan shall—

“(A) include consideration of the entire medical countermeasures enterprise, including—

“(i) basic research and advanced research and development;

“(ii) approval, clearance, licensure, and authorized uses of products; and

“(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

“(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

“(C) identify medical countermeasure life-cycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasures enterprise consistent with section 319F-2; and

“(D) be made available to the appropriate committees of Congress upon request.”;

(2) by striking subsection (c) and inserting the following:

“(c) FUNCTIONS.—The Assistant Secretary for Preparedness and Response shall—

“(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

“(2) have authority over and responsibility for—

“(A) the National Disaster Medical System pursuant to section 2812;

“(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C-2;

“(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L;

“(D) the Medical Reserve Corps pursuant to section 2813;

“(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

“(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary;

“(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

“(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C-1;

“(B) the Strategic National Stockpile pursuant to section 319F-2; and

“(C) the Cities Readiness Initiative; and

“(4) assume other duties as determined appropriate by the Secretary.”; and

(3) by adding at the end the following:

“(d) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees

of Congress a coordinated strategy and accompanying implementation plan for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the 'Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan'.

"(2) REQUIREMENTS.—The plan under paragraph (1) shall—

"(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), or qualified pandemic or epidemic products (as defined in section 319F-3) for each threat;

"(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization;

"(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats;

"(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

"(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

"(ii) an identification of projected timelines, anticipated funding allocations, benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile;

"(E) be informed by the recommendations of the National BioDefense Science Board pursuant to section 319M;

"(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii);

"(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F-2(h) and the impact this funding will have on meeting the requirements under section 319F-2;

"(H) incorporate input from Federal, State, local, and tribal stakeholders;

"(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

"(i) a list of such countermeasures and products necessary to address the needs of pediatric populations;

"(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations;

"(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

"(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C);

"(J) identify the use of authority and activities undertaken pursuant to sections 319F-1(b)(1), 319F-1(b)(2), 319F-1(b)(3), 319F-1(c), 319F-1(d), 319F-1(e), 319F-2(c)(7)(C)(iii), 319F-2(c)(7)(C)(iv), and 319F-2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

"(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used;

"(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities;

"(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity;

"(iv) whether, with respect to each procurement that is approved by the President under section 319F-2(c)(6), a contract was entered into within one year after such approval by the President; and

"(v) with respect to section 319F-1(d), for the one-year period for which the report is submitted, the number of persons who were paid amounts totaling \$100,000 or greater and the number of persons who were paid amounts totaling at least \$50,000 but less than \$100,000; and

"(K) be made publicly available.

"(3) GAO REPORT.—

"(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the first Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

"(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

"(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C);

"(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

"(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

"(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed."

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh-10) (as added by subsection (a)(3)), the Secretary of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Depart-

ment of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

"SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

"(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the 'National Advisory Committee on Children and Disasters' (referred to in this section as the 'Advisory Committee').

"(b) DUTIES.—The Advisory Committee shall—

"(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

"(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

"(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

"(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

"(d) MEMBERSHIP.—

"(1) IN GENERAL.—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

"(2) REQUIRED MEMBERS.—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

"(A) the Assistant Secretary for Preparedness and Response;

"(B) the Director of the Biomedical Advanced Research and Development Authority;

"(C) the Director of the Centers for Disease Control and Prevention;

"(D) the Commissioner of Food and Drugs;

"(E) the Director of the National Institutes of Health;

"(F) the Assistant Secretary of the Administration for Children and Families;

"(G) the Administrator of the Federal Emergency Management Agency;

"(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

"(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

“(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

“(e) MEETINGS.—The Advisory Committee shall meet not less than biannually.

“(f) SUNSET.—The Advisory Committee shall terminate on September 30, 2018.”.

SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh-11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting “, including at-risk individuals as applicable” after “victims of a public health emergency”;

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B), the following:

“(C) CONSIDERATIONS FOR AT-RISK POPULATIONS.—The Secretary shall take steps to ensure that an appropriate specialized and focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.”.

“(D) ADMINISTRATION.—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement.”; and

(2) in subsection (g), by striking “such sums as may be necessary for each of the fiscal years 2007 through 2011” and inserting “\$52,700,000 for each of fiscal years 2014 through 2018”.

SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking “such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011” and inserting “\$155,300,000 for each of fiscal years 2014 through 2018 to carry out this section”.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

SEC. 201. TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

“(e) TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

“(1) EMERGENCY REASSIGNMENT OF FEDERALLY FUNDED PERSONNEL.—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or a tribal organization or such Governor or tribal organization’s designee, the Secretary may authorize the requesting State or Indian tribe to temporarily reassign, for purposes of immediately addressing a public health emergency in the State or Indian tribe, State and local public health department or agency personnel funded in whole or in part through programs authorized under this Act, as appropriate.

“(2) ACTIVATION OF EMERGENCY REASSIGNMENT.—

“(A) PUBLIC HEALTH EMERGENCY.—The Secretary may authorize a temporary reassignment of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

“(B) CONTENTS OF REQUEST.—To seek authority for a temporary reassignment of personnel under paragraph (1), the Governor of a State or a tribal organization shall submit to the Sec-

retary a request for such reassignment flexibility and shall include in the request each of the following:

“(i) An assurance that the public health emergency in the geographic area of the requesting State or Indian tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

“(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary reassignment of State and local personnel described in paragraph (1).

“(iii) An assurance that the requested temporary reassignment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C-1.

“(iv) An identification of—

“(I) each Federal program from which personnel would be temporarily reassigned pursuant to the requested authority; and

“(II) the number of personnel who would be so reassigned from each such program.

“(v) Such other information and assurances upon which the Secretary and Governor of a State or tribal organization agree.

“(C) CONSIDERATION.—In reviewing a request for temporary reassignment under paragraph (1), the Secretary shall consider the degree to which the program or programs funded in whole or in part by programs authorized under this Act would be adversely affected by the reassignment.

“(D) TERMINATION AND EXTENSION.—

“(i) TERMINATION.—A State or Indian tribe’s temporary reassignment of personnel under paragraph (1) shall terminate upon the earlier of the following:

“(I) The Secretary’s determination that the public health emergency no longer exists.

“(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or Indian tribe’s request for such reassignment flexibility.

“(ii) EXTENSION OF REASSIGNMENT FLEXIBILITY.—The Secretary may extend reassignment flexibility of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(I) if the public health emergency still exists as of such date, but only if—

“(I) the State or Indian tribe that submitted the initial request for a temporary reassignment of personnel submits a request for an extension of such temporary reassignment; and

“(II) the request for an extension contains the same information and assurances necessary for the approval of an initial request for such temporary reassignment pursuant to subparagraph (B).

“(3) VOLUNTARY NATURE OF TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL.—

“(A) IN GENERAL.—Unless otherwise provided under the law or regulation of the State or Indian tribe that receives authorization for temporary reassignment of personnel under paragraph (1), personnel eligible for reassignment pursuant to such authorization—

“(i) shall have the opportunity to volunteer for temporary reassignment; and

“(ii) shall not be required to agree to a temporary reassignment.

“(B) PROHIBITION ON CONDITIONING FEDERAL AWARDS.—The Secretary may not condition the award of a grant, contract, or cooperative agreement under this Act on the requirement that a State or Indian tribe require that personnel eligible for reassignment pursuant to an authorization under paragraph (1) agree to such reassignment.

“(4) NOTICE TO CONGRESS.—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

“(A) any initial request for temporary reassignment of personnel; and

“(B) any request for an extension of such temporary reassignment.

“(5) GUIDANCE.—The Secretary shall—

“(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary reassignment of personnel under this subsection; and

“(B) after providing notice and a 60-day period for public comment, finalize such guidance.

“(6) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on temporary reassignment under this subsection, including—

“(A) a description of how, and under what circumstances, such temporary reassignment has been used by States and Indian tribes;

“(B) an analysis of how such temporary reassignment has assisted States and Indian tribes in responding to public health emergencies;

“(C) an evaluation of how such temporary reassignment has improved operational efficiencies in responding to public health emergencies;

“(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily reassigned have been adversely affected by the reassignment; and

“(E) recommendations on how medical surge capacity could be improved in responding to public health emergencies and the impact of the reassignment flexibility under this section on such surge capacity.

“(7) DEFINITIONS.—In this subsection—

“(A) the terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act; and

“(B) the term ‘State’ includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

“(8) SUNSET.—This subsection shall terminate on September 30, 2018.”.

SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a) is amended—

(1) in subsection (b)(1)(C), by striking “consortium of entities described in subparagraph (A)” and inserting “consortium of States”;

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

“(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether naturally occurring, unintentional, or deliberate;

“(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g);”;

(ii) in clause (iv), by striking “and” at the end; and

(iii) by adding at the end the following:

“(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

“(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child

care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

“(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and response activities related to emerging diseases and infectious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

“(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers;” and

(B) in subparagraph (C), by inserting “, including addressing the needs of at-risk individuals,” after “capabilities of such entity”;

(3) in subsection (f)—

(A) in paragraph (2), by adding “and” at the end;

(B) in paragraph (3), by striking “; and” and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

“(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and”;

(B) in paragraph (2)(A), by adding at the end the following: “The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).”;

(5) by striking subsection (h);

(6) by redesignating subsections (i), (j), and (k) as subsections (h), (i), and (j), respectively;

(7) in subsection (h), as so redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “\$824,000,000 for fiscal year 2007, of which \$35,000,000 shall be used to carry out subsection (h),” and inserting “\$641,900,000 for fiscal year 2014”; and

(II) by striking “such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$641,900,000 for each of fiscal years 2015 through 2018”;

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(B) in subparagraphs (C) and (D) of paragraph (3), by striking “(1)(A)(i)(I)” each place it appears and inserting “(1)(A)”;

(C) in paragraph (4)(B), by striking “subsection (c)” and inserting “subsection (b)”;

and (D) by adding at the end the following:

“(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achiev-

ing the benchmarks and submitting the pandemic influenza plan as described in subsection (g).”;

and

(8) in subsection (i), as so redesignated—

(A) in paragraph (1)(E), by striking “subsection (k)” and inserting “subsection (j)”;

(B) by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d-1(e)) is amended by striking “such sums for each of fiscal years 2007 through 2011” and inserting “\$30,800,000 for each of fiscal years 2014 through 2018”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 319C-1(b)(1)(B) of the Public Health Service Act (42 U.S.C. 247d-3a(b)(1)(B)) is amended by striking “subsection (i)(4)” and inserting “subsection (h)(4)”.

(2) Section 319C-2 of the Public Health Service Act (42 U.S.C. 247d-3b) is amended—

(A) in subsection (i), by striking “(j), and (k)” and inserting “(i), and (j)”;

(B) in subsection (j)(3), by striking “319C-1(i)” and inserting “319C-1(h)”.

SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d-6(a)(5)(B)) is amended by striking “public health or medical” and inserting “public health, medical, or dental”.

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d-7b(k)) is amended by striking “\$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011” and inserting “\$5,000,000 for each of fiscal years 2014 through 2018”.

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh-15) is amended—

(A) in subsection (d)(2), by adding at the end the following: “Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency.”; and

(B) in subsection (i), by striking “\$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$11,200,000 for each of fiscal years 2014 through 2018”.

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C-2 of the Public Health Service Act (42 U.S.C. 247d-3b) is amended—

(1) in subsection (a), by inserting “, including, as appropriate, capacity and preparedness to address the needs of children and other at-risk individuals” before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking “centers, primary” and inserting “centers, community health centers, primary”;

(3) by striking subsection (c) and inserting the following:

“(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.”;

(4) by striking subsection (g) and inserting the following:

“(g) COORDINATION.—

“(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with ac-

tivities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

“(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).”;

(5) in subsection (i)—

(A) by striking “The requirements of” and inserting the following:

“(1) IN GENERAL.—The requirements of”;

(B) by adding at the end the following:

“(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802.”; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated \$374,700,000 for each of fiscal years 2014 through 2018.”; and

(B) by adding at the end the following:

“(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).”.

SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

(a) IN GENERAL.—Section 319D of the Public Health Service Act (42 U.S.C. 247d-4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting “poison control centers,” after “hospitals,”;

(B) in paragraph (2), by inserting before the period at the end the following: “, allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort”; and

(C) in paragraph (3), by inserting before the period at the end the following: “and update such standards as necessary”;

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively;

(4) in subsection (c), as so redesignated—

(A) in the subsection heading, by striking “PUBLIC HEALTH SITUATIONAL AWARENESS” and inserting “MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE”;

(B) in paragraph (1)—

(i) by striking “Pandemic and All-Hazards Preparedness Act” and inserting “Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”; and

(ii) by inserting “, novel emerging threats,” after “disease outbreaks”;

(C) by striking paragraph (2) and inserting the following:

“(2) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to—

“(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

“(B) modernize and enhance biosurveillance activities; and

“(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.”;

(D) in paragraph (3)(D), by inserting “community health centers, health centers” after “poison control.”;

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

“(A) utilize applicable interoperability standards as determined by the Secretary, and in consultation with the Office of the National Coordinator for Health Information Technology, through a joint public and private sector process.”; and

(F) by adding at the end the following:

“(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying with the preceding sentence, the National Biodefense Science Board shall—

“(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

“(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

“(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities.”;

(5) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking “subsection (d)” and inserting “subsection (c)”;

(B) in paragraph (4)(B), by striking “subsection (d)” and inserting “subsection (c)”;

(C) in paragraph (5)—

(i) by striking “4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act” and inserting “3 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”; and

(ii) by striking “subsection (d)” and inserting “subsection (c)”;

(6) in subsection (f), as so redesignated, by striking “such sums as may be necessary in each of fiscal years 2007 through 2011” and inserting “\$138,300,000 for each of fiscal years 2014 through 2018”; and

(7) by adding at the end the following:

“(g) DEFINITION.—For purposes of this section the term ‘biosurveillance’ means the process of gathering near real-time biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 319C-1(b)(2)(D) of the Public Health Service Act (42 U.S.C. 247d-3a(b)(2)(D)) is amended by striking “section 319D(d)(3)” and inserting “section 319D(c)(3)”.

SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d-6c) is repealed.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B)) is amended by striking “size of clinical trials intended” and all that follows through “The sponsor or applicant” and inserting the following: “size—

“(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

“(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

“(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies.

The sponsor or applicant”.

SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.

(a) IN GENERAL.—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “sections 505, 510(k), and 515 of this Act” and inserting “any provision of this Act”;

(B) in paragraph (2)(A), by striking “under a provision of law referred to in such paragraph” and inserting “under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act”;

(C) in paragraph (3), by striking “a provision of law referred to in such paragraph” and inserting “a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “EMERGENCY” and inserting “EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may declare an emergency” and inserting “may make a declaration that the circumstances exist”;

(ii) in subparagraph (A), by striking “specified”;

(iii) in subparagraph (B)—

(I) by striking “specified”; and

(II) by striking “; or” and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

“(C) a determination by the Secretary that there is a public health emergency, or a signifi-

cant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or”;

(v) by adding at the end the following:

“(D) the identification of a material threat pursuant to section 319F-2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.”;

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

“(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.”;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking “advance notice of termination, and renewal under this subsection.” and inserting “, and advance notice of termination under this subsection.”; and

(E) by adding at the end the following:

“(5) EXPLANATION BY SECRETARY.—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “the Assistant Secretary for Preparedness and Response,” after “consultation with”;

(ii) by striking “Health and” and inserting “Health, and”;

(iii) by striking “circumstances of the emergency involved” and inserting “applicable circumstances described in subsection (b)(1)”;

(B) in paragraph (1), by striking “specified” and inserting “referred to”; and

(C) in paragraph (2)(B), by inserting “, taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable” after “risks of the product”;

(4) in subsection (d)(3), by inserting “, to the extent practicable given the circumstances of the emergency,” after “including”;

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking “circumstances of the emergency” and inserting “applicable circumstances described in subsection (b)(1)”;

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

“(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.”;

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “manufacturer of the product” and inserting “person”;

(II) by striking “circumstances of the emergency” and inserting “applicable circumstances described in subsection (b)(1)”;

(III) by inserting at the end before the period “or in paragraph (1)(B)”;

(ii) in subparagraph (B)(i), by inserting before the period at the end “, except as provided in

section 564A with respect to authorized changes to the product expiration date"; and

(iii) by amending subparagraph (C) to read as follows:

"(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose conditions that would restrict distribution or administration of the product when distributed or administered for the approved use."; and

(D) by amending paragraph (3) to read as follows:

"(3) **GOOD MANUFACTURING PRACTICE; PRESCRIPTION.**—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)—

"(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

"(B) requirements established under section 503(b); and

"(C) requirements established under section 520(e).";

(6) in subsection (g)—

(A) in the subsection heading, by inserting "REVIEW AND" before "REVOCATION";

(B) in paragraph (1), by inserting after the period at the end the following: "As part of such review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

"(A) an unapproved product for which an authorization was issued under this section; or

"(B) an unapproved use of an approved product for which an authorization was issued under this section."; and

(C) by amending paragraph (2) to read as follows:

"(2) **REVISION AND REVOCATION.**—The Secretary may revise or revoke an authorization under this section if—

"(A) the circumstances described under subsection (b)(1) no longer exist;

"(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

"(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.";

(7) in subsection (h)(1), by adding after the period at the end the following: "The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.";

(8) by adding at the end of subsection (j) the following:

"(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued."; and

(9) by adding at the end the following:

"(m) **CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.**—

"(1) **IN GENERAL.**—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures

(including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

"(A) such categorization would be beneficial to protecting the public health; and

"(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

"(2) **CONDITIONS OF DETERMINATION.**—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

"(3) **EFFECTIVE PERIOD.**—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b)."

(b) **EMERGENCY USE OF MEDICAL PRODUCTS.**—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

"SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.

"(a) **DEFINITIONS.**—In this section:

"(1) **ELIGIBLE PRODUCT.**—The term 'eligible product' means a product that—

"(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

"(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

"(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

"(C) is intended for use during the circumstances under which—

"(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

"(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.

"(2) **PRODUCT.**—The term 'product' means a drug, device, or biological product.

"(b) **EXPIRATION DATING.**—

"(1) **IN GENERAL.**—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

"(A) the expiration date extension is intended to support the United States ability to protect—

"(i) the public health; or

"(ii) military preparedness and effectiveness; and

"(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

"(2) **REQUIREMENTS AND CONDITIONS.**—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

"(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized;

"(B) the duration of the extension; and

"(C) any other requirements or conditions as the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, recordkeeping, periodic testing or retesting, or product disposition.

"(3) **EFFECT.**—Notwithstanding any other provision of this Act or the Public Health Service

Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

"(4) **EXPIRATION DATE.**—For purposes of this subsection, the term 'expiration date' means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

"(c) **CURRENT GOOD MANUFACTURING PRACTICE.**—

"(1) **IN GENERAL.**—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

"(2) **EFFECT.**—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

"(d) **EMERGENCY DISPENSING.**—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

"(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

"(2) such dispensing without an individual prescription occurs—

"(A) as permitted under the law of the State in which the product is dispensed; or

"(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

"(e) **EMERGENCY USE INSTRUCTIONS.**—

"(1) **IN GENERAL.**—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product's approved, licensed, or cleared conditions of use.

"(2) **EFFECT.**—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

"(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

"(B) by a government entity (including a Federal, State, local, or tribal government entity),

or a person acting on behalf of such a government entity, in preparation for an emergency response.”.

(c) **RISK EVALUATION AND MITIGATION STRATEGIES.**—Section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

“(k) **WAIVER IN PUBLIC HEALTH EMERGENCIES.**—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F–1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to mitigate the effects of, or reduce the severity of, the circumstances under which—

“(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.”.

(d) **PRODUCTS HELD FOR EMERGENCY USE.**—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

“SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE.

“It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

“(1) is intended to be held and not used; and

“(2) is held and not used, unless and until that product—

“(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

“(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

“(C) is authorized for use under section 564.”.

SEC. 303. DEFINITIONS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4) is amended by striking “The Secretary, in consultation” and inserting the following:

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘countermeasure’ means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product;

“(2) the term ‘qualified countermeasure’ has the meaning given such term in section 319F–1 of the Public Health Service Act;

“(3) the term ‘security countermeasure’ has the meaning given such term in section 319F–2 of such Act; and

“(4) the term ‘qualified pandemic or epidemic product’ means a product that meets the definition given such term in section 319F–3 of the Public Health Service Act and—

“(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

“(B) is included under this paragraph pursuant to a determination by the Secretary.

“(b) **GENERAL DUTIES.**—The Secretary, in consultation”.

SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 303, is further amended—

(1) in the section heading, by striking “**TECHNICAL ASSISTANCE**” and inserting “**COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE**”;

(2) in subsection (b), by striking the subsection enumerator and all that follows through “shall establish” and inserting the following:

“(b) **GENERAL DUTIES.**—In order to accelerate the development, stockpiling, approval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

“(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F–1, 319F–2, 319F–3, 319L, and 2811 of the Public Health Service Act;

“(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

“(3) promote countermeasure expertise within the Food and Drug Administration by—

“(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F–2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

“(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

“(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

“(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

“(4) maintain teams, composed of Food and Drug Administration personnel with expertise on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

“(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

“(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

“(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

“(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

“(5) establish”; and

(3) by adding at the end the following:

“(c) **FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act

of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when human efficacy studies are not ethical or feasible.

“(2) **AUTHORITY TO EXTEND DEADLINE.**—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(d) **DEVELOPMENT AND ANIMAL MODELING PROCEDURES.**—

“(1) **AVAILABILITY OF ANIMAL MODEL MEETINGS.**—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive—

“(A) a meeting to discuss proposed animal model development activities; and

“(B) a meeting prior to initiating pivotal animal studies.

“(2) **PEDIATRIC MODELS.**—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

“(e) **REVIEW AND APPROVAL OF COUNTERMEASURES.**—

“(1) **MATERIAL THREAT.**—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F–2 of the Public Health Service Act for which the countermeasure under review is intended.

“(2) **REVIEW EXPERTISE.**—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the protocols established under subsection (b)(3)(D).”.

SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 304, is further amended by adding at the end the following:

“(f) **REGULATORY MANAGEMENT PLAN.**—

“(1) **DEFINITION.**—In this subsection, the term ‘eligible countermeasure’ means—

“(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F–2(c) of the Public Health Service Act; or

“(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

“(2) **REGULATORY MANAGEMENT PLAN PROCESS.**—The Secretary, in consultation with the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding

the development and regulatory review of eligible countermeasures by facilitating the development of written regulatory management plans in accordance with this subsection.

“(3) SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.—

“(A) IN GENERAL.—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

“(B) TIMING OF SUBMISSION.—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

“(C) RESPONSE BY SECRETARY.—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

“(4) PLAN.—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

“(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

“(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

“(C) an agreement on how the plan shall be modified, if needed.

“(5) MILESTONES AND PERFORMANCE TARGETS.—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

“(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

“(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

“(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

“(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

“(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

“(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

“(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administration with respect to the eligible countermeasure, provided that such plan would not delay authorization under section 564, approval, licensure, or clearance for adults.

“(6) PRIORITIZATION.—

“(A) PLANS FOR SECURITY COUNTERMEASURES.—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

“(B) PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.”.

SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 305, is further amended by adding at the end the following:

“(g) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

“(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

“(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

“(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

“(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

“(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

“(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

“(C) explanations for any failure to meet such performance targets and goals;

“(3) the number of regulatory teams established pursuant to subsection (b)(4), the number of products, classes of products, or technologies assigned to each such team, and the number of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

“(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

“(A) Center-specific objectives and accomplishments; and

“(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

“(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

“(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

“(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

“(A) sponsors of a countermeasure as defined in subsection (a); or

“(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.”.

SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

“(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of the Public Health Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section.”; and

(2) in subsection (n)(1), by adding at the end the following:

“(C) For a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric studies in the written request issued by the Commissioner of Food and Drugs.”.

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

“(A) shall consider—

“(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response, metabolism of drugs and biologics in children, and pediatric clinical trials;

“(ii) particular pediatric diseases, disorders or conditions where more complete knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

“(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

“(B) may consider the availability of qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), and qualified pandemic or epidemic

products (as defined in section 319F-3) to address the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section.”; and

(2) in subsection (b), by striking “subsection (a)” and inserting “paragraphs (1) and (2)(A) of subsection (a)”.

(c) **ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.**—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting “; and”; and

(2) by adding at the end the following:

“(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.”.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 401. BIOSHIELD.

(a) **PROCUREMENT OF COUNTERMEASURES.**—Section 319F-2(c) of the Public Health Service Act (42 U.S.C. 247d-6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking “eight years” and inserting “10 years”; and

(2) in paragraph (2)(C), by striking “the designated congressional committees (as defined in paragraph (10))” and inserting “the appropriate committees of Congress”;

(3) in paragraph (5)(B)(ii), by striking “eight years” and inserting “10 years”; and

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking “DESIGNATED CONGRESSIONAL COMMITTEES” and inserting “APPROPRIATE CONGRESSIONAL COMMITTEES”; and

(B) by striking “the designated congressional committees” and inserting “the appropriate congressional committees”; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting “including advanced research and development,” after “as may reasonably be required,”;

(B) in clause (ii)—

(i) in subclause (III), by striking “eight years” and inserting “10 years”; and

(ii) by striking subclause (IX) and inserting the following:

“(IX) **CONTRACT TERMS.**—The Secretary, in any contract for procurement under this section—

“(aa) may specify—

“(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

“(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

“(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

“(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).”;

(C) by adding at the end the following:

“(viii) **FLEXIBILITY.**—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.”.

(b) **REAUTHORIZATION OF THE SPECIAL RESERVE FUND.**—Section 319F-2 of the Public

Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (c)—

(A) by striking “special reserve fund under paragraph (10)” each place it appears and inserting “special reserve fund as defined in subsection (h)”;

(B) by striking paragraphs (9) and (10); and

(2) by adding at the end the following:

“(g) **SPECIAL RESERVE FUND.**—

“(1) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), \$2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

“(2) **USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.**—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

“(3) **RESTRICTIONS ON USE OF FUNDS.**—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

“(4) **REPORT.**—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than \$1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

“(A) in meeting the security countermeasure needs identified under this section; and

“(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

“(h) **DEFINITIONS.**—In this section:

“(1) The term ‘advanced research and development’ has the meaning given such term in section 319L(a).

“(2) The term ‘special reserve fund’ means the ‘Biodefense Countermeasures’ appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).”.

SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) **DUTIES.**—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting “(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)” after “development”; and

(2) in subparagraph (D)(iii), by striking “and vaccine manufacturing technologies” and inserting “vaccine-manufacturing technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies”.

(b) **TRANSACTION AUTHORITIES.**—Section 319L(c)(5) of the Public Health Service Act (42

U.S.C. 247d-7e(c)(5)) is amended by adding at the end the following:

“(G) **GOVERNMENT PURPOSE.**—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.”.

(c) **FUND.**—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d-7e(d)(2)) is amended to read as follows:

“(2) **FUNDING.**—To carry out the purposes of this section, there is authorized to be appropriated to the Fund \$415,000,000 for each of fiscal years 2014 through 2018, such amounts to remain available until expended.”.

(d) **CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.**—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(C)) is amended by striking “7 years” and inserting “12 years”.

(e) **EXTENSION OF LIMITED ANTITRUST EXEMPTION.**—

(1) **IN GENERAL.**—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d-6a note) is amended by striking “6-year” and inserting “12-year”.

(2) **EFFECTIVE DATE.**—This subsection shall take effect as if enacted on December 17, 2012.

(f) **INDEPENDENT EVALUATION.**—Section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) is amended by adding at the end the following:

“(f) **INDEPENDENT EVALUATION.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section.

“(2) **REPORT.**—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1). Such report shall review and assess—

“(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

“(B) the activities supported by flexible manufacturing initiatives; and

“(C) the ability of flexible manufacturing activities carried out under this section to—

“(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

“(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.”.

(g) **DEFINITIONS.**—

(1) **QUALIFIED COUNTERMEASURE.**—Section 319F-1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d-6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking “to—” and inserting “—”;

(B) in clause (i)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking “; or” and inserting a semicolon;

(C) in clause (ii)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).”.

(2) **QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.**—Section 319F-3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d-6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking “; or” and inserting “;”;

(B) in clause (ii), by striking “; and” and inserting “; or”; and

(C) by adding at the end the following:

“(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and”.

(3) **TECHNICAL AMENDMENTS.**—Section 319F-3(i) of the Public Health Service Act (42 U.S.C. 247d-6d(i)) is amended—

(A) in paragraph (1)(C), by inserting “, 564A, or 564B” after “564”; and

(B) in paragraph (7)(B)(iii), by inserting “, 564A, or 564B” after “564”.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “consistent with section 2811” before “by the Secretary to be appropriate”; and

(ii) by inserting before the period at the end of the second sentence the following: “and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security”; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: “and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment”; and

(2) in subsection (f)(1), by striking “\$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).” and inserting “\$533,800,000 for each of fiscal years 2014 through 2018. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).”.

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d-f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(iii) one such member shall be an individual with pediatric subject matter expertise; and

“(iv) one such member shall be a State, tribal, territorial, or local public health official.”; and

(B) by adding at the end the following flush sentence:

“Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).”; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.”.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and

passed, and the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 307), as amended, was read the third time and passed.

READ ACROSS AMERICA DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 61, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 61) designating March 1, 2013, as “Read Across America Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 61) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

AUTHORIZING THE PRODUCTION OF RECORDS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 62, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 62) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

There being no objection, the Senate proceeded to the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 62) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, FEBRUARY 28, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 10 a.m., Thursday, February 28, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate resume consideration of the motion to proceed to S. 388, the American Family Economic Protection Bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, at a time to be determined, there will be two cloture votes on motions to proceed to sequestration-related bills offered by the majority leader and Republican leader, respectively. Senators will be notified when those votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Thursday, February 28, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

JANNETTE LAKE DATES, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2016. VICE ERNEST J. WILSON, III, TERM EXPIRED.

BRUCE M. RAMER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2018. (REAPPOINTMENT)

UNITED STATES INSTITUTE OF PEACE

STEPHEN J. HADLEY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE JUDY VAN REST, TERM EXPIRED.

DEPARTMENT OF THE INTERIOR

VINCENT G. LOGAN, OF NEW YORK, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR, VICE ROSS OWEN SWIMMER, RESIGNED.

DEPARTMENT OF STATE

GEOFFREY R. PYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO UKRAINE.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARGARET A. HANSON-MUSE, OF MARYLAND
JOHN M. MCCASLIN, OF OHIO
PATRICK O. SANTILLO, OF MARYLAND

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DAVID L. GOSSACK, OF WASHINGTON
SARAH E. KEMP, OF WASHINGTON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN E. HYTEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. TOD D. WOLTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHELLE D. JOHNSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. BRUCE E. GROOMS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ALEXANDER M. ARCHIBALD III
BENJAMIN C. BOTH
ROMEL L. JARAMILLO

To be major

FRANCIS S. BEAUDOIN
JOHN L. DECKER
AMY E. MCDANIEL

TIMOTHY Y. SALAM

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

MICHAEL J. BURKE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CHARLES A. SLANEY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SARA L. CARLSON
JONATHAN A. NEWSOM
DAVID R. TRAINOR

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be colonel

JAMES W. NESS
LEON L. ROBERT
MICHAEL J. ROGERS

To be lieutenant colonel

RANDY R. COTE
CHRISTOPHER HEMPEL
CHRISTINE M. NELSONCHUNG
SHONNEIL W. SEVERNS
CLIFTON B. TROUT
GERARD A. VAVRINA

To be major

ZACHARY T. IRVINE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY L. ADAMS
MICHAEL J. ATCHESON
BENJAMIN T. BREWER
ALEJANDRO P. BRICENO
DOUGLAS B. BRUUN
DAVID CARBONERO
ERIC R. CASEY

STANTON L. CHAMBERS
RICHARD J. COATES, JR.
ERIC M. DIFRANCESCO
PAUL C. FAGAN
MARK C. GERHARD
SCOTT W. GRANDGEORGE
DAVID E. GRIBBLE
MICHAEL C. GRIFFIN
MARTIN T. GRIFFITH
ARTURO G. HERNANDEZ
PAUL A. KONOPKA
PAUL D. KOVAC
KERRY G. KRELL
MARC C. LANGEVIN
RORY S. LANGRAN
ANTHONY E. LANZA
STEPHEN A. LAWSON
EDWIN H. LOWSMA
STEVEN P. MANBER
MORGAN G. MANN
GREGORY C. MCCARTHY
KEVIN A. MCCOWN
ADAM N. MCKEOWN
KENNETH L. MCROSTIE
CARLOS L. OLIVO
JOSEPH V. ORSI III
ANDREW J. PAIGE
ERIK T. PETERSON
THOMAS D. PLEITGEN
WALTER D. POWERS
JAVIER T. RAMOS
ALEX M. RAY
DAVID V. READY
JULIE C. SCHAFER
MARK E. SEILHAMER
MARK A. SEXTON
PETER P. SHACKLETTE
TIMOTHY E. SHANAHAN
SANJEEV SHINDE
WILLIAM E. SOUZA III
JOHN A. SPEICHER
RONALD A. STEPHENS
JAMES W. THOMAS, JR.
MICHAEL H. TORREY
JEFFREY M. VERRANT
DANIEL K. WARD
CHRISTOPHER J. WARNKE
MICHAEL P. WASTILA
LEE C. WHALEN
JAMES R. WILLSEA

CONFIRMATION

Executive nomination confirmed by
the Senate February 27, 2013:

DEPARTMENT OF THE TREASURY

JACOB J. LEW, OF NEW YORK, TO BE SECRETARY OF
THE TREASURY.

EXTENSIONS OF REMARKS

A TRIBUTE TO THE BURBANK COORDINATING COUNCIL'S 80TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to pay special tribute to the Burbank Coordinating Council as it celebrates its eightieth anniversary.

Since 1933, the Burbank Coordinating Council—comprised of volunteers from city departments, businesses, PTAs, service organizations, and schools—has been dedicated to serving the needs of Burbank by creating numerous programs to benefit the community.

The Burbank Coordinating Council founded many programs to serve the community, including the school crossing guards program called "Safety Sallies," community forums to allow the residents' voices to be heard regarding public issues, Senior and Youth boards to better understand the needs of seniors and youth, Foster Home Studies, and Books for Korea.

In 1936, the Burbank Coordinating Council began a program to provide scholarships to needy children from low-income families to attend a week of resident or day camp during summer. This camp experience gives children an opportunity to make new friends, build self-confidence, relax and, of course, "just be kids." Today, the Burbank Coordinating Council sends anywhere from 50 to 200 children to camp each year.

Since 1946, the Burbank Coordinating Council has prepared and delivered hundreds of Christmas baskets to families in need throughout the City of Burbank. These baskets, filled with food and gifts, are assembled with love and with the goal of making a positive difference in peoples' lives. This effort has grown tremendously over time, from serving a few families when it first began to now serving over 550 families annually, in what is now called "Holiday Baskets".

This remarkable organization always lends a helping hand to those in need of food, shelter, counseling, or other assistance. The time, energy and resources that the volunteers of the Burbank Coordinating Council provide to the City of Burbank is extraordinary, and so many needy residents have benefited greatly from the generosity of the Burbank Coordinating Council. I ask all Members to join with me in commending the Burbank Coordinating Council for eighty years of dedicated service to the City of Burbank.

HONORING THE LIFE OF E. WILLIAM MILLER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the life of Mr. E. William Miller, who passed away last Friday, February 22nd, 2013 at the age of 86. A family man and veteran who served many years as the chairman of the Town of Tonawanda's Youth, Parks and Recreation Department, Bill dedicated his career to bringing quality public facilities and activities to the people of Tonawanda.

Bill was born in Buffalo, New York, on May 4th, 1926, and lived most of his childhood in Kenmore. Upon graduating in 1944 from the newly built Kenmore High School, he was drafted to serve our country in World War II.

While in the Army, Bill fought in Belgium, France, and Germany, rising to the rank of staff sergeant before his discharge in 1946. During his first summer home from battle, he met his future wife, Barbara Frost, at Crystal Beach, a popular summer retreat for Western New Yorkers in Ontario, Canada. Bill and Barbara married in 1950.

After graduating from Hobart College in 1951, Bill accepted a job installing telephone poles for the New York Telephone Company, and the couple moved to Dunkirk. Five years later, they returned to the Buffalo area, and built their first and only home in 1958. There, on Abington Avenue in the Town of Tonawanda, they raised three children, and lived together until Barbara passed away in 2006.

In 1973, Bill began his tenure on the Tonawanda Town Board, serving as chairman of the Youth, Parks, and Recreation Department. As a councilman, he was innovative both in vision and method, working tirelessly to bring progressive, utilitarian recreational facilities and programs to Tonawanda. Inspired by his family summers at Crystal Beach, Bill believed that all people, not just country-club members, should have access to high-quality recreational facilities. He understood that spaces for public recreation form the fabric of close-knit communities by giving neighbors opportunities to come together.

Bill was instrumental in countless projects, including adding roofs to the Lincoln and Brighton ice arenas, replacing a deteriorating pool with the new Aquatic and Fitness Center, the Senior Citizens Center on Ensminger Road, the construction of a boat launch and docks on the Niagara River, the Paddock Golf Dome, a driving range, and lighted baseball fields. Over his years of service, he earned the nickname "Mr. Recreation" from his colleagues for his inimitable work. By the time he retired in 2002, Bill was deputy town supervisor.

In addition to his time on the town board, Bill worked in the credit department at Na-

tional Gypsum and as an administrator at many area hospitals. His devotion to good works extended to his personal life. He was a founding member and strong supporter of the Ken-Ton YMCA, and a lifelong member of the Deerpark Presbyterian Church. Politically, he was a long-time member of the Ken-Ton Republican Party.

Mr. Speaker, I ask that you join me in expressing our deepest condolences to the family, friends and colleagues of Mr. Bill Miller, especially his daughter, Lynda Vandermeer, and son, Gary. Like so many of his neighbors and friends, I am grateful for his many years of service to the Town of Tonawanda and Western New York.

SHELBY V. HOLDER AND THE VOTING RIGHTS ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. LEE of California. Mr. Speaker, today the Supreme Court heard arguments in Shelby County, Alabama vs. Holder. This case presents a direct threat to Section Five of the Voting Rights Acts of 1965—the most effective civil rights legislation ever enacted by Congress.

The Voting Rights Act of 1965 was passed just one year after I graduated high school.

I was born and raised in El Paso, Texas, and I vividly remember the days of Jim Crow, segregation, and the poll tax.

Even now, in 2012, discrimination is still haunting us.

It's not in the form of a poll tax, but it's in the cost of waiting in line for 7, 8, 9 hours just to vote.

We should be making it easier for everyone to participate in the democratic process, not harder.

We still need the Voting Rights Act.

We still need to be vigilant about protecting our full democratic right to vote.

That right is the heart and soul of our democracy, and we must defend it.

We will not go back.

Should the Supreme Court rule against the Justice Department and overturn this important legislation, minority communities will lose these vital voting protections.

Today, I attended a rally with my colleagues in the Congressional Black, Hispanic, and Asian American and Pacific Islander Caucuses outside the Supreme Court as oral arguments are delivered.

Many of us were part of the 390–33 majority—along with 98 Senators—who voted to reauthorize the Voting Rights Act in 2006.

After an exhaustive review that lasted almost a year, including 21 hearings, testimony from over 90 witnesses, and over 15,000

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

pages of evidence, Congress came to a nearly unanimous decision that protections are still needed to preserve the voting rights of ALL Americans.

After all, it is this right that lies at the very heart of our democracy.

The Voting Rights Act is routinely used to protect voters against efforts to dilute or suppress their vote. Section five is a critical tool to protect Americans whose voting rights continue to be threatened to this day. I am certain that the Supreme Court will uphold the will of Congress, and respect the overwhelming evidence and comprehensive review that led to President George W. Bush reauthorizing the Voting Rights Act in 2006.

Voting is at the heart of our democracy and we must constantly fight to protect it when it is threatened.

We have come a long way because of the work and sacrifice of millions who came before.

We encourage and support democratic movements around the world, yet here in our country these rights are being eroded each and every day.

Far too many have shed their blood and shed their tears.

So we must protect the most valuable right, the most central right, the right that makes America the nation that it is: the right to vote.

I call on every American to stand up and join us in the call to protect the right of every American to cast their vote.

As our great Drum Major for Justice, Dr. King once said: "Voting is the foundation stone for political action." Truly, our votes are the bedrock of democracy. We will not bow to voter suppression. These are our rights. We will not budge.

As we pursue the Founding Father's vision of a more perfect union, I am proud to stand with my Congressional Black Caucus colleagues in defense of this critical tool for our democratic republic.

HONORING KARI GRACE MORK

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. HENSARLING. Mr. Speaker, today, I honor a mother and her child.

A member of my staff recently gave birth to her daughter, who had a fatal birth defect and could not survive outside of the womb.

This absolutely devastating condition unfortunately happens to many children each year. We rarely hear of these cases, though, because such pregnancies are often terminated.

But there are also many mothers who choose to carry their sons and daughters to term—providing nourishment and the most loving home possible here on earth.

This child had a name—Kari Grace. And she had a mom, Kirsten, and dad, David.

That is why I am sharing this story today—so that other women might hear it, and might feel that they are not alone, and know that caring for their child is an act of pure, unselfish love worthy of recognition.

Most of us will never meet these children. But they exist, and we will forever be touched

by the grace of knowing that a life was created and a mother was made.

Thank you, Kirsten, for displaying such strength and love to a world that doesn't always recognize it. And to Kari Grace—please know you created a great mom, and that you will always be loved and remembered.

REMEMBERING THE 21ST ANNIVERSARY OF THE KHOJALY TRAGEDY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. PASTOR of Arizona. Mr. Speaker, I rise today to remember the 21st Anniversary of the Khojaly Tragedy, which occurred in this small town in the Nagorno-Karabakh region of Azerbaijan on February 25–26, 1992. In the early 1990s, Azerbaijan was involved in a brutal conflict with its neighbor to the West, Armenia, and the repercussions from atrocities committed during that time still impact diplomatic and economic relations today. The Khojaly Tragedy is perhaps the worst single incident that occurred during this time, resulting in hundreds of lives lost, families devastated, and the town destroyed.

Since a cease-fire was negotiated in 1994, these two nations have been locked in a dispute over the Nagorno-Karabakh region, located within Azerbaijan but occupied by Armenian forces. The Minsk Group of the Organization for Security and Cooperation in Europe, of which the United States is a co-chair, was created to encourage a peaceful, negotiated resolution to this conflict, yet work remains in reaching this goal.

In December 2012, Azerbaijani Foreign Minister Mammadyarov addressed this situation as follows: "As a result, our relations with Armenia are practically nonexistent. There is also a distinct lack of economic cooperation and trade between our two countries. Azerbaijan wants peace so that we can continue to grow our economy, develop our energy resources and advance our relations with Europe and our neighbors. But Armenia also has a stake in peace with Azerbaijan. The country is isolated in the region largely because of this conflict. It is excluded from all regional infrastructure and energy projects, such as the oil and gas pipelines passing from the Caspian Sea to Turkey and Europe via Georgia, as well as a new railroad line between Azerbaijan and Turkey through Georgia, to be inaugurated this year. When we can agree on lasting peace, Armenia could become a stakeholder in these regional projects."

A peaceful resolution of this conflict would benefit not only Azerbaijan and Armenia, but would ensure security and economic growth for the South Caucasus region.

RECOGNIZING HEATHER ERICKSON AS THE 2013 OKALOOSA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Heather Erickson as the 2013 Okaloosa County, Florida Teacher of the Year. For eight years, Ms. Erickson has been an inspiration to her students, her colleagues, and her community, and I am honored to recognize her success and myriad of achievements.

After receiving her bachelor's degree in Education from William Smith College in 2005, Ms. Erickson moved to Northwest Florida to begin her teaching career. After teaching kindergarten and second grade at Holley-Navarre Primary School for six years, Ms. Erickson joined Elliot Point Elementary School, where she currently serves as a kindergarten teacher.

Northwest Florida has been blessed with an abundance of exemplary educators who teach students of all ages. As a kindergarten teacher, Ms. Erickson understands and values the critical role she plays in the journey and development of her young students. Throughout her teaching career, Ms. Erickson has shown an unwavering commitment to inspiring her students and pushing them to their highest potential. Most recently, she has demonstrated her leadership as Data Team leader, and she has made a tremendous impact on Elliot Point Elementary.

Outside of her classroom, Ms. Erickson dedicates her time and teaching experience to mentor other teachers and support school activities. In addition to her involvement at Elliot Point Elementary, Ms. Erickson is a member of the Okaloosa County Educators Association, as well as, the National Educators Association.

Ms. Erickson has been widely recognized and honored for her years of exemplary work, dedication, and inspiration as an educator. She was awarded both the Holley-Navarre Primary School Teacher of the Year, as well as, the Elliot Point Teacher of the Year. In both 2007 and 2009, Ms. Erickson was a recipient of the Santa Rosa Education Foundation Grant, which she utilized to improve the reading and math curricula in the community. While Ms. Erickson is an exceptional educator, she credits her success and achievements to the amazing students she has had the privilege of teaching. The most rewarding aspect of her profession is that she is able to watch her students grow as they learn.

Mr. Speaker, I am proud to recognize Heather Erickson as the Okaloosa County, Florida Teacher of the Year and thank her for her commitment to service to Northwest Florida. My wife Vicki joins me in congratulating Ms. Erickson, and we wish her all the best.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BILIRAKIS. Mr. Speaker, on Tuesday, February 26, 2013, I missed rollcall votes 48, 49, and 50 for unavoidable reasons. Had I been present, I would have voted as follows:

Rollcall No. 48: "nay" (On motion to adjourn); Rollcall No. 49: "yea" (On motion to suspend the rules and pass H. Res. 77, the Academic Competition Resolution of 2013); Rollcall No. 50: "yea" (On approving the Journal).

HONORING THE LIFE OF RAYMOND MINNITE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay to tribute to the life of Raymond Minnite, who lived a long and fulfilling life of 95 years. As founder of the town of Three Rocks in California, Raymond was a true supporter and advocate for our Central Valley. His kind heart and generosity will be greatly missed.

Raymond was born into a large family with nine brothers and sisters. His parents were first generation immigrants from Italy. Growing up in an immigrant family of 12, Raymond quickly developed great values and principles. He knew the importance of treating others with respect, compassion, and consideration. Raymond's charitable acts were witnessed by many because helping those in need was essential to him.

As a young man, Raymond served in the Army in World War II. He was stationed in Germany, Italy, and France. Raymond did not discuss the brutalities of war with his family and friends. Instead he shared about the times when he would take extra food to the hungry children. Raymond's positive outlook on life was apparent to all of those around him.

After Raymond married Bernadette and they had their children: Gary, Jack, Bernadette, Janis, Dion, and John, he purchased 20 acres of land at the intersection of Clarkson and Highway 33. There was nothing built on the land, but he had a vision. Bernadette believed in his plan, so he had his family's support. Raymond's boys took part in the project and helped him salvage old wood and nails. Slowly a small town was built, and Raymond named it Three Rocks. Surrounded by farming communities, it serves a place for farm laborers to live. Today, Three Rocks has about 230 residents.

Raymond had an ingenious idea, and he made it into a reality. He truly achieved the "American Dream." Raymond's children, 17 grandchildren, and 31 great-grandchildren have an outstanding role model that they will hold in their hearts forever.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Raymond

Minnite. His presence will be greatly missed, but his legacy will surely live on in Fresno County.

HONORING DONALD AND BARBARA HORAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of my constituents, Donald and Barbara Horan of Greensburg, Indiana.

Don and Barb were married and actively involved in their church and community. After working with several local businesses, Don acquired Collection Associates Incorporated and developed it into a thriving business. Don served on the Decatur County Fair Board, Greensburg Redevelopment Board, and the Decatur County Community Foundation. Barb volunteered with Tri Kappa and the Decatur County YMCA Board, among others. They were both actively involved in St. Mary's Catholic Church and the Archdiocese of Indianapolis.

Don and Barb will forever be remembered as devoted parents to their daughters and lifelong friends of their community. I ask the entire 6th Congressional District to keep their four daughters Rebecca, Olivia, Regan, and Adrienne, along with the entire extended Horan family, in your thoughts and prayers.

OPPOSITION TO SEQUESTRATION

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. VARGAS. Mr. Speaker, I rise today in strong opposition to sequestration. I am appalled by the complete and utter abdication of leadership and responsibility by Speaker BOEHNER and House Republicans to bring a bill to the House Floor that would replace the catastrophic and needless sequester.

Early this week, President Obama reminded us of the untold damage that the automatic, across-the-board spending cuts would inflict on our fragile economy, on the lives of working families, children, students, and on our military. I am outraged that House Republicans would stand idly by and allow these disastrous, self-inflicted cuts to go into effect causing between one and two million people to lose their jobs. We should be adopting policies that create jobs, instead of succumbing to policies that eliminate jobs.

California residents cannot afford another GOP-manufactured crisis. That is why, on behalf of all the residents of California, and especially the residents of the 51st Congressional District, I have joined with my colleagues to call on the House Republican leadership to do what is right for our Nation's economy, security and families and take action this week on a balanced plan to avert these damaging and mindless spending cuts.

The Office of Management and Budget released a report earlier this week that substan-

tiates many of the devastating and widespread impacts that sequestration will have on local communities in California, several of which are included below:

Military Readiness and Jobs: In California, approximately 64,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around \$399.4 million in total. My district includes portions of San Diego, which has one of the largest military presences in the Nation and is the headquarters for the Navy Region Southwest. These cuts to defense spending will cause the maintenance and repair of ships and aircraft to be cancelled, putting at risk the safety and security of our men and women in uniform. As nearly 25% of the jobs in San Diego County are directly connected to the defense industry, these brutal cuts will cause extraordinary harm to the struggling economy and put thousands of jobs at risk.

Job Search Assistance: Around 130,000 fewer Californians will get the help and skills they need to find employment as California will lose about \$3.3 million for job search assistance, referral, and placement. My district includes Imperial County which suffers from one of the highest unemployment rates in the Nation, nearly 30%. My constituents cannot afford to lose critical employment assistance.

Nutrition for Seniors: California would lose approximately \$5.4 million to help provide meals for seniors. Many of our seniors live on limited fixed incomes and rely on these programs to help provide basic necessities. We cannot sit here on our hands and allow our seniors to go hungry.

Child Care: Up to 2,000 disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents to hold down a job.

Vaccines for Children: In California around 15,810 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and Hepatitis B due to reduced funding for vaccinations. It is callous and unacceptable to put the health and safety of our children at risk.

Public Health: California will lose approximately \$2.6 million to help upgrade its ability to respond to public health threats including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events. In addition, California will lose about \$12.4 in grants to help prevent and treat substance abuse, resulting in around 9,400 fewer admissions to substance abuse programs. And the California State Department of Public Health will lose about \$2 million resulting in around 49,300 fewer HIV tests.

Teachers and Schools: California will lose approximately \$87.6 million for primary and secondary education, putting around 1,210 teacher and aide jobs at risk. In addition about 187,000 fewer students would be served and approximately 320 fewer schools would receive funding.

Head Start: Head Start and Early Head Start services would be eliminated for approximately 8,200 children in California, reducing access to critical early education. Many of my constituents rely on this crucial service to help bridge the education gap.

Education for Children with Disabilities: California will lose approximately \$62.9 million for

about 760 teachers, aides, and staff who help children with disabilities.

College Aid and Work-Study Jobs: Around 9,600 fewer low income students in California, many from my district, would receive aid to help them finance the costs of college and around 3,690 fewer students will get work-study jobs that help them pay for college.

Law Enforcement and Public Safety Funds: California will lose about \$1.6 million in Justice Assistance Grants that support law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

Violence Against Women Grants: California could lose up to \$795,000 to provide services to victims of domestic violence, resulting in up to 3,000 fewer victims being served.

Protections for Clean Air and Clean Water: California would lose about \$12.4 million to ensure clean water and air quality, as well as prevent pollution from pesticides and hazardous waste. My district relies on this essential funding to help mitigate the pollution that drifts across the United States-Mexico border.

The most egregious part of the House Republicans' dereliction of legislative duty, is that over the last several months, both Senate and House Democrats have offered fair, balanced plans to avert these damaging cuts. These proposals are built on responsible spending cuts, increased revenues, and job growth.

Yesterday, Representative CHRIS VAN HOLLEN, Ranking Member of the House Budget Committee, fought valiantly to bring a fair and balanced plan to replace the sequester to the floor. His reasonable and responsible plan would have eliminated tax loopholes and adopted the "Buffet Rule" to make sure that wealthy Americans pay their fair share.

Yet House Republicans have adamantly refused to work toward a compromise to reduce the deficit because they refuse to ask the wealthy to pay a little more by closing tax loopholes that benefit the privileged few. Republicans are blissfully content to continue to place millions of jobs at risk, threaten the health and security of middle class families, and put the safety of neighborhoods across the Nation in jeopardy.

I call on my colleagues, the House Republicans, to immediately bring legislation to the floor that would replace the sequester with a balanced plan and protect our Nation's military, working families, seniors, and children from these devastating and unwarranted cuts.

RECOGNIZING MELISSA DICESARE AS THE 2012-2013 WALTON COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Melissa Dicesare as the 2012-2013 Walton County, Florida Teacher of the Year. For more than thirteen years, Ms. Dicesare has been an inspiration to her students, her colleagues, and her community,

and I am honored to recognize her success and myriad achievements.

After earning a bachelor's degree in Secondary English Education and master's degree in Educational Leadership from the University of West Florida, Ms. Dicesare joined the Northwest Florida school system as an English teacher at Fort Walton Beach High School for three years. Ms. Dicesare then joined Niceville Senior High School for eight years and eventually South Walton High School, where she currently serves as an English teacher and Leadership Sponsor.

Teachers are among our nation's most valuable public servants. They are responsible for helping mentor our students and for ensuring that our youth have the proper tools they need to succeed. It is unquestionable that Ms. Dicesare values the important influence and role teachers play in the lives of their students. To Ms. Dicesare, being a teacher is about being a positive force in bettering the lives of her students and always inspiring them to strive for excellence. She challenges her students to think critically. She emphasizes the importance of building a strong character with integrity and resolve, and she speaks of the importance of becoming productive members of society. Aside from her students, Ms. Dicesare mentors young aspiring teachers, and by sharing her wisdom and experience with her fellow colleagues, Ms. Dicesare improves the quality of her own classroom, as well as the entire school.

In addition to being named Walton County, Florida Teacher of the Year, Ms. Dicesare has previously earned recognition as the Okaloosa County, Florida First Year Teacher of the Year; Sallie Mae First Year Teacher Award; Claes Nobel Educator of Distinction; United States Achievement Academy Leadership Award; Beta Club Helping Hand Award; 2005 Niceville High School Outstanding Educator Award; and 2000-2008 Who's Who Among America's Teachers.

Ms. Dicesare's unbridled compassion and enthusiasm exemplify the essential characteristics of a successful teacher. They are evidenced by the numerous accolades she has received, and the impact of her achievements is alive in the hearts and minds of the students who have been deeply affected by her unwavering dedication.

Mr. Speaker, I am proud to recognize Melissa Dicesare as the Walton County, Florida Teacher of the Year and thank her for her leadership and commitment to service to Northwest Florida. My wife Vicki joins me in congratulating Ms. Dicesare, and we wish her all the best.

RECOGNITION OF THE 2012 DEPARTMENT OF DEFENSE RESERVE FAMILY READINESS AWARD FOR THE NAVAL OPERATIONS SUPPORT CENTER IN TUCSON, AZ

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BARBER. Mr. Speaker, I rise today to honor the Naval Operations Support Center in

Tucson, Arizona, which has been awarded the 2012 Department of Defense Reserve Family Readiness Award.

The Reserve Family Readiness Award was established in 2000 to recognize the dedication of our Reserve and National Guard units to their military families. Winners of the Reserve Family Readiness Award are those units deemed to have the best programs in support of military families. As we can all agree, our military families are critical to total force readiness and deserve to be a top priority.

The care and support of the military family must be a paramount endeavor, especially for a nation that has been at war for over a decade. Family readiness directly impacts force readiness and provides the critical link that enables our service members to complete the mission without having to worry about the well-being of their loved ones back home. Family support systems improve the quality of life and increase morale for those on the homefront. They educate families on military benefits and entitlements, and in times of need can respond quickly and provide assistance. In this regard, the Naval Operations Support Center in Tucson has proven its commitment to its service members and their families.

Last year, the Naval Operations Support Center in Tucson competed against 131 stellar naval commands taking top honors in the category of family readiness. It is my honor to thank them for their service to our country and congratulate them on being selected for the 2012 Department of Defense Reserve Family Readiness Award. Fleet, Family, Fitness!

HONORING BEN GILLILAND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ben Gilliland. Ben is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Royal Rangers and earning the most prestigious award of the Gold Medal of Achievement.

Ben has taken an active part with the Royal Rangers through his church, Blue Springs Assembly in Blue Springs, Missouri. The Royal Rangers provide young men the character development and leadership formation needed to thrive in today's world. Attaining the Gold Medal of Achievement demonstrates Ben's dedication and commitment to the Royal Rangers. I am sure that Ben will continue to hold such high standards in the future.

Mr. Speaker, I proudly ask you to join me in commending Ben Gilliland for his accomplishments with the Royal Rangers and for his efforts put forth in achieving the highest distinction of the Gold Medal of Achievement.

HONORING STEVEN AND DENISE
BUTZ**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of my constituents, Steven and Denise Butz of Greensburg, Indiana.

Steve and Denise were married and actively involved in their church and community. As members of St. Mary's Catholic Church, they served on the St. Mary's Festival and Christ Renews His Parish Committees. Steve was a member of the Knights of Columbus and a coach with youth wrestlers; Denise participated in the local Big Brothers/Big Sisters program. On a personal note, I have fond memories playing alongside Steve on the Greensburg High School football team.

Steve and Denise will forever be remembered as devoted parents to their two sons and lifelong friends of their community. I ask the entire 6th Congressional District to keep their sons Blake and Brandon, along with the entire extended Butz family, in your thoughts and prayers.

DANGERS OF SEQUESTER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BISHOP of Georgia. Mr. Speaker, throughout my twenty years representing Middle and Southwest Georgia in Congress, I have always done my dead level best to work with all of my colleagues, across the aisle to find reasonable solutions for the nation's issues.

Today, I come before Congress to appeal to reason. Without a doubt, the across-the-board spending cuts we call sequester will undermine our economy and hurt job creation. My district, home to Fort Benning in Columbus, the Marine Corps Logistics Base in Albany, the area outside of Robins Air Force Base, and thousands of service members, veterans, families, and supporting businesses cannot sustain the cuts proposed by Sequestration.

Furthermore, schools and teachers, law enforcement and crime prevention, public health and Head Start will be negatively impacted. The Second Congressional District of Georgia relies on these funds, as do many of your districts. Mr. Speaker, I ask for a balanced proposal.

We may be in the 11th hour, but we must act. We owe it to our constituents, we owe it to our districts, and we owe it to our nation.

INTRODUCTION OF THE NATIONAL
WOMEN'S HISTORY MUSEUM
COMMISSION ACT OF 2013**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to introduce the National Women's History Museum Commission Act of 2013. I am proud to be joined in this effort by my friends and colleagues Congresswoman MARSHA BLACKBURN, Delegate ELEANOR HOLMES NORTON, as well as by Senator SUSAN COLLINS.

This bill, with a Senate companion sponsored by Senator COLLINS, creates a commission to review the feasibility and cost for building a National Women's History Museum (NWHM) on the National Mall.

This commission will be bipartisan, consisting of an eight member body comprised of two members appointed by the Senate Majority Leader, two members appointed by the Speaker of the House of Representatives, two members appointed by the Minority Speaker of the Senate, and two members appointed by the House of Representatives Minority Leader. The appointees are required to demonstrate proficient knowledge and commitment to the research and study of women's history.

Most importantly, this fiscally responsible bill will not use any taxpayer dollars. The NWHM commission will be entirely financed through private funds.

Women's history is largely missing from textbooks, memorials, museum exhibits and many other venues. Today, more than half a century after she changed our nation's history, Congress is honoring civil rights leader Rosa Parks with a statue in the U.S. Capitol. This is an extraordinary achievement that we should build on. Of the over 200 statues in the Capitol, there are currently only 13 statues depicting women.

Across the country, less than 5 percent of the 2,400 national historic landmarks chronicle women's achievements and according to a survey of 18 history textbooks, only 10% were dedicated to women.

The museums and memorials in our Nation's Capital reflect our country's values. Though we have museums dedicated to other important people and subjects such as flight, postage stamps, and law enforcement, we do not have a museum contributed to women's history.

Despite being half of our population, women's deep and lasting impacts have taken a backseat to the hundreds of years of written and available narrative focusing on men. It is time that women are honored for their many contributions that are the very fabric of our country. This bill would be the first step in achieving that goal.

I urge my colleagues to join me in honoring the women that built this nation by cosponsoring the National Women's History Museum Commission Act.

COMMENDING BOB ANDRADE FOR
SERVICE AT PAWTUCKET CREDIT
UNION**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. LANGEVIN. Mr. Speaker, I am pleased today to recognize Robert P. Andrade, Executive Vice President and Chief Operating Officer of the Pawtucket Credit Union in my home state of Rhode Island. Bob has had a long and distinguished career in public service, and I want to thank him for his continuing commitment to causes that have helped the people of Rhode Island build wealth and economic stability.

Mr. Andrade first distinguished himself as a legislative advocate for the credit unions of Rhode Island working diligently to ensure that the members of credit unions receive outstanding financial service. He has served in many capacities at the Credit Union Association of Rhode Island including Board Chairman, Governmental Affairs Committee Chairman, Bylaw and Resolutions Committee Chairman, and Marketing Committee Chairman. Through his efforts to provide service to credit unions with unique and forward looking programs, he has earned national recognition.

Through this leadership, Rhode Island credit unions joined a groundbreaking cooperative with their colleagues in New England that allows pooling of resources while maintaining autonomy. During his tenure, the Credit Union Association of Rhode Island has also provided almost \$600,000 to support the Special Olympics of Rhode Island as a distinguished corporate sponsor. Mr. Andrade has been and continues to be committed to the conviction that the credit union community must invest in the future by staying engaged at every level of the legislative process to ensure a dynamic operating environment with flexibility for change and modernization.

Mr. Speaker, throughout his career, Mr. Andrade has eloquently voiced his belief that credit unions make it possible for all Americans to lead better, happier and more productive lives. Today, I salute his advocacy work and his charitable efforts, and I wish him continued success in his future endeavors.

HONORING JACK PATRICK CORGAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jack Patrick Corgan. Jack is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and earning the most prestigious award of Eagle Scout.

Jack has been very active with his troop, participating in many scout activities. Over the many years Jack has been involved with scouting, he has not only earned 35 merit

badges, but also the respect of his family, peers, and community. Most notably, Jack has led his troop as the assistant patrol leader, quartermaster and patrol leader while also becoming a member of the Tribe of Mic-O-Say. Jack has also contributed to his community through his Eagle Scout project. Jack constructed shelving and organized the commercial kitchen of The Farmer's House in Weston, Missouri, an organization where many adults with developmental disabilities are employed. Jack made the kitchen more friendly for these workers, including the additional shelving and labeling the kitchen in Braille, in simple text and with pictures.

Mr. Speaker, I proudly ask you to join me in commending Jack Patrick Corgan for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING CLIFFORD
BOWEN

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. STIVERS. Mr. Speaker, I rise today to congratulate Mr. Clifford Bowen for celebrating his 100th birthday on February 8, 2013. Mr. Bowen is Madison County's oldest veteran, and his life and service to our country are nothing short of outstanding.

Born in Bell County, Kentucky, in 1913, Mr. Bowen grew up on a farm as one of six children. When he was 16, he followed in his father's footsteps and began working in a coal mine, where he was assigned to operate the tram motor.

When World War II broke out, Bowen left the coal mine and was assigned to the Army motor pool. The trucks he and his crew kept running supported the ordnance corps in Luzon and New Guinea in the Pacific Theater, and he was promoted to the rank of Technical Sergeant in 1946. After the war, Bowen met his wife Lucille in a dance hall, and the two were married for 27 years until she passed away in 1973. Mr. Bowen moved to Ohio in the 1980s, and he has remained there ever since.

I would again like to wish Clifford Bowen a very happy 100th birthday, and I ask that all Members of Congress stand with me and thank him for serving our country as Madison County's oldest veteran. The people of Ohio's 15th District are remarkable and hardworking, and Mr. Bowen is a perfect example of the sort of accomplished, admirable people who make my district truly exceptional.

HONORING EUGENE DAUB

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. HAHN. Mr. Speaker, I rise to honor Eugene Daub, a gifted local artist who designed and sculpted the new Congressional statue of

civil rights icon Rosa Parks. I am thrilled that Rosa Parks will finally be honored with a statue in the Halls of Congress, and I am proud to recognize Mr. Daub, one of my constituents, as the creator of this great work.

We all know of Rosa Parks' extraordinary contributions to the civil rights movement. Her bravery and courage carried us forward on the road to equality. This statue is the first full-sized depiction of an African American in the Capitol, and an honor fitting for Rosa Parks. She fought for the values of life and liberty that this Nation has pledged to uphold and that these halls strive to embody.

Eugene Daub, the artist, is a resident of San Pedro, California, and the 44th Congressional District. He is the master sculptor of Daub and Firmin Sculptor Studios, LLC. In 2009, Daub and Firmin Studios was selected as the winner of a national competition managed by the National Endowment for the Arts to create the statue. Rob Firmin, partner and project manager, worked with Mr. Daub on the concept and design of the statue.

Mr. Daub has achieved an extraordinary career in public-art sculpture over the past 30 years. He received training at the Pennsylvania Academy for the Fine Arts and the University of Pittsburgh. Mr. Daub's sculptures are featured in public memorials and permanent collections throughout the world, including the Smithsonian Institution, The British Museum, Ellis Island Museum, the University of Virginia, and the Montana State Senate. He has been honored with prestigious awards for his artistry, including the Arthur Ross Award for sculpture from the Institute for Classical Architecture and Classical America and the American Numismatic Association Gold Medal for Lifetime Achievement in Bas Relief Sculpture.

I am thrilled to welcome such a talented artist and fellow San Pedran to the Capitol. Mr. Daub's depiction of Rosa Parks will attract visitors from all over the world who will note both its historical significance and profound beauty.

TEXAS INDEPENDENCE DAY,
SATURDAY, MARCH 2, 2013

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, this Saturday, March 2, 2013, marks Texas Independence Day. 177 years ago on March 2, 1836, after more than a year of negotiations, citizen delegates met at Washington-on-the-Brazos and declared Texas independent.

The story of Texas independence dates back to 1830s, when a military dictatorship seized power in Mexico and abolished the Mexican Constitution. Once in power, the dictatorship refused to provide the most basic of rights, including a trial by jury, freedom of religion, public education for their citizens and the right to bear arms, this last one being the most intolerable, particularly among Texans.

Failure to provide these basic rights violated the sacred contract between a government and the people, and Texans did what we still do today—stand up for our rights.

At the Convention of 1836 on March 1, a committee of five delegates was appointed to draft the Texas Declaration of Independence. The committee, consisting of George C. Childress, Edward Conrad, James Gaines, Bailey Hardeman, and Collin McKinney, prepared the declaration in record time. It was briefly reviewed, then adopted by the delegates of the convention the following day, March 2.

The Texas Declaration of Independence states that Texas' government had been "forcibly changed, without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism."

The Texas Declaration of Independence was truly produced overnight. Its urgency was paramount, because while it was being prepared, the Alamo in San Antonio was under siege by Santa Anna's army of Mexico.

On March 6, four days after the signing, the Alamo fell with her commander Lt. Colonel William Barrett Travis, Colonel Jim Bowie, Former Tennessee Congressman David Crockett, and approximately 200 other Texan defenders.

However, on the afternoon of April 21, 1836, the Texan army avenged their losses at the Alamo and attacked Santa Anna's camp near the San Jacinto River. The Mexican army was taken by surprise, and the roughly 900 members of the Texan army were able to overpower the much larger Mexican army. During the fighting, many of the Texan soldiers repeatedly cried, "Remember the Alamo!" The Battle of San Jacinto was over after just 18 minutes. Santa Anna was forced to order his troops out of Texas, thus ending Mexico's control.

Today we give thanks to the many Texans that sacrificed for the freedom we now enjoy. God bless Texas and God bless America.

SHIRLEY CHISHOLM CONGRESSIONAL GOLD MEDAL AWARD

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. RANGEL. Mr. Speaker, I introduced the Shirley Chisholm Congressional Medal Act (H. R. 1303) in the 112th Congress. This bill is being introduced to recognize the extraordinary contributions of Shirley Chisholm.

Shirley Chisholm was a pioneer. She was the first African-American woman elected to Congress in 1968 where she served until 1982. She represented Brooklyn's 12th Congressional District in the United States House of Representatives.

In 1972 Shirley Chisholm was the first African-American to seek the nomination of a major party for President of the United States.

Shirley Chisholm was a co-founder of the National Organization for Women (NOW).

This posthumous gold medal presentation will recognize Shirley Chisholm for her activism, independence and groundbreaking achievements in politics during and after the civil rights era. Both her election to Congress and her candidacy for the presidency raised

the profile and aspirations of all African-Americans and women in the field of politics.

An historic figure in American political history and a champion for social justice, Shirley Chisholm died at the age of 80 on New Year's Day 2005. It is befitting that Congress bestow its highest civilian award, the Congressional Gold Medal, to former Congresswoman Shirley Chisholm posthumously.

HONORING BRYCE J. PARKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Bryce J. Parker. Bryce is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 175, and earning the most prestigious award of Eagle Scout.

Bryce has been very active with his troop, participating in many scout activities. Over the many years Bryce has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Bryce has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Bryce J. Parker for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. PITTENGER. Mr. Speaker, on rollcall votes Nos. 48–50, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner:

On rollcall No. 48. Had I been present, I would have voted "no."

On rollcall No. 49. Had I been present, I would have voted "yea."

On rollcall No. 50. Had I been present, I would have voted "no."

A TRIBUTE TO EASTON C. WRIGHT, POSTMASTER OF MILWAUKEE

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. MOORE. Mr. Speaker, I rise today to recognize Easton C. Wright, a Milwaukee native and veteran having served 10 years in the U.S. Navy as a Seabees in the Navy's Construction Battalion. Mr. Easton will be installed as Postmaster of Milwaukee on March 8, 2013. Mr. Wright is the only African American

and the 38th person to earn this distinction since the Milwaukee Post Office was established in 1835.

Postmaster Wright began his career with the United States Postal Service 18 years ago as a letter carrier in Milwaukee. He is now a senior executive with the United States Postal Service having served in many postal positions, including Manager of Operations of Program Support in the Greater Indiana District and as Officer in Charge in Detroit. As Milwaukee Postmaster, he oversees more than 1,500 employees and 760 city delivery routes. Postmaster Wright is responsible for mail delivery, retail sales and other customer service operations at the Milwaukee, West Allis, Wauwatosa, Bay View, Glendale, Shorewood, West Milwaukee and Brown Deer post offices.

Throughout his career with the Postal Service, Postmaster Wright has reached out to veterans and members of the African American community. For over 14 years, Mr. Wright has worked with other veterans to establish a non-profit organization called Veteran's Community Outreach, Inc., which provides mentoring, tutoring, clothing and scholarships to at-risk youth. He served for many years as a member of the Milwaukee Diversity Team to provide an inclusive Postal Service environment. For his efforts he received both local and national recognition, including the prestigious National Postal Diversity Award and the Milwaukee Times 2011 Black Excellence Award as a Community Leader.

Postmaster Wright also served as a mentor to students and other postal employees. Early in his postal career he participated in a community partnership program working at the LaFollette Elementary School in Milwaukee, mentoring students and working with their parents. He developed and implemented a program to encourage parents to take the postal employment exam and offered prospective candidates on-going classes on how to improve exam scores as well as interviewing skills. The classes proved successful and were expanded throughout the community which led to meaningful employment for hundreds of people. Mr. Wright continued to serve as a mentor to many of these new employees.

Mr. Speaker, I am proud to honor Postmaster Wright. He continues to be a mentor to veterans and postal employees. The citizens of the Fourth Congressional District, the state of Wisconsin and the nation have benefited tremendously from his dedicated service. For these reasons, I am honored to pay tribute to Postmaster Wright.

HONORING MINISTER JAMES KEVIN MURRAY

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. HAHN. Mr. Speaker, I rise to honor the memory of Minister James Kevin Murray, who passed away on February 18, 2013. James was born on April 21, 1961 to James David and Darlene Murray. James began preaching at an early age and preached his first gospel meeting in Jasper, Texas at the age of 13. He

was an active member of the Figueroa church and was involved with the youth ministry, bus ministry, and the Figueroa Angelic Chorus.

At Figueroa Church of Christ, James met and later married the love of his life, Linda Earls. They were married June 20, 1987, and had three beautiful children. After marrying, they joined the Alondra Church of Christ where James served as minister for the past 27 years.

James developed his passion for public service and education through his years in school. After graduating from Manual Arts High School, James received his Bachelors of Arts in Political Science from UCLA. He then obtained his Masters in Education Administration from Cal State Dominguez Hills. James pursued his love for education and his commitment to our young people by serving as an Assistant Principal and Counselor in several school districts, including Los Angeles, Compton, Santa Monica, and Lynwood. For the past eight years, James served as the National Youth Conference Director.

James enjoyed preaching the Word of God, spending time with his family and friends, enjoying intriguing conversations brimming with humor, basketball, running marathons, politics, technology, and watching his favorite team, the Los Angeles Lakers.

He is survived by his wife, Linda; his children, David, Jason and Jessica; his mother, Darlene; his sisters, Cheryl and Janice; his brothers, Rodney, Kenny, Antoney, Orlando; and a host of family and friends. He will truly be missed.

HONORING KATHARINE CARNEY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MORAN. Mr. Speaker, after more than 32 years of dedicated service to the Department of the Navy's Office of General Counsel, Katharine Carney has decided to retire on April 1, 2013. Ms. Carney began her federal service in March 1981, as an Attorney-Advisor at the Naval Facilities Engineering Command Headquarters. Her duties included representing the Command's position on contract matters to Naval authorities, other Federal agencies, and the construction industry; drafting contract clauses and contracting officer final decisions; and advising on legal matters involving the Buy American statute, termination; for default, claims, protests, and source selection procedures.

From January 1984 to July 1987, Ms. Carney was the primary legal advisor on the London staff for the Commander in Chief, U.S. Naval Forces, Europe and other commands in the U.K. and Europe, advising on contracts, international agreements, real estate, ethics, fiscal and labor law. She was an attorney in the Naval Sea Systems Command shipbuilding section until May 1991, where she advised on contract and fiscal law matters from pre-award to contract close-out. She then became the Marine Corps Systems Command Deputy Counsel, supervising three other attorneys and two support staff, and serving as

counsel to the Direct Reporting Program Manager for the Advanced Amphibious Assault Vehicle Program. In these roles, she advised on procurement, ethics, civilian personnel, Freedom of Information Act, and fiscal law matters.

In May 1993, Ms. Carney began her current position as an Associate Counsel in the Office of the Assistant General Counsel for Research, Development, and Acquisition (OAGC(RD&A)). As part of the Navy Senior Acquisition Executive's legal staff, she advises on procurement, ethics, and fiscal law matters. For her nearly twenty years at OAGC(RD&A), she has been the primary legal advisor on all Navy shipbuilding programs. Her duties have also included drafting Navy Secretariat policy and guidance to implement statutes; reviewing legislative proposals; and representing the Navy's legal position before governmental entities such as GAO, the Maritime Administration, the Office of Government Ethics, and Congress. Ms. Carney is a subject matter expert on Government ethics and standards of conduct laws, and serves as the Program Manager of the Assistant Secretary of the Navy (RD&A) ethics program.

Ms. Carney has provided noteworthy service throughout her tenure. She has been firmly committed to a strong ethics program and ethical culture, serving for over two years with distinction as the OAGC(RD&A) representative on the Secretariat Executive Steering Group, implementing one of the Secretary of the Navy's Strategic Objectives. She has consistently placed an emphasis on cooperative efforts within the Navy and Federal agencies, leading to more efficient and consistent operations. Ms. Carney's exceptional cooperation and teamwork skills are not confined to her Federal colleagues—she has also established effective working relationships throughout industry while working on highly complex, contentious legal issues. On many occasions, she used her relationships with industry counsel to resolve or even avoid sensitive ethics issues. Ms. Carney is widely known for her expertise on matters concerning the release of information to Congress, GAO, the Congressional Budget Office, and the Congressional Research Service. She has been instrumental in developing enhanced DON policy on communications with industry, an area where acquisition and ethics issues overlap.

Katharine has been a friend and mentor to both military and civilian personnel throughout her career. I thank her for her service to Navy OGC and our nation. I urge my colleagues to salute her for a job well done and wish her a happy and healthy retirement.

HONORING JOSH GILLILAND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Josh Gilliland. Josh is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Royal Rangers and earning the most pres-

tigious award of the Gold Medal of Achievement.

Josh has taken an active part with the Royal Rangers through his church, Blue Springs Assembly in Blue Springs, Missouri. The Royal Rangers provide young men the character development and leadership formation needed to thrive in today's world. Attaining the Gold Medal of Achievement demonstrates Josh's dedication and commitment to the Royal Rangers. I am sure that Josh will continue to hold such high standards in the future.

Mr. Speaker, I proudly ask you to join me in commending Josh Gilliland for his accomplishments with the Royal Rangers and for his efforts put forth in achieving the highest distinction of the Gold Medal of Achievement.

HONORING THE UNVEILING OF THE ROSA PARKS STATUE IN STATUARY HALL

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, the unveiling of the new statue of Rosa Parks in Statuary Hall marks an historic moment. No American man or woman has stood taller than Rosa Parks when she refused to stand and move to the back of a legally segregated bus in Montgomery, Alabama. The first full-sized statue of an African American to be approved and funded by Congress since 1873 honors the actions of this humble Black woman which triggered the Montgomery bus boycott. The boycott ultimately led to the U.S. Supreme Court's 1956 decision declaring segregation on municipal buses unconstitutional.

As Chairman of the Committee on House Administration, it was my honor to shepherd the process through Congress and to manage passage of the enabling legislation which was written and introduced by introduced by former Congressman Jesse Jackson, Jr. It was humbling for me, and my colleagues, to make decisions that would help shape and preserve her legacy including working with Architect of the Capitol on selecting the final design. The artists captured her quiet dignity, and hallmark strength. She'll forever appear as steady and unmovable as the rock she sits upon.

Mr. Speaker, I would like to commend the work of Congressman Jackson who brought the need for this statute and the need to name Emancipation Hall to the House's attention. I was moved by the statement that Mr. Jackson prepared to deliver today.

THE UNVEILING OF ROSA PARKS' STATUE IN STATUARY HALL—SPEECH PREPARED BY JESSE JACKSON, JR. BEFORE HE WENT ON MEDICAL LEAVE, JUNE 10, 2012

INTRODUCTION

Statuary Hall is the old home of the House of Representatives. Clio, the female figure in back, was symbolically taking notes and recording laws as they were made. The woman in front is a symbol of freedom and liberty—even though slavery existed in her presence. The body that met here was totally racially segregated and sexist.

I. WHY ROSA PARKS IN STATUARY HALL?

On December 1, 1955 Rosa Parks stood up by sitting down on a legally segregated bus

in Montgomery, Alabama. She violated a state statute and a city ordinance that was in keeping with the dominant conservative legal framework of Alabama—states' rights, local control, laissez-faire economics and voluntarism.

Why did I insist that the Rosa Parks statue be placed in Statuary Hall? Because I wanted her presence to represent a more holistic view of American history and I wanted her to be seen in historical context. What do I mean?

I wanted her to desegregate this room and to keep an eye on the others here who kept her legally segregated (because of her race) in the name of a conservative political philosophy called states' rights, local control, laissez-faire economics and voluntarism with an attitude of (quote) "our Negroes are happy down here and we'll work it out." Persons like Jefferson Davis of Mississippi, President of the Confederacy; Alexander Hamilton Stephens of Georgia, Vice President of the Confederacy; General Joseph Wheeler of Alabama, still in his Confederate uniform; and the Great racial Compromiser, Henry Clay of Kentucky.

The Rosa Parks statue is appropriately taking the spot formerly occupied by Confederate General Robert E. Lee of Virginia, who was recently reassigned to the Crypt.

And I don't want to forget Brigham Young of Utah, whose religion barred African Americans until 1978.

Finally, I wanted Daniel Webster and those who believed in building a more perfect Union—not a more separate and unequal states' rights—to have some company.

II. WE MUST SEE ROSA PARKS IN HISTORICAL CONTEXT

This is what I mean by "historical context." The House of Representatives met in this room for 50 years—between 1807 and 1857.

Under the Constitution's direction, in this room, the international slave trade ended in 1808—even though it was allowed to continue between the states.

In this room the Missouri Compromise of 1820 became law, which admitted Missouri as a slave state and Maine as a free state—followed by six other states admitted by 1848, three slave and three free in order to protect the peculiar institution through a balance of power in the Senate.

The House's "gag rule" originated in this room in the mid-1830s—which barred discussion or referral to committee of all anti-slavery petitions.

The great racial debates in the Senate between 1820 and 1850 involving John Calhoun, Daniel Webster and Henry Clay, and the resulting racial compromises that kept the Union together—but only delayed the American Civil War—took place only a few steps from here and impacted this body.

In this room Whig Congressman Abraham Lincoln of Illinois served one term in the 30th Congress (1847-to-1849) and on December 22, 1847 presented his "Spot Resolutions" in opposition to the war with Mexico. Of course, in 1861 he became the 16th and first Republican President of the United States, kept the Union together through a bloody war that cost 620,000 American lives, issued the Emancipation Proclamation in 1863, overcame the limitations of the 10th Amendment and steered the 13th Amendment ending slavery through Congress in 1865 and shortly thereafter was assassinated for advocating the "right to vote" for Negroes.

The Fugitive Slave Law of 1850 was passed in this room, which allowed the long arm of the federal government to reach out in the North and bring an escaped slave back to slavery in the South—ironically, unlike

today, when we don't want the long arm of the federal government to reach out and bring someone health care or education or housing or the right to vote or a clean environment or equal protection under the law.

Guns and knives were brought into this chamber, fist fights broke out, and "duels to the death" over slavery were proposed in this room.

The 1854 Kansas-Nebraska Act, featuring the organizing principle of Illinois Senator Stephen A. Douglas—"popular sovereignty" or "states' rights"—was passed in this chamber, triggering the founding of the Republican Party as an anti-slavery party in Ripon, Wisconsin in 1854, followed by "Bleeding Kansas," John Brown's raid at Harper's Ferry in 1859, Lincoln's election in November, 1860 and the start of the American Civil War on April 12, 1861.

And it was on May 22, 1856, that South Carolina's Representative Preston Brooks left this chamber and nearly beat to death with a cane Abolitionist Senator Charles Sumner of Massachusetts, accusing him of insulting his uncle, South Carolina Senator Andrew P. Butler, for analogizing his embrace of a prostitute (i.e., slavery) as his mistress.

Statuary Hall is also where the Massachusetts militia was quartered during the Civil War.

III. ROSA PARKS AND THE LAW

Rosa Park's sit-down and arrest on December 1, 1955 triggered the Montgomery bus boycott and brought Dr. Martin Luther King, Jr. to national prominence. On February 1, 1956, two days after segregationists bombed Dr. King's house, Fred Gray and Charles D. Langford—aided by Thurgood Marshall and the NAACP—filed the lawsuit known as (Plaintiff) Browder vs. (Mayor) Gayle.

It made its way to the Supreme Court challenging Alabama's state statutes and Montgomery's city ordinances requiring segregation on Montgomery's buses. On June 5, 1956 a three-judge U.S. District Court ruled 2-to-1 that Alabama's segregated buses were unconstitutional based on the 1954 Brown decision.

An appeal by Alabama and Montgomery was rejected by the Supreme Court on December 17 and on December 20, 1956 the decision officially arrived in Montgomery. Dr. King and the community voted to end the 381-day bus boycott and the next morning Dr. King and African Americans in Montgomery—for the first time—rode Montgomery's buses on a desegregated basis.

It reminds me of Supreme Court Justice Thurgood Marshall's speech at a bicentennial celebration of the Constitution in 1987. "What is striking" Justice Marshall said, "is the role legal principles have played throughout America's history in determining the condition of Negroes. They were enslaved by law, emancipated by law, disenfranchised and segregated by law; and, finally, they have begun to win equality by law. Along the way, new constitutional principles have emerged to meet the challenges of a changing society. The progress has been dramatic, and it will continue."

CONCLUSION

Rosa Parks was carrying a lot of historic weight on her shoulders emanating from this room. That's why she deserves to be here in Statuary Hall.

Rosa Parks challenged Alabama and the 10th Amendment (states' rights), Montgomery (local control), laissez-faire economics (a deregulated environment where transactions between private parties were free

from government over-site) and volunteerism (just give us a little time, don't interfere and we'll work it out), and she took her case all the way to the Supreme Court—and prevailed—in order to form a more perfect Union!

Or, to put it another way paraphrasing a past popular song, Rosa Parks fought law (state and local law)—and the law (federal law) won—by affirming everyone's citizenship and providing equal protection under the law for all Americans.

Rosa Parks—rest in peace.

Rosa Parks statue—stand here among the mighty with dignity.

HONORING DAVID ENNIS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor a distinguished resident of the City of Escalon, Mr. David Ennis.

David Ennis is a devoted civic leader, whose good deeds earn him the respect and admiration of his family, friends, colleagues, and community. He was elected to the Escalon City Council on March 7, 1978; and during his 24-year tenure, he diligently served the city in his roles as Councilmember, Mayor Pro Tempore, and Mayor.

During Mr. Ennis's tenure as Councilmember, he voted to pass the city's Growth Management Ordinance and helped head the project committee for the Walt Hogan Memorial Sports Complex.

Mr. Ennis currently serves as Board Trustee for Escalon Community Ambulance, in addition to serving as the Escalon Representative to the San Joaquin Commission on Aging. He is a dedicated advocate for senior rights and is a frequent volunteer at the Escalon Community Center's Senior Lunch Program.

Mr. Speaker, please join me in honoring and recognizing Mr. David Ennis for his unwavering leadership and many accomplishments and contributions. His dedication and commitment have made the City of Escalon a better place for all to live and work, and his life serves as an example of excellence to those in our community.

RECOGNIZING DR. RON DAVIS FOR BEING AWARDED THE PRESTIGIOUS JAVITS NEUROSCIENCE INVESTIGATOR AWARD

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to recognize and honor Dr. Ron Davis, who as chair of the Neuroscience Department of the Florida campus of The Scripps Research Institute (TSRI) has made exceptional contributions to the field of neuroscience and the treatment of neurological diseases. For his work on the complex biology of memory formation and the disorders that disrupt it, Dr. Davis has recently been awarded the pres-

tigious \$3.5 million Jacob K. Javits Neuroscience Investigator Award.

This award was first mandated by an act of Congress in 1983. The National Institute of Neurological Disorders and Stroke (NINDS), an agency within the National Institutes of Health (NIH), awards this special merit grant to persons with a history of outstanding talent, imagination and distinguished scientific achievement within the field of neurological science. This is the second grant Dr. Davis has received from NINDS, showing his dedication to neuroscience research for over 30 years. Currently, Dr. Davis is an affiliate professor at the Department of Biological Sciences of Florida Atlantic University in Boca Raton, Florida. He received his Ph.D. from the University of California, Davis in 1979.

I am extremely proud of the research conducted by Dr. Davis and Scripps Florida, which Florida's 18th district is proud to be home to. TSRI is one of the world's largest independent, not-for-profit organizations focusing on research in the biomedical sciences. Over the past decades, TSRI has developed a lengthy track record of major contributions to science and health, including laying the foundation for new treatments for cancer, rheumatoid arthritis, hemophilia, and other diseases. This new study by Dr. Davis will focus on an area of memory formation that has remained relatively enigmatic—the role that active forgetting plays in learning and memory. I look forward to the advancements gained through this new research in the next four years and beyond.

Mr. Speaker, the work of Dr. Davis is truly admirable and I am honored to recognize his accomplishments here today. I thank him for his lifetime of contributions to the field of neuroscience and offer my support of his continued research in the field.

IN RECOGNITION OF TEMPLE SHALOM'S 50TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Temple Shalom in Aberdeen, NJ as members gather to celebrate its 50th Anniversary. Since its founding in 1963, Temple Shalom has grown in both construction and in membership, while continuing to provide spiritual guidance to the Reform Jewish Community of northern Monmouth and southeastern Middlesex counties.

Built in 1967, the Temple has expanded over the years as the congregation continues to grow. Serving nearly 500 families today, Temple Shalom provides a welcoming place for the Jewish community to learn, pray and connect with others. Committed to Jewish education, Temple Shalom has a religious school for kindergarten to grade 12 students and in 1991 they expanded to include a nursery school. In addition to cultivating the minds of its young congregants, Temple Shalom maintains a responsibility to on-going learning and lifelong study of the Torah for all its members.

Temple Shalom also dedicates itself to social action, advocating for issues important to its community and providing aid to those in need. Likewise, Temple Shalom offers various social and cultural activities to its members, encouraging an active congregation.

Rabbi Laurence Malingier was elected Temple Shalom's senior rabbi in 1999. Previously, the Temple was led by Rabbi Henry Weiner for 32 years. Rabbi Malingier continues to provide spiritual leadership and guidance to the congregation. The clergy, staff and members of Temple Shalom endeavor to carry on its mission and ensure a viable future.

Mr. Speaker, once again, please join me in celebrating Temple Shalom's 50th Anniversary. Its service and dedication is highly deserving of this body's recognition.

HONORING RILEY MILLER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Riley Miller. Riley is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and earning the most prestigious award of Eagle Scout.

Riley has been very active with his troop, participating in many scout activities. Over the many years Riley has been involved with scouting, he has not only earned 39 merit badges, but also the respect of his family, peers, and community. Most notably, Riley has led his troop as the assistant patrol leader, librarian and patrol leader. Riley has also contributed to his community through his Eagle Scout project. Riley designed and constructed landscaping around the base of Holy Trinity Catholic Church in Weston, Missouri, including the placement of river stones around the base, building a cover of an unused heating duct and constructing three small containment walls.

Mr. Speaker, I proudly ask you to join me in commending Riley Miller for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TEXAS NAVY SERVING THE REPUBLIC OF TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. POE of Texas. Mr. Speaker, on March 2, 1836, Texas declared her independence from Mexico, and on April 21, 1836 at the Battle of San Jacinto—the most important military victory in Texas history—Texas actually became a Republic all unto herself and remained so for nine glorious years.

On the marshy plains of San Jacinto, the victory over Santa Anna and the Mexican Army under General Sam Houston and the Boys can be credited not only to the Texas

Army on land but also to the forces patrolling the Gulf of Mexico—the first Texas Navy.

The Texas Navy was established on November 25, 1835 to protect supply lines between Texas and New Orleans from Mexican naval ships. A tiny fleet of four schooners, named the *Independence*, *Brutus*, *Invincible* and *Liberty*, were purchased to protect and supply the new Republic. The Navy had its own Commodore, Captain Charles Hawkins, appointed by the Republic's own president, David G. Burnet.

Commodore Hawkins was born in New York in 1802. At the age of 16, Hawkins enlisted in the United States Navy as a midshipman and began his military career in the Atlantic before transferring to the West Indies. On board a ship in the West Indies, Hawkins met Commodore David Porter, a hero of the War of 1812. Commodore Porter got himself into some mischief after invading a town in Puerto Rico in 1825 and was court-martialed. He resigned, chose to go command the Mexican Navy fleet and recruited the feisty, young sailor Hawkins to join him in the Mexican Navy.

Hawkins spent the next several years as a Mexican naval commander, fighting against Spaniard ships opposing Mexico's Independence in the Gulf of Mexico. The Mexican Navy soon began to have doubts about American officers serving aboard their ships; these worries caused Hawkins to resign and move to Texas in 1828. Once in Texas, Hawkins worked as a river captain on the Chattahoochee.

Hawkins' path to the Texas Navy started when he met General Sam Houston in San Felipe. Houston was impressed with Hawkins' experience and his desire to serve as navy captain to the new Texas Republic. Houston referred Hawkins to Governor Henry Smith, who then sent Hawkins to New Orleans to begin command over the *Independence*. At the age of 34, as Commander of the Texas Navy, Hawkins sailed the *Independence* to the Gulf of Mexico to patrol the coast between Galveston and New Orleans.

Meanwhile, General Sam Houston was busy building the Texas Army to defeat Santa Anna near the San Jacinto River and Buffalo Bayou at Lynch's Ferry. On the afternoon of April 21st, General Sam and the Boys, 700 Texas Freedom fighters, marched double time, in a single line of independence—taking on a professional army over twice their size.

Santa Anna's army, caught napping, was routed. Most of the enemy was killed or wounded. The rest were captured or disappeared. The victory was stunning. The rest, as they say, is Texas history. But one of the most important factors in that Texas victory, mentioned briefly by some historians, was the maritime activity and success of the first Texas Navy.

Commodore Hawkins and his brave crew of gutsy, scrappy sailors changed the course of Texas history on April 21, 1836. The Texas Navy helped win Texas independence by preventing Mexican ships from supplying Santa Anna, seizing gunpowder on Mexican ships and delivering aid to General Sam Houston's army. The heroic acts of the first Texas Navy resulted in one of the largest land transfers in world history and gave way to a new independent nation—the Republic of Texas.

Texas still has an "Honorary" Texas Navy. In the 1980s, the Governor of Texas appointed me as an Admiral in the Texas Navy. (Everyone in the Navy is an Admiral.) During my tenure as a judge, I ordered offenders to be "enlisted" in the "Texas Navy." The probationers were skilled welders, painters, plumbers and electricians. They were required to help in the restoration efforts of the Battleship Texas. This became another effective tool that both served the public and the probationer—a few went on to be hired by the Texas Parks and Wildlife Department. The probationers became a part of the history of the great ship "Texas". After being dry docked in Galveston in the 80's, many much needed repairs were made by different organizations and thousands of volunteers—all to help preserve the Battleship Texas.

The Texas Navy is one of the unique historical traditions of our great State.

And that's just the way it is.

HONORING COLONEL ROBERT S. CRANSTON

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. HURT. Mr. Speaker, I rise today to honor the life of World War II veteran and military broadcaster, and a dear friend, Colonel Robert S. Cranston, of Bedford County, Virginia.

In November of 1942, Colonel Cranston signed up to serve. At 22, he was promoted to sergeant major of the 51st Signal Battalion and by 1943 he was named a second lieutenant in the Army Signal Corps. He bravely fought in Normandy following the D-Day invasion and was later wounded at the Battle of the Bulge. And he served side by side with General Eisenhower as he commanded the North Atlantic Treaty Organization.

Col. Cranston dedicated his life to serving our nation and to keeping our troops and all Americans informed through broadcast media. Our community has suffered a great loss and I ask that my colleagues join me today in honoring the life of Col. Cranston for his selflessness, courage, and sacrifice and for his important role in history as a source of information to our men and women in uniform fighting abroad to defend our freedoms at home.

REINTRODUCTION OF THE HUMPHREY-HAWKINS FULL EMPLOYMENT AND TRAINING ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. CONYERS. Mr. Speaker, I rise today to announce that I have reintroduced the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013. It is my hope that with the reintroduction of this bill, Congress will begin to examine the idea that the federal government has a significant role to play in

putting America back to work, especially during our current economic downturn. Noted economists have shown that the private sector alone will not be able to create a full employment economy in the foreseeable future.

The Federal Government must use its full authority and powers to put Americans back to work. In our nation, we have far too many people desperately seeking a full-time job. These people are veterans, construction workers, young men and women, and those who have lost their jobs to unfair foreign competition. We know the financial pressures and personal hardships that result from being unemployed for long periods of time: the loss of one's dignity, housing and food insecurity, loss of health insurance, homelessness, marital problems, and the inability to care for one's self or family.

During the Great Depression, President Roosevelt struck a New Deal that put millions of Americans back to work building roads, schools, community centers, dams, bridges, parks, and electrification systems. In this program, many women were employed constructing blankets for our nation's hospitals, and our troops who fought in World War II.

President Roosevelt was resolute in the idea that every American who wanted a job should be able to have one. I also share this view. Help provide an unemployed man or woman with a job, and their lives come together, and they regain their dignity and sense of self-worth. People just do better when they are working. It is just that simple.

There is no reason why America cannot have a 21st Century New Deal, where unemployed Americans become gainfully employed restoring our communities, assisting people in need, and repairing our crumbling infrastructure. This is what the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013 seeks to accomplish.

Under the Act, the Department of Labor would work collaboratively with local and state governments, non-profits, and the private sector to fund community-based "fast track" jobs. This work could include renovating housing and schools, weatherizing homes, fixing our aging infrastructure, expanding access to broadband and wireless Internet, neighborhood beautification projects, or other community initiatives in the health and education sectors.

It is apparent to me that the next wave of significant job growth will be in the green jobs and clean energy sectors. The Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013 would help pay for the training of workers to install solar panels in houses and buildings, or manufacture wind turbines, electric batteries, and electric cars. Funds could be used to train workers to build roads, bridges, levees, and clean mass transit systems such as electric bus and metro rail cars.

The bill would provide cities and states with the needed funding to pay unemployed inner city youth and adults to rebuild our nation's crumbling and dilapidated schools, housing, and neighborhoods.

There are so many youth whose lives are needlessly ruined, because they cannot envision a future that includes dignified work. I truly believe young people could be steered

away from costly lives of crime if they believe they will be able to have a meaningful career. We need more jobs, not jails.

Think about all the unemployed people in America who could be employed in the field of child care, working as preschool teachers, or assisting our nation's seniors and disabled in their own homes.

Under the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013, there would be a significant increase in funding for job training programs funded under the Workforce Investment Act. Funds would go towards successful programs like the Job Corps, which would be expanded to provide additional job training and job placement opportunities.

Funds would automatically continue to be disbursed from the Act's Full Employment and Training Trust Fund to cities and states, until every American worker who wants a job can find one. Additionally, the act will be fully funded by a tax on Wall Street speculation, and will not add a dime to the federal debt.

I respectfully urge my fellow colleagues on both sides of the aisle to consider supporting the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013. The American people need jobs now.

HONORING LOIS M. SAHYOUN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor San Joaquin County Clerk to the Board of Supervisors Ms. Lois M. Sahyoun, who is retiring after more than 33 years of outstanding service to our county.

Ms. Sahyoun graduated from Edison High School and San Joaquin Delta College. She continued her education at the University of the Pacific, earning a Certificate of Completion for Public Management in Changing Environment. She also completed the San Joaquin County Human Resources Leadership Academy.

In 1966, she began her career in county service as a Clerk Typist with the Department of Public Assistance, where she was promoted to Clerk Stenographer in Administration and worked for the Assistant Director. Lois was then hired by the Board of Supervisors and promoted to Board Secretary/Office Manager.

In 1979, Lois took a job with Representative Norman D. Shumway and worked as his District Coordinator for nine years. She returned to the Board of Supervisors in 1991 as an Administrative Manager. In 1993, she was appointed by the Board of Supervisors as Clerk of the Board.

The San Joaquin County Committees on which Ms. Sahyoun has served include the San Joaquin County-Wide Internet Security Committee, San Joaquin County Equal Employment Opportunity Coordinator, Department Head Retreat Committee, Diversity Luncheon Committee, San Joaquin County Mentor-Mentee Partnership Program, County Content Management System Committee, and the San Joaquin County Green Committee. Ms.

Sahyoun is also currently in her fourth four-year term as a Commissioner with the San Joaquin County Parks and Recreation Commission.

Additionally, Lois served on the City of Stockton Planning Commission, the Board of Directors of the Central Valley Asian-American Chamber of Commerce, and was the former President and District Commissioner of the Little League and Babe Ruth Sports Programs in Stockton, California. On the Statewide California Clerk of the Board of Supervisors Association, she served as Treasurer, Secretary, Vice President, and President. She has dedicated her time as Editor of the Capstone Publication and her efforts to the Education Committee, Nomination Committee, Mentor Committee, New Clerks Institute, and the New Supervisors Institute.

Mr. Speaker, please join me in honoring and commending Ms. Lois M. Sahyoun for her numerous years of selfless service to the betterment of our community.

THE INTRODUCTION OF THE UNIVERSAL PREKINDERGARTEN AND EARLY CHILDHOOD EDUCATION ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. NORTON. Mr. Speaker, today, I am reintroducing a bill similar to a bill I have introduced since the 109th Congress, the Universal Prekindergarten and Early Childhood Education Act of 2013 (Universal Pre-K), to begin the process of providing universal public prekindergarten education in public and public charter schools. Although I have consistently introduced a bill in the past, this year it is particularly ripe in light of President Obama's call for early education for all children in his recent State of the Union speech. My bill is meant to fill a hole in the "No Child Left Behind Act," which addresses elementary and secondary education but ignores the prekindergarten years, perhaps the most critical years for children's brain development. The President's proposal has not been committed to legislation yet, but his cost-sharing model is similar to my bill. My bill seeks a breakthrough in public elementary school education by providing the initial funding for states to encourage local school districts to add prekindergarten for children four years of age, as kindergarten programs were for five-year-olds that are now routinely available in public schools. The bill would eliminate some of the major shortcomings of unevenly available commercial daycare and, importantly, would ensure access to qualified teachers and the safe facilities of public schools. Unless early education becomes a necessary part of a child's education, I believe that it will continue to be unavailable to the majority of families with children.

My bill provides federal funds to states, which must be matched by at least 20 percent of state funds, to create universal, voluntary prekindergarten in public and public charter schools for four-year-olds, regardless of income. The classes, which would be full-day

and run throughout the entire school year, must be taught by teachers who possess equivalent or similar qualifications to those in other grades in the school. The funds would supplement, not supplant, other federal funds for early childhood education. The unique aspect of my bill is that it uses the existing public school infrastructure and trained teachers to make early childhood education available to all.

The success of Head Start and other pre-kindergarten programs, combined with new scientific evidence concerning the importance of brain development in early childhood, virtually mandate the expansion of early childhood education to all children today. However, early learning programs have been available only to the affluent, who can afford them, and to low-income families in programs such as Head Start, which would be unaffected by my bill. My bill provides a practical way to gradually move to universal public preschool education. The goal of the bill is to afford the great majority of the American working poor, lower-middle-class, and middle-class families, most of whom have been left out, the benefits of early childhood education.

We cannot afford to continue to allow the most fertile years for childhood development to pass, only to later wonder why we cannot teach Johnny to read. The bill responds both to the great needs of parents who seek early childhood education, as well as today's brain science, which shows that a child's brain development begins much earlier than previously understood. However, many parents are unable to afford the stimulating education necessary to ensure optimal brain development.

Considering the staggering cost of daycare, the inaccessibility of early childhood education, and the opportunity that early education offers to improve a child's chances of success, schooling for four-year-olds is overdue. The absence of viable options for working families demands our immediate attention.

My bill reflects what jurisdictions increasingly are trying to accomplish. The District of Columbia, for example, has achieved an extensive integration of early childhood education as part of a larger effort to improve the D.C. public schools. A recent report highlighted the economic benefits of early childhood education, emphasizing its role in expanding job opportunities and in decreasing the amount of money spent on programs to address teen pregnancy, crime, and the like.

I strongly urge my colleagues to support the legislation.

COMMENDING TIME WARNER
CABLE FOR THEIR CONNECT A
MILLION MINDS PROGRAM

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MEEKS. Mr. Speaker, I rise to commend Time Warner Cable for its Connect a Million Minds (Camm) initiative designed to inspire the next generation of problem solvers by connecting young people to the wonders of science, technology, engineering and math (STEM) outside of the classroom.

Time Warner Cable's campaign includes original public service announcements and programming, millions of dollars in grants to support non-profit organizations that introduce students to STEM in fun and informal settings and the creation of "The Connectory," a one-of-a-kind resource that allows parents to find kid-centric STEM learning opportunities in their own backyard. Camm also encourages Time Warner Cable employees to volunteer at science fairs, robotics competitions and local Connect a Million Minds events.

In this time of increased global competition and rapid technological change, STEM fields have become increasingly important for the development and maintenance of America's high standard of living. Unfortunately U.S. students' performance in STEM subjects has fallen behind their international peers. As of 2009, the average math literacy score for a 15-year old in the United States is lower than 17 other Organization for Economic Cooperation and Development (OECD) member countries, and is lower than 12 other OECD countries on science literacy. Perhaps most troubling, data found that only one out of every five households had access to STEM extracurricular activities. Meanwhile, even in school, students today spend less time studying science than they did just 15-20 years ago.

Today, employers report that they are having a difficult time finding qualified applicants for STEM jobs, which, on average, pay \$77,880, versus an average of only \$43,460 for non-STEM jobs. This is a problem which will only worsen without serious effort and focus, as it is estimated that jobs in STEM fields will grow 17 percent by 2018, almost double the rate of non-STEM jobs. Given these figures, it is difficult to understate the importance of STEM education for both our nation's collective economic future and the future of our nation's students.

In one program in New York, beginning in early February of this year, students will have a chance to see professionals at the BluePearl Veterinary Partners working in the field and help them using real equipment. Through their many programs they give students from low income families the chance to learn science through scuba diving, receiving tutoring, and going on field trips with STEM professionals. I am looking forward to working with them on programs in my Congressional District.

The Camm program has not only focused resources in New York City, but also in cities, towns and states. With increased attention and support from community figures and leaders in the industries that will someday hire students in STEM fields, Camm looks to be a tremendous success. In closing, I congratulate Time Warner Cable for its Camm initiative; and I hope my colleagues understand the importance of such initiatives for all of our communities.

RECOGNIZING RANDAL MESSER AS
THE 2012-2013 WALTON COUNTY,
FLORIDA, EDUCATIONAL SUP-
PORT PROFESSIONAL OF THE
YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mr. Randal Messer as the 2012-2013 Walton County Educational Support Professional of the Year. I am honored to recognize his achievements and dedication to the students and teachers of Northwest Florida.

Mr. Messer has spent more than 25 years working to help better the lives of Northwest Florida school children, including 22 years at West DeFuniak Elementary, where he currently serves as the School Plant Manager and Technical Contact. In his role at West DeFuniak, Mr. Messer is responsible for ensuring that the students, faculty and staff of the school have a comfortable, clean and safe environment to pursue their work. He is also responsible for maintaining the facilities and technological equipment.

Mr. Messer has an unwavering commitment to carrying out his responsibilities, and he has voluntarily pursued various certifications and additional training to improve the facilities of West DeFuniak Elementary. He has completed comprehensive plant manager training through the Walton County School District, as well as additional training in energy conservation. Mr. Messer also understands the need for proper safety training. He is both CPR and AED certified, has undergone training as part of the Crisis Intervention Team at West DeFuniak, and received FEMA certification for his completion of coursework on Incident Command Systems.

Outside of his work responsibilities, Mr. Messer is also a committed and integral community leader. In 2012, he was recognized by a local radio station, WZEP, and earned the Good Neighbor Award. Mr. Mercer also has a firm commitment to serving the Lord, and he has served as a Deacon at the Community Holiness Church of DeFuniak Springs since 2008.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Randal Messer as the Walton County Educational Support Professional of the Year. His passion for the students of Walton County is laudable and his dedication to his profession is exemplary. My wife Vicki joins me in congratulating Mr. Messer, and we wish him all the best.

HONORING HEIDI McNALLY-DIAL

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ms. Heidi McNally-Dial, Economic Development/Redevelopment Manager for the City of Turlock, who has retired after many years of outstanding service.

Heidi started with the City of Turlock in December of 2006. As part of a Council-approved reorganization to make economic development and redevelopment more visible and active in the community, she had numerous responsibilities. Those responsibilities included implementation of the Westside Industrial Specific Plan (WISP), management of the redevelopment agency, implementation and management of the Turlock Enterprise Zone in cooperation with the Alliance, and acting as the business liaison to assist with expansions, attraction, and retention. In addition, she was asked to represent Turlock on a variety of city and county-wide boards and organizations related to economic development.

Mrs. McNally-Dial has almost 30 years of experience working in local, regional, and state governmental agencies—primarily in the fields of planning, redevelopment, and economic development. Heidi previously worked for Stanislaus County, the City of Modesto, the City of Ceres, and Cal Trans.

Her family moved to Turlock in 1973, when her father chose Castle Air Force Base as his last duty station before retirement. Heidi stayed local and received a Bachelor of Arts in Business Administration in 1980 and a Master's of Public Administration in 1983 from California State University, Stanislaus (CSUS). Heidi has been married for 33 years to Gary Dial, a retired CPA. Together, they have a 25-year-old son, and they enjoy traveling, reading, cooking and brewing beer. Heidi and Gary are also Giants season-ticket holders and sports fans.

Mr. Speaker, please join me in honoring and commending Mrs. Heidi McNally-Dial for her numerous years of selfless service to the betterment of our community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 28, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 5

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the nominations of General James N. Mattis, USMC, Commander, U.S. Central Command, and Admiral William H. McRaven, USN, Commander, U.S. Special Operations Command; with the possibility of a closed session in SVC-217 following the open session.

SH-216

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of Veterans of Foreign Wars (VFW).

SD-G50

10:30 a.m.
Committee on the Budget
To hold hearings to examine reducing the deficit by eliminating wasteful spending in the tax code.

SD-608

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 6

9:30 a.m.
Committee on the Judiciary
To hold an oversight hearing to examine the Department of Justice.

SD-226

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of the Paralyzed Veterans of America, Vietnam Veterans of America, National Association of State Directors of Veterans Affairs, Fleet Reserve Association, Gold Star Wives, Air Force Sergeants Association, and AMVETS.

CHOB-345

10 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the Department of Homeland Security at 10 years, focusing on a progress report on management.

SD-342

MARCH 7

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the U.S. Africa Command and U.S. Transportation Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior.

SD-366

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 12

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the U.S. Strategic Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

MARCH 13

10 a.m.
Committee on the Judiciary
To hold hearings to examine fulfilling the promise of open government five years after the "OPEN Government Act".

SD-226

Committee on Veterans' Affairs
To hold hearings to examine Veterans' Affairs (VA) claims process, focusing on a review of Veterans' Affairs transformation efforts.

SR-418

MARCH 19

10 a.m.
Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold hearings to examine the American Airlines/US Airways merger, focusing on consolidation, competition, and consumers.

SD-226

APRIL 11

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

APRIL 25

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

HOUSE OF REPRESENTATIVES—Thursday, February 28, 2013

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 28, 2013.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, through whom we see what we could be and what we can become, thank You for giving us another day.

In these days our Nation is faced with pressing issues, while we honor the memory of many who acted courageously a half century ago to bring greater freedoms to all Americans. Grant wisdom, knowledge, and understanding to us all, as well as an extra measure of charity.

Send Your spirit upon the Members of this people's House, who labor within these Halls under public scrutiny. Give them peace and an abundance of prudence in the work they do.

And may all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. BARROW) come forward and lead the House in the Pledge of Allegiance.

Mr. BARROW of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

SEQUESTRATION IS HERE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. WILSON of South Carolina. Madam Speaker, at midnight tonight, the Department of Defense and other government agencies will fall victim to the President's sequester. Every American family will be affected by the shifting of funds.

In South Carolina's Second Congressional District, which I am grateful to represent, the Army's base at Fort Jackson in Columbia is expected to lose \$75 million. Additionally, the Savannah River Site in Aiken and Barnwell will be forced to furlough thousands of hardworking employees and stall critical national missions due to a possible \$200 million budget cut. Both of these shifts will endanger our national security.

The President and the Senate have refused to negotiate with House Republicans on a possible solution until today. House Republicans have voted twice to avoid sequestration. Our Nation has a spending problem we must address before it is too late and our debt spirals out of control. The President should change course and begin working with both Houses of Congress to tackle the national debt which threatens American families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SEQUESTER

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute.)

Mr. BARROW of Georgia. Madam Speaker, in a few hours, the so-called "sequester" will begin to take effect, and the things we cannot do without will be cut just the same as the things we don't need and can't afford.

What got us to this point was the failure to compromise, and what's kept us from solving this problem is that same failure to compromise. Only in Washington can so many folks agree on what the problem is, yet no solution is brought to the table.

My home State of Georgia is home to some of this country's vital military

installations, including Fort Gordon in my district, the central nervous system of our national defense. Nearly \$1 billion in cuts will spread across these installations and will have devastating impacts on surrounding communities.

I urge my colleagues to come back to the table, find the spending cuts we need to avoid this disaster, and begin the process of putting these partisan games behind us.

SEQUESTRATION

(Mr. BROOKS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. BROOKS of Alabama. Madam Speaker, in 2011, I voted against the Budget Control Act and President Obama's sequester because I believed and feared they posed a grave threat to national security. That fear has come true. As I stand here today, north Alabamians face job furloughs in the thousands because Washington would rather spend money on frivolous programs than protect national security.

Madam Speaker, I have voted against sequester at every opportunity. I sent a letter to the White House calling on the President to face and avoid the horrendous consequences of his sequester. I've escorted members of the House Armed Services Committee around Redstone Arsenal to help them better understand how our civilian defense workers are critical to America's security, and I have repeatedly cosponsored legislation to end the sequester.

For nearly 2 years I have been fighting sequester and the hollowing out of our Armed Forces. It's time for the President and the Senate to do the same.

SEQUESTRATION

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Many of my constituents ask the question of what work are we doing for them. I'm very glad this morning that we will finally end the long journey for the Violence Against Women Act and finally vote on a recognized compromise that the Senate has proposed.

But I also say that I'm not here to talk about process and blame when it comes to this pending sequester, which most Americans do not understand. But I'm ready to work, and I believe we should stay and work. We should follow

the Senate plan that follows the Buffett rule and provides for modest reductions in defense and does not provide for these devastating cuts until 2014.

We can get this done, but we cannot have any compromise when one side refuses to acknowledge that it takes revenue to run this government to be able to ensure that people have the resources that they need when there's a natural disaster or that our military has the resources that they need. Or, for example, in Texas, for my colleagues who refuted the idea that I stand for children, where we're losing some 4,000 spots in Head Start, we can do something, Madam Speaker. We simply need to stay and work and follow the Senate plan.

SEQUESTRATION

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Madam Speaker, I rise today to ask the White House to lead and turn away from Mayan politics: the world is going to end.

This strategy over the President's automatic cuts borders on untruthful. For example, the FAA released a list of 238 regional airports that could potentially close due to the President's cuts, saying that at least 100 of them would be closed. How can the FAA list 238 at-risk airports and admit that only 100 of them will close? It's Mayan politics. 238 affected airports puts more fear in people than 100 regional airports. Even with tomorrow's spending cuts, FAA operations and facilities will have \$500 million more than 2008 levels, and air traffic is lower.

More money, less traffic, and dramatic cuts? My seventh-grader would say, "That's fuzzy math, Dad." It's true. He's right.

The truth will prevail.

□ 0910

STOP THE SEQUESTER

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY of California. As a member of the Veterans Affairs' Committee, as an American, and as the proud Representative of Ventura County—we are home to a large naval base with a very significant veteran community—I am extremely concerned about the impact the sequester will have on our women and men and their families who have courageously served, sacrificed, and defended our country.

If Congress fails to stop the across-the-board and unnecessary cuts at this moment, so many programs that help veterans—like transitioning to civilian life and finding employment—will be reduced.

More veterans with less resources is unacceptable. Our brave men and women deserve better. Now is the time to be doing more, not less. For our veterans' sake, we need to come together to stop this sequester now.

DEBT AND OVERSPENDING

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Madam Speaker, \$52,653. A lot of numbers have been associated with our skyrocketing debt and government overspending, but \$52,653 is a particularly striking one and should give everyone pause as the specter of an unwanted sequester looms over the Federal budget this week. \$52,653 is the amount each individual American man, woman, and child owes as of today to pay off the country's \$16.6 trillion debt.

Clearly, overspending by the Federal Government has saddled us and our children with unsustainable debt. And just as clearly, any alternative must include reduction in spending.

I'm not looking for winners or losers in D.C.; I want the American people to win when we make the cuts that need to be made. Controlling spending is a necessity. Targeted spending cuts, such as the House has twice proposed and passed, is vital to the sequestration solution.

There is nothing worse than passing on a legacy to our children of a lower standard of living. Madam Speaker, we can and must deal with this issue of debt and overspending so that our children will not have to face \$52,653.

SAFE CLIMATE CAUCUS

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Madam Speaker, while Congress is dealing with this manufactured sequester crisis, we have a real climate crisis occurring right outside the window.

There is clarity on what should be a bipartisan issue with the public. Seven out of 10 Americans believe the scientists that climate change is happening and that humans are making it worse. Every day, Americans see the impact. With record droughts and extreme storm events, 2012 set more than 3,500 monthly records for extreme heat, rain, and snow.

This week, 38 leading Republicans and national security advisors urged international action to prevent and mitigate the impact of climate change. The letter highlights the importance of immediate action and expresses national security concerns should we fail to address these issues.

We should be addressing the real climate crisis instead of dealing with a phony, made-up fiscal crisis.

PAYING TRIBUTE TO ANDREW LEWIS

(Ms. DELBENE asked and was given permission to address the House for 1 minute.)

Ms. DELBENE. Madam Speaker, I rise today to pay tribute to Andrew Lewis, who tragically and suddenly passed away this weekend.

Andrew was a volunteer leader for the Sierra Club for over 25 years, serving most recently as the chair of the Washington State chapter. He was a local leader known for his intelligence, humor, and dedication, and Andrew was also a friend.

Over the course of his life, Andrew was a strong advocate for the protection of our wildlands and rivers—natural resources that make the Pacific Northwest such a special place.

As an avid rafter, Andrew had a great love for the rivers of Washington State. His early advocacy work helped lay the groundwork that eventually led to bipartisan legislation to protect the Middle Fork, Snoqualmie, and Pratt Rivers and expand the Alpine Lakes Wilderness, a bill that I'm proud to cosponsor.

I was fortunate to get to know him when we both served on the board of our children's school. Here, I saw his passion and love for his community and his family.

Andrew was a man that was large in stature, voice, and heart. My thoughts and prayers go to his wife Maaïke, son Peter, and his entire family. He will be missed by all of us who were fortunate to have known him.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Mrs. McMORRIS RODGERS. Madam Speaker, pursuant to House Resolution 83, I call up the bill (S. 47) to reauthorize the Violence Against Women Act of 1994, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 83, the bill is considered read.

The text of the bill is as follows:

S. 47

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.
- Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. Stop grants.

- Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 201. Sexual assault services program.
- Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
- Sec. 203. Training and services to end violence against women with disabilities grants.
- Sec. 204. Enhanced training and services to end abuse in later life.
- TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE
- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
- Sec. 303. Grants to combat violent crimes on campuses.
- Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the centers for disease control and prevention.
- Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

- Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

- Sec. 801. U nonimmigrant definition.
- Sec. 802. Annual report on immigration applications made by victims of abuse.
- Sec. 803. Protection for children of VAWA self-petitioners.
- Sec. 804. Public charge.
- Sec. 805. Requirements applicable to U visas.
- Sec. 806. Hardship waivers.
- Sec. 807. Protections for a fiancée or fiancé of a citizen.
- Sec. 808. Regulation of international marriage brokers.
- Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.
- Sec. 810. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Grants to Indian tribal governments.
- Sec. 902. Grants to Indian tribal coalitions.
- Sec. 903. Consultation.
- Sec. 904. Tribal jurisdiction over crimes of domestic violence.
- Sec. 905. Tribal protection orders.
- Sec. 906. Amendments to the Federal assault statute.
- Sec. 907. Analysis and research on violence against Indian women.
- Sec. 908. Effective dates; pilot project.
- Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.
- Sec. 910. Special rule for the State of Alaska.

TITLE X—SAFER ACT

- Sec. 1001. Short title.
- Sec. 1002. Debbie Smith grants for auditing sexual assault evidence backlogs.
- Sec. 1003. Reports to Congress.
- Sec. 1004. Reducing the rape kit backlog.
- Sec. 1005. Oversight and accountability.
- Sec. 1006. Sunset.

TITLE XI—OTHER MATTERS

- Sec. 1101. Sexual abuse in custodial settings.
- Sec. 1102. Anonymous online harassment.
- Sec. 1103. Stalker database.
- Sec. 1104. Federal victim assistants reauthorization.
- Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

- Sec. 1201. Regional strategies for combating trafficking in persons.
- Sec. 1202. Partnerships against significant trafficking in persons.
- Sec. 1203. Protection and assistance for victims of trafficking.
- Sec. 1204. Minimum standards for the elimination of trafficking.
- Sec. 1205. Best practices in trafficking in persons eradication.
- Sec. 1206. Protections for domestic workers and other nonimmigrants.
- Sec. 1207. Prevention of child marriage.
- Sec. 1208. Child soldiers.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

- Sec. 1211. Criminal trafficking offenses.

- Sec. 1212. Civil remedies; clarifying definition.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

- Sec. 1221. Protections for trafficking victims who cooperate with law enforcement.
- Sec. 1222. Protection against fraud in foreign labor contracting.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

- Sec. 1231. Reporting requirements for the Attorney General.
- Sec. 1232. Reporting requirements for the Secretary of Labor.
- Sec. 1233. Information sharing to combat child labor and slave labor.
- Sec. 1234. Government training efforts to include the Department of Labor.
- Sec. 1235. GAO report on the use of foreign labor contractors.
- Sec. 1236. Accountability.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

- Sec. 1241. Assistance for domestic minor sex trafficking victims.
- Sec. 1242. Expanding local law enforcement grants for investigations and prosecutions of trafficking.
- Sec. 1243. Model State criminal law protection for child trafficking victims and survivors.

Subtitle C—Authorization of Appropriations

- Sec. 1251. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.
- Sec. 1252. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

Subtitle D—Unaccompanied Alien Children

- Sec. 1261. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.
- Sec. 1262. Appointment of child advocates for unaccompanied minors.
- Sec. 1263. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.
- Sec. 1264. GAO study of the effectiveness of border screenings.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

- (1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);
- (2) by redesignating—
 - (A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;
 - (B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;
 - (C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;
 - (D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;
 - (E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;
 - (F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;
 - (G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and
 - (H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;
- (3) by inserting before paragraph (2), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native

Claims Settlement Act (43 U.S.C. 1601 et seq.).”;

(4) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(5) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (5), as redesignated, the following:

“(6) **CULTURALLY SPECIFIC.**—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g))).

“(7) **CULTURALLY SPECIFIC SERVICES.**—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.”;

(7) in paragraph (8), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) **HOMELESS.**—The term ‘homeless’ has the meaning provided in section 41403(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “governmental victim services programs”;

(10) in paragraph (19), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by inserting after paragraph (19), as redesignated, the following:

“(20) **PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.**—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

“(21) **POPULATION SPECIFIC ORGANIZATION.**—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(22) **POPULATION SPECIFIC SERVICES.**—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(12) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(13) by inserting after paragraph (24), as redesignated, the following:

“(25) **RAPE CRISIS CENTER.**—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”;

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(15) in paragraph (27), as redesignated—

(A) by striking “52” and inserting “57”;

and

(B) by striking “150,000” and inserting “250,000”;

(16) by inserting after paragraph (27), as redesignated, the following:

“(28) **SEX TRAFFICKING.**—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(29) **SEXUAL ASSAULT.**—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(17) by inserting after paragraph (34), as redesignated, the following:

“(35) **TRIBAL COALITION.**—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.”;

(18) by inserting after paragraph (38), as redesignated, the following:

“(39) **UNDERSERVED POPULATIONS.**—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

“(40) **UNIT OF LOCAL GOVERNMENT.**—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”; and

(19) by inserting after paragraph (42), as redesignated, the following:

“(43) **VICTIM SERVICE PROVIDER.**—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

“(44) **VICTIM SERVICES OR SERVICES.**—The terms ‘victim services’ and ‘services’ mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(45) **YOUTH.**—The term ‘youth’ means a person who is 11 to 24 years old.”.

(b) **GRANTS CONDITIONS.**—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) **INFORMATION SHARING.**—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grant-ee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other pro-

gram or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) CONFERRAL.—

“(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

“(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

“(ii) is made available to the public on the Office on Violence Against Women’s website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit findings’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

“(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the

conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2014 through 2018”;

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” after “women.”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”; and

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”;

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

“(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations, including culturally specific populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors”; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical

exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) **CONDITIONS.**—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) **IMPLEMENTATION PLANS.**—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) **REALLOCATION OF FUNDS.**—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)”;

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

“(d) **NONCOOPERATION.**—

“(1) **IN GENERAL.**—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) **COMPLIANCE PERIOD.**—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting “modification, enforcement, dismissal, withdrawal” after “registration,” each place it appears;

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and

(C) by striking “victim of domestic violence” and all that follows through “sexual assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) **IN GENERAL.**—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education

about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, staff from population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

(II) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(III) by inserting “dating violence,” after “victim of domestic violence,”; and

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;

(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(viii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2014 through 2018.”; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victims services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—”

“(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide”; and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

“(7) collect data and provide training and technical assistance, including developing

State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and

victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting “is present” after “Indian Country or”.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “**AND LINGUISTICALLY**”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;;

(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”;

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”;

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”;

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2014 through 2018”.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

“Subtitle H—Enhanced Training and Services To End Abuse Later in Life

“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based

leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

“(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.”

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”; and

(B) by adding at the end the following:

“(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Colum-

bia, and Puerto Rico on the basis of population.”

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ‘(CHOOSE CHILDREN & YOUTH)’.

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal non-profit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmentally, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;”;

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2014 through 2018”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”;

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2014 through 2018.”

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “national origin, sexual orientation, gender identity,”; and

(II) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”; and

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (i) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose fol-

lowing a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt, fair, and impartial investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available record-keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are

reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$1,000,000 for each of the fiscal years 2014 through 2018”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) **SMART PREVENTION.**—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) **GRANTS AUTHORIZED.**—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual as-

sault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

“(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual

assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and

other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-

based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(C) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the

health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other non-profit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

and

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing

or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner

or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as

this section applies to the covered housing program.”.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that.” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”;;

(B) in subsection (a)(1), by striking “fleeing”;

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “ and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and”; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “ employment counseling.”; and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2014 through 2018”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking;” after “sexual exploitation;”.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(1)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(1)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, non-immigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464).

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General's” and inserting “The Secretary of Homeland Security, in the Secretary's”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

(C) in the third sentence, by striking “Attorney General” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”; and

(ii) by striking “the officer” and inserting “the Secretary”; and

(C) in paragraph (3)(B)(i), by striking “abuse, and stalking,” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and

(3) in paragraph (5)(B)(i), by striking “abuse, and stalking,” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required

to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client's birth certificate or other

proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking “REGISTRIES,—” and inserting “WEBSITE,—”; and

(ii) by striking “Registry or State sex offender public registry,” and inserting “Website,”; and

(B) in subparagraph (B)(ii), by striking “or stalking,” and inserting “stalking, or an attempt to commit any such crime.”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website”; and

(ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);”;

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;

(B) by amending subparagraph (B) to read as follows:

“(B) FEDERAL CRIMINAL PENALTIES.—

“(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

“(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

“(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into

entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) ENFORCEMENT.—

“(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT.—” and inserting “STUDIES AND REPORTS.—”; and

(2) by adding at the end the following:

“(4) CONTINUING IMPACT STUDY AND REPORT.—

“(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

“(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48 U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting “, Secretary of State,” after “The Attorney General”;

(2) by inserting “, Department of State,” after “Department of Justice”; and

(3) by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform

and Immigrant Responsibility Act of 1986 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the non-abusing parent or the caretaker of the youth or child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

“(d) TRIBAL COALITION GRANTS.—

“(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

“(A) increasing awareness of domestic violence and sexual assault against Indian women;

“(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

“(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

“(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

“(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

“(A) each tribal coalition that—

“(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(ii) is recognized by the Office on Violence Against Women; and

“(iii) provides services to Indian tribes; and

“(B) organizations that propose to incorporate and operate a tribal coalition in areas

where Indian tribes are located but no tribal coalition exists.

“(3) USE OF AMOUNTS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

“(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

“(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

“(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

“(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.”.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2013” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) DEFINITIONS.—In this section:

“(1) DATING VIOLENCE.—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length

of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

“(3) the right to a trial by an impartial jury that is drawn from sources that—

“(A) reflect a fair cross section of the community; and

“(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

“(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(e) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under

conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following: “(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2014 and 2015”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) **GENERAL EFFECTIVE DATE.**—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) **EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90-284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) **PILOT PROJECT.**—

(A) **IN GENERAL.**—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90-284 on an accelerated basis.

(B) **PROCEDURE.**—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90-284.

(C) **EFFECTIVE DATES FOR PILOT PROJECTS.**—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90-284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) **IN GENERAL.**—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) **REPORT.**—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legis-

lation with respect to the scope of work and composition of the commission.

SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) **EXPANDED JURISDICTION.**—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) **RETAINED JURISDICTION.**—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) **SAVINGS PROVISION.**—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—SAFER ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2013” or the “SAFER Act of 2013”.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) **ALLOCATION OF GRANT AWARDS FOR AUDITS.**—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”; and

(3) by adding at the end the following new subsections:

“(n) **USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.**—

“(1) **ELIGIBILITY.**—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) **GRANT CONDITIONS.**—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

“(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

“(B) shall—

“(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

“(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

“(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

“(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

“(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

“(iv) provide that—

“(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

“(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

“(v) comply with all grantee reporting requirements described in paragraph (4).

“(3) **EXTENSION OF INITIAL DEADLINE.**—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

“(A) **IN GENERAL.**—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

“(B) **CONTENTS OF REPORTS.**—A report under this paragraph shall contain the following information:

“(i) The name of the State or unit of local government filing the report.

“(ii) The period of dates covered by the report.

“(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

“(I) are in the possession of the State or unit of local government at the reporting period;

“(II) are awaiting testing; and

“(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

“(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

“(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

“(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

“(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

“(viii) The cumulative total number of samples of sexual assault evidence described under clause (ii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

“(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

“(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

“(E) OPTIONAL REPORTING.—The Attorney General shall—

“(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

“(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

“(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

“(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

“(A) how to determine—

“(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

“(ii) the preferred order in which evidence from the same case is to be tested; and

“(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

“(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

“(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

“(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

“(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITIONS.—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).”.

SEC. 1003. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking “2014” and inserting “2018”; and

(b) by adding at the end the following:

“(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”.

SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department

of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

SEC. 1006. SUNSET.

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) DEFINITION.—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence

Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undersigned matter following clause (ii), by striking “annoy.”;

(2) in subparagraph (C)—

(A) by striking “annoy.”; and

(B) by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”; and

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2014 through 2018.”.

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking “section 105(f) of this division” and inserting “subsection (g)”;

(2) in subsection (e)(2)—

(A) by striking “(2) COORDINATION OF CERTAIN ACTIVITIES.—” and all that follows through “exploitation.”;

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

“(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.”.

SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

“(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

“(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

“(2) between foreign governments and civil society actors; and

“(3) between the United States Government and private sector entities.

“(b) PARTNERSHIPS.—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

“(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and

“(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

“(c) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

“(d) CHILD PROTECTION COMPACTS.—

“(1) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child

protection compact with the United States to support policies and programs that—

“(A) prevent and respond to violence, exploitation, and abuse against children; and

“(B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

“(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe—

“(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

“(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

“(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

“(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

“(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

“(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

“(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.

“(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or nongovernmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

“(4) ELIGIBLE COUNTRIES.—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

“(A) the selection criteria set forth in paragraph (5); and

“(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

“(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

“(A) a documented high prevalence of trafficking in persons within the country; and

“(B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

“(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

“(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

“(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

“(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

“(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

“(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).”.

SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting “, and make reasonable efforts to distribute information to enable all relevant Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

SEC. 1204. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

(B) by striking “, and measures” and inserting “, a transparent system for remediate or punishing such public officials as a deterrent, measures”;

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries” before the period at the end;

(3) in paragraph (7)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”; and

(C) by inserting “A government’s failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.” after “such trafficking.”;

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that

have resulted in concrete and measurable outcomes with—

“(A) domestic civil society organizations, private sector entities, or international non-governmental organizations, or into multi-lateral or regional arrangements or agreements, to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“(B) the United States toward agreed goals and objectives in the collective fight against trafficking.”.

SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include—” and inserting “describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—”;

(B) in subparagraph (E), by striking “; and” and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting “; and”;

(D) by inserting at the end the following:

“(G) a section entitled ‘Promising Practices in the Eradication of Trafficking in Persons’ to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated, by adding at the end the following:

“(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.”.

SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “AND VIDEO FOR CONSULAR WAITING ROOMS” after “INFORMATION PAMPHLET”;

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”;

(ii) by adding at the end the following: “The video shall be distributed and shown in consular waiting rooms in embassies and consulates appropriate to the circumstances that are determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.”;

(2) in subsection (b), by inserting “and video” after “information pamphlet”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “and produce or dub the video” after “information pamphlet”;

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”;

(4) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”;

(B) in paragraph (2), by inserting “and video” after “information pamphlet”;

(C) by adding at the end the following:

“(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”.

SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

“(j) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

“(1) to prevent child marriage;

“(2) to promote the empowerment of girls at risk of child marriage in developing countries;

“(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

“(4) that targets areas in developing countries with high prevalence of child marriage; and

“(5) that includes diplomatic and programmatic initiatives.”.

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

“(g) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”;

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

“(i) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”.

SEC. 1208. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c-1) is amended—

(1) in subsection (a), by striking “(b), (c), and (d), the authorities contained in section

516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)” and inserting “(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)”;

(2) by adding at the end the following:

“(f) EXCEPTION FOR PEACEKEEPING OPERATIONS.—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.”.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 1351 (relating to fraud in foreign labor contracting),” before “section 1425”.

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce”.

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“§ 1597. Unlawful conduct with respect to immigration documents

“(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —

“(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

“(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) OBSTRUCTION.—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “section 2241(c)” and inserting “section 1589, 1590, 1591, 2241(c)”;

(2) in subsection (b), by striking “six years” and inserting “10 years”.

(b) DEFINITION.—

(1) IN GENERAL.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.—The term ‘abuse or threatened abuse of the legal process’ means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.”;

(C) in paragraph (14), as redesignated, by striking “paragraph (8)” and inserting “paragraph (9)”; and

(D) in paragraph (15), as redesignated, by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking “section 103(7)(A)” and inserting “section 103(8)(A)”; and

(II) by striking “section 103(7)(B)” and inserting “section 103(8)(B)”; and

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking “section 103(8)(A)” and inserting “section 103(9)(A)”.

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking “section 103(8)” and inserting “section 103(9)”; and

(ii) in paragraph (2), by striking “section 103(9)” and inserting “section 103(10)”; and

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III)) is amended by inserting “, or any adult or minor children of a derivative beneficiary of the alien, as” after “age”.

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code);” after “perjury”.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time while ensuring the safe and competent processing of the applications;

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

“(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

“(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

“(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

“(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

“(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”;

(3) in subparagraph (N)(iii), as redesignated, by striking “and” at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting “; and”;

(5) by adding at the end the following:

“(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

“(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

“(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

“(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

“(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

“(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”.

SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

“(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).”.

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting “the Department of Labor, the Equal Employment Opportunity Commission,” before “and the Department”; and

(2) in the second sentence, by inserting “, in consultation with the Secretary of Labor,” before “shall provide”.

SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

SEC. 1236. ACCOUNTABILITY.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) REIMBURSEMENT.—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly

awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this title or an Act amended by this title, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether—

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

“(a) DEFINITIONS.—In this section:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

“(2) ASSISTANT ATTORNEY GENERAL.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving sex trafficking of minors;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(i) building or establishing a residential care facility for minor victims of sex trafficking;

“(ii) the provision of rehabilitative care to minor victims of sex trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

“(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

“(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

“(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

“(4) MINOR VICTIM OF SEX TRAFFICKING.—The term ‘minor victim of sex trafficking’ means an individual who—

“(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

“(B)(i) is not younger than 18 years of age nor older than 20 years of age;

“(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

“(iii) was receiving shelter or services as a minor victim of sex trafficking.

“(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term ‘qualified nongovernmental organization’ means an organization that—

“(A) is not a State or unit of local government, or an agency of a State or unit of local government;

“(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

“(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

“(6) SEX TRAFFICKING OF A MINOR.—The term ‘sex trafficking of a minor’ means an offense described in section 1591(a) of title 18, United States Code, or a comparable State law, against a minor.

“(b) SEX TRAFFICKING BLOCK GRANTS.—

“(1) GRANTS AUTHORIZED.—

“(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

“(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

“(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than \$1,500,000 and not greater than \$2,000,000.

“(D) DURATION.—

“(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

“(ii) RENEWAL.—

“(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

“(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

“(iii) providing minor victims of sex trafficking with clothing and other daily neces-

sities needed to keep such victims from returning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

“(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(3) APPLICATION.—

“(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

“(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

“(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the

Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

“(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”.

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “, which involve United States citizens, or aliens admitted for permanent residence, and”;

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;”;

(D) in subparagraph (C), as redesignated, by inserting “and prioritize the investigations and prosecutions of those cases involving minor victims” after “sex acts”;

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.”;

(4) in subsection (e), as redesignated, by striking “\$20,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(5) by adding at the end the following:

“(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of

and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”.

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) protects children exploited through prostitution by including safe harbor provisions that—

“(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

“(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

“(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

“(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph;”.

Subtitle C—Authorization of Appropriations

SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking “\$2,000,000” and inserting “\$1,000,000”; and

(B) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking “\$5,500,000 for each of the fiscal years 2008 through 2011” each place it appears and inserting “\$2,000,000 for each of the fiscal years 2014 through 2017”; and

(ii) by inserting “, including regional trafficking in persons officers,” after “for additional personnel;” and

(iii) by striking “, and \$3,000 for official reception and representation expenses;”

(B) in subsection (b)—

(i) in paragraph (1), by striking “\$12,500,000 for each of the fiscal years 2008 through 2011” and inserting “\$14,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “to the Secretary of Health and Human Services” and all that follows and inserting “\$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017.”;

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking “2008 through 2011” each place it appears and inserting “2014 through 2017”; and

(ii) in subparagraph (B)—

(I) by striking “\$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(II) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(iii) in subparagraph (C), by striking “2008 through 2011” and inserting “2014 through 2017”; and

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$11,000,000 for each of the fiscal years 2014 through 2017”; and

(iii) in paragraph (3), as redesignated, by striking “to the Attorney General” and all that follows and inserting “\$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017.”;

(E) in subsection (e)—

(i) in paragraph (1), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”; and

(F) in subsection (f), by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$5,000,000 for each of the fiscal years 2014 through 2017”; and

(G) in subsection (i), by striking “\$18,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017.”.

SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking “\$1,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$250,000 for each of the fiscal years 2014 through 2017.”.

Subtitle D—Unaccompanied Alien Children

SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking “Subject to” and inserting the following:

“(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to”; and

(2) by adding at the end the following:

“(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien’s danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to

participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien’s need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.”.

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(2) by striking “and criminal”; and

(3) by adding at the end the following:

“(B) APPOINTMENT OF CHILD ADVOCATES.—

“(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children.

“(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites.

“(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

“(I) the largest number of unaccompanied alien children; and

“(II) the most vulnerable populations of unaccompanied children.

“(C) RESTRICTIONS.—

“(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more than 10 percent of the Federal funds received under this section for administrative expenses.

“(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

“(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

“(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

“(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of

2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

“(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

“(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

“(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

“(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

“(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

“(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

“(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

“(I) the Committee on the Judiciary of the Senate;

“(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Education and the Workforce of the House of Representatives.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

“(i) \$1,000,000 for each of the fiscal years 2014 and 2015; and

“(ii) \$2,000,000 for each of the fiscal years 2016 and 2017.”.

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),

(A) by striking “either”;

(B) by striking “or who” and inserting a comma; and

(C) by inserting “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible”; and

(2) in subparagraph (B), by inserting “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” after “(8 U.S.C. 1101(a)(27)(J))”.

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission’s findings and recommendations.

The SPEAKER pro tempore. After 1 hour of debate on the bill equally divided and controlled by the majority leader and the minority leader or their designees, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of Rules Committee print 113–2, if offered by the majority leader or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.

The gentlewoman from Washington (Mrs. McMORRIS RODGERS) and the gen-

tlewoman from California (Ms. PELOSI) each will control 30 minutes.

The Chair recognizes the gentlewoman from Washington.

GENERAL LEAVE

Mrs. McMORRIS RODGERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 47, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. McMORRIS RODGERS. Madam Speaker, I yield myself such time as I may consume.

Today, as we consider the Violence Against Women Act, I’d like to start by thanking our majority leader, ERIC CANTOR, and many Republicans in the House for their time and their commitment to this important issue.

The Violence Against Women Act first passed on the floor of this very House nearly two decades ago, and it has long enjoyed bipartisan support. Years later—after two reauthorizations, a pivotal Supreme Court case, and a nationwide expansion of laws condemning violence against women—Republicans are committed to protecting victims of violence and putting offenders behind bars. That’s why we are bringing it to the floor today.

It’s important to protect all women against acts of domestic violence and other violent crimes and ensure that resources go directly to the victims. Because that is what this bill is really about: It’s about people.

It’s time to remember why this bill passed nearly two decades ago. Protecting women was our first priority then, and it should be our first priority now.

I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I yield myself 1 minute.

Madam Speaker, when Congress enacted the original Violence Against Women Act nearly two decades ago, we sent a very clear and immediate message to the American people: no—and I emphasize “no”—woman would ever be forced to suffer in silence in the face of abuse. No one would ever be forced to fear for their lives and their safety in their own homes because of domestic violence. That promise formed the foundation of our work then, and it has served as a cornerstone for our efforts in the years since to reauthorize and strengthen this landmark law.

Even as the times have changed, our commitments have remained the same, and strong, yet over the years we have always sought out ways to improve this legislation. Today on the floor of the House we will have a very clear choice. We have the choice to support the bipartisan legislation that has passed in the United States Senate. It

passed 78–22. Seventy-eight percent of the Senate voted for this legislation. A majority of the Republicans in the Senate supported this legislation. All of the women in the Senate—Democrats and Republicans alike—support the bipartisan legislation that I hope we will have an opportunity to vote on today on the floor of the House.

In contrast, we have the House Republican proposal, which, while described in such lovely terms, is a step backward for the women in America and those who suffer domestic violence or sexual assault.

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It's really hard to explain why, what eyes are the Republicans looking through, that they do not see the folly of their ways on this legislation that they are proposing. Not only is it much weaker than the Senate bill; it is much weaker than current law. And that is why whatever groups you want to name, whether it's 1,300 groups opposed from A to Y—we don't have a Z—any groups that have anything to do with this matter throughout our country, in every State, oppose the Republican legislation that is on the floor today.

This is what the American Bar Association has stated in its letter to Members in opposition to the Republican bill. It says:

The House substitute eliminates certain critical improvements and actually rolls back some provisions of the law that have been successful.

So let's understand the difference between these two pieces of legislation that are on the floor today. Our bill, again, a reflection of the bipartisan bill in the Senate, says to all American women: you will be protected. The Republican bill says to the women of America: we want to protect America's women, everybody step forward—who is an American woman. Not so fast if you're from the immigrant community, if you are a Native American, or if you happen to be part of the LGBT community.

It's just not right. America has always been, and our Constitution demonstrates, a country of expanding opportunity, protection, and diminishing discrimination. And today on the floor of the House, the Republican bill discriminates against a woman if she is lesbian or gay or whatever, LGBT, a member of that community; discriminates against a woman if she lives on a reservation and has been assaulted by someone not from the reservation; discriminates against women in terms of their immigration status—exactly the women who are the most vulnerable and who are in situations where there's a power over them, whether it's immigration law or whatever. The most in need of this bill are excluded by the Republican—the Republican proposal.

So this Republican proposal is nothing to be proud of. It must be defeated,

and its defeat will enable us to bring to the floor the Senate's bipartisan, overwhelmingly passed and supported legislation which strengthens current law, not weakens it, and expands the legislation which was passed.

It has not been a bipartisan issue. I was here when the bill passed before. I saw the great work of Pat Schroeder and of LOUISE SLAUGHTER, who argued so beautifully for this legislation yesterday as the ranking Democrat on the Rules Committee. I salute the work of JOE BIDEN, who was really the author. Without Vice President BIDEN, at that time there would not have been a Violence Against Women Act. I am so proud of the work of our chairman, a leader on this legislation then and now, Chairman JOHN CONYERS, former chair of the Judiciary Committee, now-ranking member. We will be hearing more from him shortly. He has been there steady and strong as a champion in the fight to end violence against women. Thank you.

Our legislation today, the Democratic proposal, is really a bipartisan proposal from the Senate that is authored and presented by Congresswoman GWEN MOORE of Wisconsin. Congresswoman GWEN MOORE has shared her own personal story with us. The strength of her knowledge of the issue, whether it's knowledge of the legislation or knowledge of the trauma of domestic violence and assault, is something that has impressed so many of us. And when we pass this legislation—and we will—it will be in large measure because of her leadership, her persistence, her wisdom, her knowledge of this issue and the difference that every word in the legislation means in the homes of America and for women who are at risk.

Now, who thinks this is a good idea? I don't know. I hear the gentlewoman, who commands great respect in this body, describe this bill as if it is a good thing. It is not. Why does this take so long? It has been over 500 days, Madam Speaker, 500 days, my colleagues, since the expiration of the Violence Against Women Act. Last spring, almost 1 year ago, April of last year, the Senate, in a bipartisan way, passed the Violence Against Women Act—in a bipartisan way.

Months have gone by with no reauthorization. Congress ended. A new Congress came in, and the Senate, once again voted—and again in a strong, bipartisan way—for legislation. The House Republicans want to be odd man out on this, or odd person out on this, and have a bill that weakens current law as well as does not rise to the occasion of changing times that the Senate bill does.

Others of my colleagues will go into more of the specifics of it. It's just too much to put into the RECORD of all of the groups who oppose the House bill. It is almost unanimous. The only peo-

ple who were holding out were those who were hopeful that something, that light would be shed on this, on the Republican side of the aisle. But this is a remarkable day because we have clarity. And between the two proposals that are coming forth, one of them has the support of Democrats and Republicans in the Senate, Democrats in the House, and the President of the United States stands ready to sign it. The other is opposed by almost everybody that has anything to do with addressing the challenge of violence against women, and we have the documentation to prove that without going into the specifics.

I just want to say how proud I am of Congresswoman GWEN MOORE. She comes from Wisconsin, and she is a respected leader in the House. She has made this, I would say, her life's work. But she has a number of things on her agenda. She has made a tremendous difference, not only in terms of this legislation, but more importantly in terms of what it means, what it means in the lives of America's women—all of America's women.

With that, Madam Speaker, I reserve the balance of my time.

Mrs. McMORRIS RODGERS. Madam Speaker, just to make a couple of clarifications, number one, the House, led by the Republicans, passed legislation in early May last year to reauthorize the Violence Against Women Act and, number two, funding has continued, \$599 million.

At this time, I'm pleased to yield 2 minutes to the gentleman from North Dakota, KEVIN CRAMER.

Mr. CRAMER. Madam Speaker, just under 3 years ago, a 2-year-old little boy in Bismarck, North Dakota, watched for half an hour while his stepfather beat his mother to death. Today, that little boy is my 5-year-old son. Kris and I were blessed, and are blessed, to have been able to adopt Abel into our family where we work every day to dilute the memories of that awful night and many previously to it with new memories of love and affection.

I know the scourge of violence against women personally. It is not an abstract concept to my family. It's very real. That is why I support and will vote today for the Violence Against Women Act, because I want the shelters and programs that keep women safe to be well funded. I want the advocates of change to have the resources to turn victims into victors. I want law enforcement officers and prosecutors to have the tools to impose justice on behalf of my son and other women and children. It is not just rhetorical to me. It's personal to me.

While I support the Violence Against Women Act because it is personal, I support this amendment because it's principled. Our Constitution in its genius guarantees due process—due process—to the accused. The concept of

“innocent until proven guilty” is known as the cornerstone of American justice. It is what gives moral authority to our system of justice.

By codifying the language acknowledging “inherent sovereignty,” I fear we risk giving up the moral high ground for a political slogan that does nothing to protect the victims of violence.

□ 0930

Even if you are willing to rationalize trading justice through due process guaranteed in the 5th and 14th Amendments of our Constitution we pledged to uphold, please consider the damage we will have done if a court overturns this act and its protections because we wanted a good political slogan more than a good law.

Friends, let's vote for the Violence Against Women Act that not only protects the vulnerable in our society, but also protects the civil liberties upon which our system of justice is built.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from Wisconsin, the champion on fighting violence against women, Congresswoman MOORE.

Ms. MOORE. Madam Speaker, as I stand under the “E Pluribus Unum,” I pray that this body will do as the Senate has done and come together as one to protect all women from violence.

As I think about the LGBT victims that are not here, the native women that are not here, the immigrants who are not included in this bill, I would say, as Sojourner Truth would say, Ain't they women? They deserve protections. And we talk about the constitutional rights. Don't women on tribal lands deserve the constitutional right of equal protection and not to be raped and battered and beaten and dragged back onto native lands because they know they can be raped with impunity? Ain't they women?

Once again we stand at an important moment in history, when the House stands poised to choose between the Republican “alternative” to the Violence Against Women Reauthorization Act and the bipartisan, comprehensive Senate bill.

We can choose the real VAWA—which is the Senate bill—that will take positive steps towards ensuring the safety of all women. Or we can choose the House GOP VAWA bill. Now this bill may look good on the surface, bearing the same bill number as the Senate bill. But it is really a wolf in sheep's clothing and would exclude victims and weaken the strong, bipartisan Senate bill.

The choice is ours to make, and the choice is clear.

It pains me to say that House Republicans took the Senate bill, which received such a strong bipartisan vote—winning the support of all Democrats, all female Senators, and a majority of Republicans—and transformed it into something nearly unrecognizable.

I have been a proud sponsor of the House version of the Senate bill—H.R. 11—and it

has truly been rewarding to work to advance this legislation in the House. This bill reflects years upon years of analysis and best practices, and input from law enforcement, victims, service providers, and many more.

But beyond the updates that have been recommended by the experts—the Senate bill is meaningful to me because of the people it will allow us to reach. I know how it feels to survive a traumatic experience and not have access to services. It is simply heart-breaking to think that every day we delay, there are women, and men, across this country who have nowhere to turn.

The Senate version of the VAWA bill, which we will thankfully have the opportunity to consider on the House floor today, would be the one that actually offers hope—to: LGBT victims, tribal victims, women on college campuses, immigrants, rape survivors waiting for justice, and human trafficking victims.

The Republican alternative, on the other hand, is a shadow of the bill these victims need.

I have a number of concerns about the House alternative. Several of the advocacy groups have determined that this legislation rolls back existing protections for victims, much like the bill we considered last year here in the House.

But I'm also concerned about the reality that this House bill further marginalizes the most vulnerable populations of victims. It amazes me, that my Republican colleagues would rather be exclusive than inclusive.

The House bill removes protections for LGBT victims, who face domestic and sexual violence at rates equal to or greater than the rest of us, but who often face barriers to receiving services. Are LGBT women not worthy of protection?

The House bill fails to offer meaningful protections for tribal victims, though domestic violence in tribal communities is an epidemic. Are tribal women not worthy of protection?

The House bill does not include protections for our students on college campuses, though we know that college campuses—which are supposed to be the site of learning and transformation and personal growth—are all too often the site of horrifying assaults against vulnerable young women. Are our young college women students not worthy of protection?

The House bill removes the human trafficking legislation that passed with the support of a whopping 93 Senators. Are we unwilling to protect our women who are being sold throughout this country and abroad like chattel? Are they not worthy of protection?

The House bill is weaker in almost every way, for every group of victims. They even pared down the pieces that have not gained much attention, perhaps assuming we wouldn't notice—like the housing protections that allow victims of violence to quickly get out of dangerous homes and into homes that will keep them safe from further abuse and harm.

Implementing the House GOP VAWA bill would set the plight of women and our country as a whole back indefinitely. But we have a choice and the right choice would be to support the strong, bipartisan Senate version of VAWA—S. 47.

S. 47, the Senate bill. The Senate bill:

Renews successful programs such as STOP Grants and Transitional Housing Assist-

ance Grants, legal assistance for victims, and many others that have helped law enforcement, prosecutors, and victim service providers assist women in need and hold perpetrators accountable.

Includes a new focus on sexual assault—due to the ongoing reality of inadequate reporting, enforcement, and services for victims—including a requirement that STOP grant recipients set aside 20 percent of their funds for sexual assault-related programs.

Includes new tools and best practices for reducing homicide by training law enforcement, victims service providers, and court personnel to intervene more effectively and quickly when they connect with higher-risk victims.

And, of course, the bill improves protections for immigrant survivors, Native American women, and LGBT victims.

As we have debated this bill over the past year or so, I have felt like I was in the Twilight Zone. Some alternate reality, where the passage of a bill; a bill that is supposed to protect all women; a bill that not too long ago would just seem like common sense; a bill that has previously enjoyed broad bipartisan support would be held up and watered down for purely partisan reasons. I found myself asking, “when will it end?”

The answer to that question is that it ends today. Right now. It is time to put up or shut up. On behalf of all victims and survivors of sexual or domestic assault, I challenge all of my colleagues to make the right choice. We all know that the Senate bill is the real comprehensive Violence Against Women Legislation that will protect all women. And we must vote against the House GOP VAWA and pass the Senate version of VAWA now. Women won't wait any longer. Now is the time to show the people of this country that we value the lives of all women.

WHY SECTION 904 OF S. 47 IS CONSTITUTIONAL UNDER THE SUPREME COURT'S PRECEDENT IN UNITED STATES V. LARA

BASED UPON HEARING BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS, S. HRG. 112-489, AT 129-34(2011) (RESPONSES TO QUESTIONS FOR THE RECORD OF THOMAS J. PERRELLI, ASSOCIATE ATTORNEY GENERAL)

Section 904 of S. 47, the Senate-passed version of the Violence Against Women Reauthorization Act of 2013, is constitutional under the U.S. Supreme Court's precedent in *United States v. Lara*, 541 U.S. 193 (2004). In *Lara*, the Supreme Court addressed a Federal statute providing that Indian tribes' governmental powers include “the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all Indians,” including Indians who are not members of the prosecuting tribe (i.e., “non-member Indians”). *Id.* at 210 (appendix, quoting the statute). The Court held generally that Congress has the constitutional power to relax restrictions on the exercise of tribes' inherent legal authority, *id.* at 196, and more specifically that “the Constitution authorizes Congress to permit tribes, as an exercise of their inherent tribal authority, to prosecute nonmember Indians,” *id.* at 210.

The Senate VAWA reauthorization bill, S. 47, uses language that is nearly identical to the statutory language at issue in *Lara*: Specifically, Section 904 of the Senate bill provides that a tribe's governmental powers “include the inherent power of that tribe, which is hereby recognized and affirmed, to

exercise special domestic violence criminal jurisdiction over all persons,” including non-Indians. As Lara strongly suggests, Congress has the constitutional authority to enact this statute.

The central question raised in Lara was whether Congress has the constitutional power to recognize Indian tribes’ “inherent” authority to prosecute nonmembers. The Court’s conclusion that Congress did indeed have this power under the Federal Constitution rested on six considerations, all of which apply to Section 904 of the Senate bill as well:

(1) “the Constitution grants Congress broad general powers to legislate in respect to Indian tribes,” id. at 200;

(2) “Congress, with this Court’s approval, has interpreted the Constitution’s ‘plenary’ grants of power as authorizing it to enact legislation that both restricts and, in turn, relaxes those restrictions on tribal sovereign authority,” id. at 202;

(3) “Congress’ statutory goal—to modify the degree of autonomy enjoyed by a dependent sovereign that is not a State—is not an unusual legislative objective,” id. at 203;

(4) there is “no explicit language in the Constitution suggesting a limitation on Congress’ institutional authority to relax restrictions on tribal sovereignty previously imposed by the political branches,” id. at 204;

(5) “the change at issue here is a limited one, . . . [largely concerning] a tribe’s authority to control events that occur upon the tribe’s own land,” id.; and

(6) the Court’s “conclusion that Congress has the power to relax the restrictions imposed by the political branches on the tribes’ inherent prosecutorial authority is consistent with [the Supreme Court’s] earlier cases,” id. at 205.

Each of these six considerations also applies to Section 904 of the Senate bill. That is self-evident for the first four of those six considerations.

As to the fifth consideration, like the statute at issue in Lara, Section 904 of the Senate bill would effectuate only a limited change. Section 904 would touch only those criminal acts that occur in the Indian country of the prosecuting tribe and therefore would not cover off-reservation crimes. Section 904 would affect only those crimes that have Indian victims. Tribal courts could not try cases involving only non-Indians. Unlike the statute at issue in Lara, which covered all types of crimes, Section 904 is narrowly focused on a particular subset of crimes: those involving domestic violence, crimes of dating violence, and criminal violations of protection orders. The term “domestic violence” is expressly defined in Section 904 to deal with violence committed by the victim’s current or former spouse, by a person with whom the victim shares a child in common, or by a person who is cohabiting or has cohabited with the victim as a spouse. Similarly, Section 904 expressly defines the term “dating violence” to mean violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Likewise, protection orders typically involve spouses or intimate partners.

In combination, these three features of Section 904—being limited to narrow categories of crimes such as domestic violence and dating violence, the requirement that the crime occurred in the prosecuting tribe’s

Indian country, and the requirement that the victim be an Indian—will confine prosecutions to conduct that seriously threatens Indians’ health and welfare and is committed by persons who, though non-Indian, have entered into consensual relationships with the tribe or its members. The paradigmatic example of a crime covered by Section 904 would be an assault by a non-Indian husband against his Indian wife in their home on the reservation. Section 904 would not cover crimes involving two non-Indians, two strangers, or two persons who lack ties to the Indian tribe.

Section 904 is also limited in its impact on non-tribal jurisdictions. Under Section 904, tribes would exercise criminal jurisdiction concurrently, not exclusively. The Act would not create or eliminate any Federal or State criminal jurisdiction over Indian country. Nor would it affect the authority of the United States or any State to investigate and prosecute crimes in Indian country.

In most respects, then, Section 904 of the Senate bill is far narrower than the statute upheld by the Supreme Court in Lara.

As to the sixth consideration analyzed by the Lara Court, concerning the Supreme Court’s precedents, it is noteworthy that in *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978), the key precedent here, the Court suggested that Congress has the constitutional authority to recognize and thus restore Indian tribes’ inherent power to exercise criminal jurisdiction over non-Indians. Id. at 195 & n.6, 210–12. Indeed, the *Oliphant* Court expressly stated that the increasing sophistication of tribal court systems, the Indian Civil Rights Act’s protection of defendants’ procedural rights, and the prevalence of non-Indian crime in Indian country are all “considerations for Congress to weigh in deciding whether Indian tribes should finally be authorized to try non-Indians.” Id. at 212.

As the Lara Court explained, the *Oliphant* decision “did not set forth constitutional limits that prohibit Congress from changing the relevant legal circumstances, i.e., from taking actions that modify or adjust the tribes’ status.” Lara, 541 U.S. at 205 (citing *Oliphant*, 435 U.S. at 209–10). *Oliphant* “make[s] clear that the Constitution does not dictate the metes and bounds of tribal autonomy,” and the Federal courts should not “second-guess the political branches’ own determinations” about those metes and bounds. Id. In short, under both *Oliphant* and Lara, it is constitutional for “Congress to change ‘judicially made’ federal Indian law through [the] kind of legislation” that the Senate is currently considering. Id. at 207.

After analyzing the six considerations listed above and concluding that Congress can recognize tribes’ inherent authority to prosecute nonmembers, the Court responded to three ancillary arguments that Mr. Lara had raised. Each of those arguments is also well addressed by Section 904 of the Senate bill.

First, Mr. Lara argued that the Indian Civil Rights Act does not protect an indigent defendant’s constitutional right to appointed counsel in cases imposing a term of imprisonment. Id. at 207. But under the Senate bill, in any case in which a term of imprisonment of any length may be imposed, the tribe must provide to an indigent defendant—at the tribe’s expense—the effective assistance of a licensed defense attorney at least equal to that guaranteed by the United States Constitution.

Second, Mr. Lara argued that the statute at issue there made “all Indians” subject to tribal prosecution while excluding all non-

Indians, which he claimed violated the Equal Protection Clause. The Court did not address the argument because it would not have altered the outcome of Mr. Lara’s case. But in any event, no such argument could be made against Section 904 of the Senate bill, because Section 904 recognizes tribes’ “inherent power . . . to exercise special domestic violence criminal jurisdiction over *all* persons” (emphasis added). So the plain text of this legislation, unlike the statute at issue in Lara, does not distinguish nonmember Indians from non-Indians.

Third, Mr. Lara argued that United States citizens cannot be tried and convicted by a political body that does not include them unless the citizens are provided all Federal constitutional safeguards. This, too, is addressed in the Senate bill. Under Section 904, a non-Indian citizen of the United States would effectively have at least the same rights in tribal court that he would have in state court. For example, in any case involving imprisonment, the following rights would all be protected:

The right not to be deprived of liberty or property without due process of law.

The right to the equal protection of the tribe’s laws.

The right against unreasonable search and seizures.

The right not to be twice put in jeopardy for the same tribal offense.

The right not to be compelled to testify against oneself in a criminal case.

The right to a speedy and public trial.

The right to a trial by a jury of not fewer than six persons.

The right to a trial by an impartial jury that is drawn from sources that reflect a fair cross-section of the community and do not systematically exclude any distinctive group in the community, including non-Indians.

The right to be informed of the nature and cause of the accusation in a criminal case.

The right to be confronted with adverse witnesses.

The right to compulsory process for obtaining witnesses in one’s favor.

The right to have the assistance of defense counsel.

The right to effective assistance of counsel at least equal to that guaranteed by the United States Constitution.

The right of an indigent defendant to the assistance of a licensed defense attorney at the tribe’s expense.

The right to be tried before a judge with sufficient legal training and who is licensed to practice law.

The rights against excessive bail, excessive fines, and cruel and unusual punishments.

The right to access the tribe’s criminal laws, rules of evidence, and rules of criminal procedure.

The right to an audio or other recording of the trial proceeding and a record of other criminal proceedings.

The right to petition a Federal court for a writ of habeas corpus, to challenge the legality of one’s detention by the tribe.

The right to petition a Federal court to be released pending resolution of the habeas corpus petition.

Finally, one last constitutional concern was aired in Lara, although it was not discussed in the Court’s majority opinion. Writing only for himself, Justice Kennedy suggested that the Constitution’s structure, based as it is on “a theory of original, and continuing, consent of the governed,” forbids a tribe from prosecuting any U.S. citizen who never consented to be subjected to the tribe’s jurisdiction. Lara, 541 U.S. at 212

(Kennedy, J., concurring in the judgment). Of course, the majority of the Court in *Lara*—including Chief Justice Rehnquist, who wrote the Court's opinion in *Oliphant*—implicitly rejected Justice Kennedy's view, since Mr. *Lara* himself was a U.S. citizen who had never consented to be subjected to the jurisdiction of the tribe that prosecuted him. *Id.*

Moreover, the majority correctly rejected Justice Kennedy's originalist argument because most treaties that the United States entered into with Indian tribes between 1785 and 1795—that is, both immediately before and immediately after the drafting and ratification of the Constitution—expressly provided for tribal criminal jurisdiction over non-Indians residing in Indian country. For example, the very first Indian treaty ratified by the United States Senate under the Federal Constitution—the 1789 Treaty with the Wyandot, Delaware, Ottawa, Chippewa, Potawatomi, and Sac Nations—provided that, “[i]f any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said [Indian tribal] nations, he and they shall be out of the protection of the United States; and the said nations may punish him or them in such manner as they see fit” (emphasis added). Similar language appeared in the last Indian treaty ratified before the Constitutional Convention—the 1786 Treaty with the Shawnee Nation. It is difficult, then, to say that allowing non-Indian citizens of the United States to be tried and punished by Indian tribes for crimes committed in Indian country is somehow contrary to the Framers' understanding of the Constitution's design. Thus, the *Lara* Court's holding that Indian tribes' status as domestic dependent nations does not prevent Congress from recognizing their inherent authority to prosecute nonmembers is solidly grounded in our constitutional history. And with Congress's express authorization, an Indian tribe can prosecute a non-Indian U.S. citizen, regardless of whether he has consented to the tribe's jurisdiction.

It is important to note that while the elements of Section 904 discussed above are more than sufficient to address the considerations raised by the *Lara* Court, we do not mean to suggest that each of these elements is required in order to address these considerations.

Mrs. McMORRIS RODGERS. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania, PAT MEEHAN, a champion in prosecuting those in domestic violence situations.

Mr. MEEHAN. Madam Speaker, I rise to encourage my colleagues from both sides of the aisle to put aside this rhetoric and to find a way to work together to pass the Violence Against Women Act, to move this important legislation forward in a way in which we can reach a resolution.

I come to this as a former prosecutor who has seen firsthand the implications. I come to give a voice to people who do not have an opportunity to speak for themselves. Because one of the things that we realize is that a woman will be victimized 12 times, beaten 12 times before she has the courage to come forward to speak to somebody who needs to be there, to be able to help give them a sense of com-

fort and dignity to be able to retain control over the circumstances. The Violence Against Women Act enables the kinds of resources to be there to have the trained personnel who can make a difference.

I had a chance to visit SANE nurses, who work in emergency wards, giving victims of rape the dignity to be able to have an examination in the privacy of a room, as opposed to being violated a second time out in a public space in an emergency ward, to reduce the time they have to spend for that examination from 13 hours after a rape to 2 hours, to be able to collect the evidence and to help that victim to be able to make their case if they so choose in court.

I have had a chance to work with victims of violence on college campuses—one in four women who have, in college campuses, reported that they have been victims of rape or attempted rape.

So, unquestionably, we must find a way to pass the Violence Against Women Act in the same way we must reduce the rhetoric and the misrepresentations and the shameful misrepresentations on both sides about the good intentions to try to do this. There are differences of opinion in small areas. We must find a way to get over those. I rise today to make sure that we give a voice to those victims, to work together to find a way to pass the Violence Against Women Act.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from Washington State, Congresswoman DELBENE.

Ms. DELBENE. Madam Speaker, I rise in support of S. 47, the Senate-passed version of the Violence Against Women Reauthorization Act. I want to thank the Speaker for bringing this bill to the floor for debate.

In a time when we must resolve some real disagreements on how to move our country forward, I'm pleased that we're taking this important step towards the shared goal of reauthorizing the landmark Violence Against Women Act. However, I cannot support the House substitute amendment, because it fails to include critical improvements passed by a large bipartisan margin in the Senate that would strengthen our efforts to combat violence against women.

I'm particularly disappointed that this amendment omits provisions that would enable tribes to address domestic violence in Indian country. This is an issue that's critical in my district. The Lummi Nation, for example, which I visited just last week in Bellingham, Washington, has seen significant increases in violence against women over the past several years. The House substitute would continue to allow for disparate treatment of Indian and non-Indian offenders, while the bipartisan Senate bill includes key provisions that fill this legal gap.

There are many other ways in which the House substitute amendment unfortunately falls short.

For these reasons, I urge my colleagues to oppose the substitute amendment and support the Senate-passed reauthorization bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I am pleased to yield 2 minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Thank you, Madam Chair.

Madam Speaker, I rise today to support the reauthorization of VAWA, Violence Against Women Act. This is extremely important.

I was a past president of a YWCA that has a domestic violence shelter in my hometown of Charleston, West Virginia. I have witnessed firsthand the good work that they do and that other statewide advocates do in this area of sexual assault and violence against women, and I realize that this is way long overdue and necessary. In West Virginia, every 9 minutes a call is made about our domestic violence on the domestic violence hotline.

I'm really here, too, to talk about an incident that we never want to see happen again, and that's a little boy named Jahlil Clements, who was from my hometown of Charleston, West Virginia. He was in a car with his mother and his mother's boyfriend, and his mother's boyfriend began beating his mother. And he got so afraid, and the car stopped on the interstate, that Jahlil got out of that car and started running across the interstate to get help for his mother. He was hit and killed in the interstate because he was witnessing firsthand one of the most horrible acts of domestic violence. His mother was in danger and he wanted to help her.

If we don't intervene, if we don't find help, if we don't end this cycle of violence for the Jahlil Clements of this country, we're doing a great disservice to our country. So I'm going to vote “no” on the House bill and “yes” on the Senate bill for Jahlil Clements and all the Jahlil Clements throughout this great country.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the distinguished chair of the House Democratic Caucus, Mr. BECERRA of California.

Mr. BECERRA. I thank the leader for yielding.

My friends, every single day in America, three women die at the hands of domestic violence. Yet this Congress allowed the Violence Against Women Act to expire more than 500 days ago, every one of those 500 days three women dying at the hands of domestic violence.

There's been a balanced bipartisan solution passed in the Senate by a vote of 68-31 that has been sitting on the table for almost a year to reenact the Violence Against Women Act. The failure or reluctance of this House to do

its work for the American people seems to have now become business as usual. This should not be the new normal.

The 113th Congress has now been in session for 56 days in 2013, and it is only now that a debate on an up or down vote on the bipartisan Senate bill will have an opportunity to be had.

Every woman in America deserves a clean bill to come before them to reenact the Violence Against Women Act, and those three women in America who today desperately seek to beat the odds and live to see another day deserve a vote. We must defeat the Republican substitute amendment and pass the Senate bipartisan bill.

□ 0940

Mrs. McMORRIS RODGERS. I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from California, Congressman BERA, a physician and a new Member of Congress.

Mr. BERA of California. Today, I rise as a doctor to talk about the patients that I've taken care of who have suffered as victims of domestic violence.

As doctors, we don't choose to treat one patient or another patient. We choose to take care of every patient who presents, and as Members of Congress—as Americans—we don't choose to protect one woman and not protect another. We choose to protect all women in America. That is who we are as a Nation. I urge this body to reject the House version of this bill and to pass the bipartisan Senate version, which is a reflection of who we are in America and our values.

As the father of a daughter, this is personal. I want my daughter to grow up in a country in which we value and respect every woman regardless of her background, ethnicity, creed. This is personal. Let's do the right thing. I urge this body to do the right thing today—pass the Senate's version of the Violence Against Women Act.

Mrs. McMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to a champion on protecting women and protecting them from violence, Congresswoman JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Violence is violence is violence, and women are women are women.

For the second year in a row, the Republicans have advanced legislation that not only excludes additional protections for battered immigrant women and battered tribal women and battered gay women, protections which are included in the bipartisan Senate bill, but they've advanced a bill that actually rolls back essential protections that are already the law of the land.

We have heard from law enforcement, victims, and victim service providers

on the need to pass the improvements included in the bipartisan Senate bill. Last week, more than 1,300 organizations which represent and support millions of victims nationwide joined together and said to bring the Senate bill to the House floor for "a vote as speedily as possible."

We need to pass the Senate-passed legislation so that victims of domestic and sexual violence don't have to wait a minute longer.

Mrs. McMORRIS RODGERS. Madam Speaker, I would like to remind the body that the House amendment actually increases protections for everyone. No protection is denied.

At this time, I am happy to yield 2 minutes to the gentlelady from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Madam Speaker, I rise today to urge the passage of the Violence Against Women Act of 2013.

Let me just start off by saying that I support this bill because it is the right thing to do. I am committed to ending violence against all women. This bill takes the necessary steps to protect the rights of all of our mothers, our daughters, and wives.

The statistics are appalling. It's reported that, in the United States alone, more than 24 people each minute are victims of some sort of domestic violence, dating violence, sexual assault, or stalking. That equals more than 12 million individuals each year. These types of crimes happen to individuals from all walks of life. No gender, race, ethnicity or socioeconomic status is immune. This bill provides protection for everyone who may become victim to sexual and domestic violence.

I support this bill because it implements new accountability standards that make programs more effective. These reforms prevent taxpayer dollars from being wasted. They ensure that more money is being used to assist victims and to reduce the amount of violence that happens against women. By limiting the amount of money that can be spent on salaries and administrative costs, this bill provides greater protections for women by maximizing the amount of funding that goes directly to the victims. It is time for us to do the right thing and pass this bill.

A constituent of mine from South Bend, Indiana, recently wrote my office. She said:

As a woman who has experienced domestic violence and stalking in my own home, and as a physician who has cared for persons affected by domestic violence, I see this as an important tool to improve the quality of life in our Nation.

I urge the Members of this Chamber, both Republican and Democrat, to do the right thing and pass this bill today.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Florida, a freshman Member, Congresswoman FRANKEL.

Ms. FRANKEL of Florida. I rise in opposition to the House substitute

amendment to S. 47, and I urge the support of the bipartisan Violence Against Women Act sent over by the Senate.

I do so on behalf of women like Olga, who, on her wedding day, thought she had entered a dream marriage for herself and her two small children from a previous relationship. The marriage turned into a nightmare when her husband became insulting, aggressive, controlling—like a stranger—imprisoning Olga and her children in their own home and not even allowing the children to go to school. Olga fled to south Florida, and was nurtured back to emotional and financial health by an organization in my home area called Women in Distress.

The Senate's reauthorization of the Violence Against Women Act will save even more lives across America, lives like Olga's and like those of all women who have been abused by their spouses or partners.

So, today, colleagues, let's stand up for our mothers, our sisters, and our daughters. Let's pass the bipartisan Senate bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Massachusetts, Congressman KEATING, a former prosecutor and a champion on fighting for the safety of America's women.

Mr. KEATING. Madam Speaker, I was a DA for 12 years. I solicited and actually used these funds.

We talk about issues. As people see issues, I see faces. I see the faces of innocent women who are victims, and I see the faces of the perpetrators, themselves—the rapists, the batterers, the abusers—who sought to isolate these victims, to strip them away from their friends, their families, social service agencies, law enforcement.

I used these funds to create a lifeline for these victims, breaking down walls that exist in terms of people who spoke a different language, had a different culture, had a different nationality. This amendment creates walls, creates these barriers, that make the victims more vulnerable, and it strengthens the hands of the perpetrators.

Please, all of you, join me in voting against this amendment, and then let's all join together with a piece of legislation that does not punish the victim but that puts perpetrators where they belong—behind bars.

Mrs. McMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to another champion on protecting women, the gentleman from Washington State (Mr. LARSEN).

Mr. LARSEN of Washington. I rise today in support of the bipartisan Senate version of the Violence Against Women Act that we will vote on.

We wouldn't be here today without the courage of victims from all of our communities—women and men who are rich and poor, immigrant, Native American, folks from the LGBT community—all of whom spoke out about their experiences. Domestic violence does not discriminate, and with this bill domestic violence protection will no longer discriminate. This bill improves protections for immigrants, for Native Americans, for members of the LGBT community.

In my district, Tulalip Tribes Vice Chair Deborah Parker has explained why these protections are so critical. She told me that, for far too long, Native American women have lacked serious protections on their reservations. This bill will make it easier for them to seek justice, and it also includes important amendments to improve the enforcement of the International Broker Regulation Act, a law that I sponsored in 2006.

□ 0950

Those amendments strengthen protections Congress put in place for immigrant women like Anastasia King, who was murdered in my district by her husband in 2000.

So I urge my colleagues to oppose the House VAWA substitute and to pass S. 47.

Mrs. McMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, may I respectfully request the state of the clock.

The SPEAKER pro tempore. The gentlewoman from California has 22 minutes remaining, and the gentlewoman from Washington has 20¾ minutes remaining.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS), a Member of Congress who has been a champion on this issue for a very long time, a health professional in her own right before coming to Congress.

Mrs. CAPPS. Madam Speaker, I thank my leader for yielding, and I rise today in opposition to the Republican amendment that would undermine key provisions in the Violence Against Women Act Reauthorization, and to urge strong support for the underlying Senate bill which protects our young people on our school campuses.

VAWA is a vital program addressing violence against women holistically: through prevention programs, survivor supports, and provisions to hold perpetrators accountable. But it is also a symbol that relationship violence and sexual assault is real and that it's unacceptable. It has been a symbol in this Congress that we can put aside our differences and come together to do what is right for violence victims and survivors. And as we saw in the Senate—and we will hopefully see it here in the House—this is still true.

Our daughters, sisters, and mothers, no matter where they are, including on our school campuses, deserve to live without fear of abuse, and we cannot delay their safety any longer. I urge my colleagues on both sides of the aisle to support the Senate bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I'm pleased to yield 1 minute to the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Madam Speaker, I rise this morning to speak in favor of S. 47, the Senate version of the Violence Against Women Act. I want to thank Speaker BOEHNER and Leader CANTOR for their leadership in bringing this important bill to the floor.

The bottom line is that VAWA programs help save lives in New Jersey and across America. We need to expand the current success of VAWA so that we can help even more women escape the nightmare of domestic violence.

While we are long overdue in passing this bill, I'm glad we are here today, and I urge my colleagues to support S. 47.

Ms. PELOSI. Madam Speaker, I'm pleased to yield 1 minute to Congresswoman KIRKPATRICK of Arizona who has again every day, every step of the way, been helpful in protecting all women, especially those on reservations.

Mrs. KIRKPATRICK. Madam Speaker, I was born and raised on the White Mountain Apache Nation. The necklace I wear today was made by an Apache woman. I've seen firsthand the troubles and hardships that our tribes experience. Now I represent 12 Native American tribes, and I'm here standing on the floor of Congress to give them a voice.

Our Native American women, who need resources and protection, face great hardships. They often live in very remote areas. Unfortunately, Native American women are two-and-a-half times more likely to be assaulted in their lifetimes than other women.

As a prosecutor, I also saw firsthand the need to protect those who are vulnerable. That's why I have pushed so hard for the bipartisan Senate-passed version of this legislation. This legislation strengthens protections for Native American women and so many others.

My district needs this legislation. I urge my colleagues from both sides to come together and pass the Senate version of the Violence Against Women Act today.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I'm pleased to yield 1 minute to the gentlewoman from California, Congresswoman LEE.

Ms. LEE of California. Madam Speaker, first let me thank Leader PELOSI and Congresswoman GWEN MOORE for their tremendous leadership

to reauthorize the Violence Against Women Act.

Today we have an opportunity to really stand up for tribal women, for the LGBT community, for immigrant women, for women all across the United States and to finally pass the strongly bipartisan Senate version of the Violence Against Women Reauthorization Act. We should have done this a long time ago. After much grandstanding, feet dragging, and shameful politicking over protecting the right for all women to feel safe in their homes and workplaces, I hope today that finally we can come together to say that violence against any woman is never an option.

When I was in the California Legislature, I authored the Violence Against Women Act for the State of California, and it was signed into law by a Republican Governor. It was, indeed, a bipartisan effort.

As someone who understands domestic violence on a deeply personal level, I know how traumatic it is, and I know the strong and consistent support system needed to emerge as a survivor. That is what the Senate's VAWA reauthorization will accomplish for all women—and I don't mean for some women; I mean for all women. So I urge Members to vote "no" on the amendment and "yes" on the underlying bill.

Mrs. McMORRIS RODGERS. Madam Speaker, I'm pleased to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the champion on our side of the aisle for the reauthorization of this important legislation, our majority leader.

Mr. CANTOR. Madam Speaker, I thank the gentlelady and congratulate her on her leadership on this issue. As chairwoman of our conference, as a strong advocate for families, for women, for children in our conference, I salute her in her efforts to improve the ability for individuals, women, who are subject to domestic abuse to get the relief that they need. And in that spirit today, Madam Speaker, I come to the floor in support of the substitute amendment that we are offering today.

Today, Madam Speaker, a mother and her daughter will go to a shelter seeking safe harbor because they are scared. Another young woman will walk into a hospital emergency room seeking treatment from sexual assault. In some cases, women will wait to report such violent crimes because they don't feel there is a support system in place to help them.

Our goal in strengthening the Violence Against Women Act is simple: we want to help all women who are faced with violent, abusive, and dangerous situations. We want to make sure that all women are safe and have access to the resources they need to protect themselves, their children, and their families. We want them to know that

somebody is there and willing to help. And we want them to know that those who commit these horrendous crimes will be punished and not let go. Madam Speaker, that's why we feel so strongly about providing the proper support system and needed relief to thousands of victims and survivors so that they can get on with their lives.

For the past several months, we've worked hard in this House to build consensus and to put together the strongest bill possible to improve on that which came from the Senate. Today, I encourage my colleagues to support the House amendment to the Violence Against Women Act in order to end violence against all people, against all women, and prosecute offenders to the fullest extent of the law.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from New Mexico (Mr. LUJÁN), who has been a champion for ending violence against women for all women in America.

Mr. BEN RAY LUJÁN of New Mexico. Madam Speaker, last Congress it was with great disappointment that, for the first time since the Violence Against Women Act was signed into law in 1994, House Republicans failed to give us a vote and Congress failed to reauthorize this important legislation that has reduced domestic abuse and provided victims of violence with vital resources.

□ 1000

The effort to reauthorize VAWA failed, despite overwhelming bipartisan support in the Senate, because House Republicans stripped the bill of critical provisions to help women, especially Native American women. Sadly, we are seeing this effort repeated on the floor today.

Once again, House Republicans are trying to weaken a bill that passed by a vote of 78–22 in the Senate in order to deny Native American women important protections. Sovereignty is not a bargaining chip. The Republican substitute is an attack on Native American women and does not respect sovereignty.

Studies have found that three out of five American Indian women will experience domestic violence; yet the Republican substitute makes it harder to prosecute abusers and is full of loopholes.

I urge my Republican colleagues to drop their opposition to the Senate bill and pass legislation that gives all women, including Native American women, vital protections against abuse.

Mrs. McMORRIS RODGERS. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Madam Speaker, I rise today in support of S. 47, the Violence Against Women Reauthorization Act of 2013, which passed the Senate with a

strong bipartisan majority. I do support that underlying bill.

The programs funded under this landmark legislation have proven effective over the past two decades in achieving real and meaningful reductions in domestic violence. Victims' advocates in my district and around the country rely on funding made available through VAWA for training programs, rape prevention and education, battered women's shelters, support for runaways, and community programs directed at ending the cycle of domestic violence.

In my home State, the Pennsylvania Coalition Against Rape currently operates 50 rape crisis centers that provide services to victims of sexual violence. These centers also utilize public awareness campaigns and prevention education to combat the root causes of sexual assault. Essential institutions such as these are counting on us in this body to ensure that VAWA funds remain available to support their often lifesaving work.

I am proud to serve as a board member of the Crime Victims Council of the Lehigh Valley. This private, nonprofit organization provides free, confidential assistance to victims of violent crime and their significant others to help them cope with the traumatic aftermath of victimization.

Another outstanding institution in my district is Turning Point of Lehigh Valley, which maintains a 24-hour help line that serves as a constant resource for victims and their loved ones. Turning Point offers empowerment counseling, safe houses, court advocacy, prevention programs, and transitional assistance to ease former abuse victims into independent life. Our community depends on these organizations, and these organizations depend on VAWA.

VAWA is also improving law enforcement's response to domestic violence. In 2007, the Pennsylvania Commission on Crime and Delinquency conducted an evaluation of VAWA's Services Training for Officers and Prosecutors program, commonly called STOP grants. This program is designed to promote an enhanced approach to improve the criminal justice system's handling of violent crimes against women.

The final report indicated that police with STOP training are more likely to work in concert with professional victims' advocates. Court personnel, including prosecutors and judges, are demonstrating a heightened level of sensitivity towards victims of abuse.

Finally, the strategy of employing dedicated personnel to follow these crimes from beginning to end has resulted in improved arrest policies, investigations, prosecutions, hearings and follow-up. This study demonstrates the positive effect that STOP grants have had across the board in Pennsylvania's criminal justice system where domestic violence is concerned.

VAWA has substantially improved our Nation's ability to combat violent crime and protect its victims, providing a strong safety net for women and children across the United States. According to the FBI, incidents of rape have dropped by nearly 20 percent from the law's enactment in 1994 through 2011. The rate of intimate partner violence has declined by 64 percent over that same period.

However, much work remains to be done. The CDC estimates that 1 in 4 women and 1 in 7 men have experienced severe physical violence by an intimate partner at some point in their lifetime.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. McMORRIS RODGERS. I yield an additional minute to the gentleman.

Mr. DENT. Congress must reauthorize VAWA to prevent more innocent Americans from becoming victims and to provide critical services for those who do.

Further delaying this crucial legislation does this Congress no credit and leaves State and local service providers facing uncertainty about their ability to continue protecting some of the most vulnerable members of our society.

The Senate voted to reauthorize the Violence Against Women Act with a strong bipartisan majority, and I would strongly encourage the House of Representatives to do the same, to support that underlying bill. Voting "yes" on the underlying bill will move the reauthorizing legislation to the President's desk immediately. It's the right thing to do, and it's about time we do it.

Ms. PELOSI. Madam Speaker, I am very pleased to recognize our distinguished Democratic whip of the House, Mr. HOYER. He was there in the nineties when we worked to pass this legislation on the Appropriations Committee. He and ROSA DELAURIO and Congresswoman NITA LOWEY and I worked to fund the Violence Against Women Act. He's been there on this issue for a long time. I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I want to congratulate the leader for her efforts in getting us to this point.

Today, after 2 months, I think we're going to do something very positive, and we're going to do it in a bipartisan way, and I think that's excellent. I think America will be advantaged. Every American—women, yes—but every American will be advantaged.

House Democrats support the fully inclusive reauthorization of the Violence Against Women Act which passed the Senate by a bipartisan vote of 78–22, as has been referenced. A majority of Republican Senators, and all Republican women Senators, voted in favor.

That bill represents a compromise, and I urge my colleagues to defeat the partisan, Republican-amended version

so we can pass the Senate bill. I voted for the rule, which allows us that opportunity. Let us take it.

The changes House Republicans made in their version significantly weaken its provisions—and I want to say some Republicans. I want to make that clear. It's not all—aimed at protecting victims of domestic violence and empowering law enforcement to keep our people safe from these crimes.

The House Republican bill omits critical protections for Native Americans, for LGBT Americans, and for immigrants.

Furthermore, the House Republican bill removes protections for students on campus, victims of human trafficking, and those who've experienced rape or stalking.

Why? Why not protect everybody, all Americans?

When we fail to protect all victims, abusers can get away with the abuse and repeat it.

Madam Speaker, Congress ought not to be playing games with women's lives and with the lives of all who suffer from domestic violence. We owe it to the victims, their families, victims' advocates, law enforcement and prosecutors to make sure the protections of the Violence Against Women Act work and can meet the challenges we face today.

That's why we should defeat the weaker House Republican alternative and, instead, pass the fully inclusive version passed by Senate Democrats and Republicans. I expect it to be a bipartisan vote. It is a good day for America.

Mrs. McMORRIS RODGERS. Madam Speaker, just to clarify, on the House substitute that we'll be considering a little later, it ensures that money goes to victims by increasing accountability. It ensures and guarantees that grants to combat sexual assault are distributed equitably. It improves the ability for law enforcement to prosecute abusers. It better protects Indian women from domestic violence, and it safeguards constitutional rights to ensure justice for victims.

At this time I am pleased to yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD), our policy chairman.

Mr. LANKFORD. Madam Speaker, I do want to stand in support of the House proposal today on protecting women across this Nation. This is something that protects all women. I know there's been some interesting accusations that we're trying to exclude people. This is for all women in all places.

As a dad of two daughters, I get this. I understand this. My two daughters were on this House floor not very many weeks ago getting a chance to visit and to be here and to be a part of this process and to meet some of the great ladies on both sides of the aisle, but to

also get a chance to interact with people and to see how laws are made. And I want them to know, in the days ahead, laws here that are done are for every person and that we stand for every family.

This is a family issue. This is a women's issue. This is also a State legal issue. It's a community issue, and it's also a national issue that is right that we deal with today.

I want to encourage organizations in Oklahoma City like the YWCA that have a simple theme of eliminating racism, empowering women; and they work every single day to be able to help women that are in situations that they have got to escape out of.

□ 1010

I also want to stand up for the 39 tribes in Oklahoma. I've met with some of the tribal leaders. The House version does three simple things on it. For my constituents, I want them to know that if there's domestic violence that occurs—and the House version assures this—if they live in Indian country, if they work in Indian country, if they're married or dating someone from Indian country, this law clearly protects them in that. All of section 900 I would encourage people to read and go through the details of how we stand beside the tribes and those that are in and around Indian country.

There needs to be prosecution, there needs to be protection. But most of all, we need to stand beside every single family and every single woman in this Nation to do what is right.

Ms. PELOSI. Madam Speaker, I want to inform the gentleman that the YWCA USA supports the bipartisan Senate bill that we are urging Members to support and reject the House bill.

I am pleased to yield 1 minute to the gentleman from Illinois (Mr. QUIGLEY), who came to Congress fully committed to passing this legislation.

Mr. QUIGLEY. Well, if this is for all and this is for everybody, why attempt to strip out essential protections for immigrants, tribal, and lesbian, gay, bisexual, and transgender victims? Do they not feel the same pain?

Once again, we have to stand up and fight for equal protections for all victims. The Senate seems to get what this body does not: we are all in this together.

These victims are not nameless, faceless members of some group of "others." They are our friends, our neighbors, our family members. We are a Nation built on justice, fairness, and equal protection. We are all stronger when we uphold these ideals and protect the most vulnerable among us. The Senate-passed VAWA embodies these principles and protects all victims. We should pass it today.

Ms. McMORRIS RODGERS. I am pleased to yield 4 minutes to a former prosecutor, the gentlelady from Indiana, SUSAN BROOKS.

Mrs. BROOKS of Indiana. I rise in support of VAWA.

Yelling. Name calling. Black eyes. Bruises. Belts. Broken bottles. Children scared and crying in the corners, crying for it to stop. The lies and coverups to friends and family. A family out of control. And then the abuser gains the control and says, "I'm sorry," "I love you," "I won't do it again," "I'll change." So the victim stays again and again and again, year after year.

The cycle of violence goes on from generation to generation, just like Brittany from Tipton County, Indiana, abused by her drug-addicted mother and married a man also the victim of severe child abuse. After they married, the cycle of violence continues. Brittany's husband verbally and physically abused her while their children watched. She is in every one of our districts, whether you're in a poor family or a rich family, whether you're in the city, in the country, or on the farm. We as Members of Congress have the power and the control to change her life.

When Brittany finally took control and made the call, it was VAWA funds that made sure that the cops that responded recognized it. And I've done those ride-alongs, and they are the most dangerous calls cops can make. When VAWA funds are involved, they keep shelters and transitional housing open so those victims have a safe place to stay. When VAWA has funds, it trains sexual assault nurses who help those victims through the humiliating exams they have to endure that are so important so we have the evidence to put the abusers behind bars.

When VAWA funds are involved, we have advocates in prosecutors offices and in courtrooms who are trained to help them through the painful, long, difficult court process. And when VAWA funds are involved, we have counseling services needed for the victims and their families to heal. VAWA gives victims a fighting chance to gain control of their lives. If VAWA doesn't pass, in my district Alternatives, Inc. will have to lay off two of their five victim advocates, shut down one of their offices and won't be able to serve the 700 victims in rural counties that they served last year.

VAWA is a program that works. It's one of those Federal Government programs that works. This bill is not a perfect bill. No bill that Congress passes is perfect. But I will tell you the victims being attacked can't wait for perfect. The three women and the one man who die every day at the hands of their intimate partners cannot wait for perfect.

I'm a freshman, and I'm asked all the time, Isn't there anything that Congress can agree on and get behind? I think we need to show the American people we can give control back to the women, men, and children who are subjected to the horrors of violence at the

hands of someone who supposedly loves them. This shouldn't be about politics and fighting and about political party control. In my short time in Congress, I've seen too often that we lose sight of the people that we are here to protect and to serve. And it is about control. That's what their lives are about.

I urge every Member to think of the victims. Take those statistics and replace them with the Brittany's in your district. Take control away from the abusers, provide it back to the victims with the control they need. Can't we be the voice that they don't have? We as Members of Congress have the ability to give control back to the victims, to give control to the cops, to give control to the sexual assault nurses, to give control to the victim advocates, to give some to the shelters and to the counselors. I'm asking this Congress to show the American people that we care. I do.

Please pass this bill.

Ms. PELOSI. Madam Speaker, I have listened attentively to some of the comments made by those who support the House version of VAWA and they use words like "all women," as the distinguished majority leader said. Not true in the Republican bill. Not all women if you're gay, if you are from the immigrant community, or if you happen to be living on a reservation.

I hear the appeal from a freshman Member, very eloquently stated, "Why can't we work together and put partisanship aside?" That's exactly what the Senate did, 78-22. A majority of the Republicans in the Senate voted for the far superior bill.

We've never had a perfect bill, you're absolutely right. But we have a far superior bill that expands protections, as opposed to the House bill which not only is not as good as the Senate bill, it diminishes protections already in the law.

I heard the gentlelady talk eloquently about the money and where it needs to go. It's sad to say that with sequestration, \$20 million, according to a new estimate from the Justice Department, will be cut from the Violence Against Women account. That means approximately 35,927 victims of violence would not have access to life-saving services and resources.

So the fact is people have come together on the Senate bill. The House agrees with their bipartisan position. The President stands ready to sign it. It's just the House Republicans that are odd people out on this.

It's hard to understand why you think "some" equals "all." It doesn't. And that's why it's really important to reject the House version and support the Senate version.

I am pleased to yield 1 minute to the gentleman from California (Mr. SWALWELL), a Member of our freshman class.

Mr. SWALWELL of California. Preventing violence against women means

preventing violence against all women, especially those from the LGBT community, especially those from the immigrant community, and I'm here to support the bipartisan Senate bill that was passed and to oppose the House amendment.

I was a prosecutor in Alameda County for 7 years. I worked day in and day out with women who came in as violence victims, people who had been battered. And it's only because of the Violence Against Women funding that we had in our office that allowed our victim advocates to provide them with the emotional and physical services that they needed that we could even begin to put them on the track of healing. Only because of this funding.

So right now it is incumbent upon us to make sure that this funding is available, as we move forward, to all women—all women. Violence against all women must be protected against, and we must have funding that shows that we will go aggressively after their abusers and support our law enforcement and their efforts to do that.

□ 1020

Today's bipartisan bill gives us an opportunity to show that this House can do big things when we work together.

Mrs. McMORRIS RODGERS. Madam Speaker, I would just ask my colleagues on the other side of the aisle to please point to anywhere in the House bill that coverage for anyone is denied. To specifically state: Where is the coverage denied?

The House covers all victims. This bill does not exclude anyone for any characteristic. Not only does the bill specifically prohibit discrimination; it directs the Attorney General to make a rule regarding antidiscrimination efforts as he sees fit.

Moreover, the STOP grant is reauthorized to permit funding to go toward men as well as women. The House bill enhances protections for Native American women. The House bill requires the Justice Department to cross-designate tribal prosecutors as Federal prosecutors in 10 federally recognized Indian tribes. This allows tribal prosecutors to move forward more quickly in Federal court.

The House bill provides a constitutional route for Indian tribes to prosecute non-Indian offenders for domestic violence crimes against Native American women. This is critical for victims to ensure that offenders do not have their convictions overturned.

The House bill contains increased accountability provisions. The House bill mandates better coordination among grantees and Federal employees to ensure money is spent effectively and efficiently. This is in response to allegations of misuse of funds. It limits administrative expenses and salaries to 5 percent, ensuring that money goes to

victims and law enforcement. This ensures that money goes to victims, not bureaucrats.

At this time, I'm happy to yield 2 minutes to a champion for all human rights, the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Madam Speaker, I rise in strong support of the Violence Against Women Act offered by Congresswoman McMORRIS RODGERS. It authorizes \$2.2 billion for VAWA to help victimized women & children seeking assistance to break the cycle of violence & live free from intimidation, fear, abuse, & exploitation. I just want to point out something that little attention has been paid to.

A little over a decade ago, I authored the Trafficking Victims' Protection Act of 2000, the landmark law that created America's comprehensive policy to combat modern-day slavery. The TVPA created the State Department's Trafficking in Persons Office, now led by an ambassador-at-large with a robust complement of over 50 dedicated and highly trained people.

The Leahy trafficking amendment to S. 47, title XII, guts the TIP Office and represents a significant retreat in the struggle to end human trafficking. The only way to fix it is to pass the Morris Rodgers amendment, go to negotiations, and get this legislation negated.

The TIP Office is an extraordinary advocacy mechanism and has had a huge impact worldwide. In addition to best-practices advocacy, the office monitors labor and sex trafficking and makes recommendations for whether or not countries be ranked tier one, tier two, or tier three.

For over a decade, the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking. The Leahy amendment cuts the authorization for the TIP Office from about \$7 million down to \$2 million. It eviscerates the TIP Office; there is no doubt about that.

It also shifts responsibilities to the regional bureaus. We have had problems over the last decade, as my colleagues, I'm sure, know. The regional bureaus have a whole large portfolio of issues that they deal with. When they deal with those issues, trafficking is on page 4 or page 5 of their talking points. The TIP Office walks point; it has now been demoted significantly.

I would point out that when I first did the trafficking bill, there was huge pushback from the State Department. They didn't want human rights in general, and absolutely they did not want the trafficking-in-persons issue to be dominant and center stage. That's what the office does. It is a step backwards for combating human trafficking.

Madam Speaker, I rise in strong support of the Violence Against Women Act, VAWA, authored by Congresswoman CATHY McMORRIS RODGERS.

It authorizes \$2.2 billion for VAWA to help victimized women and children seeking assistance to break the cycle of violence and live a life free from intimidation, fear, abuse and exploitation.

VAWA is landmark legislation with a proven track record of assisting abused and battered women and must be reauthorized. VAWA includes: \$222 million in STOP grants, providing critical funding to improve the criminal justice system's response to crimes against women; \$73 million in Grants to Encourage Arrest Policies and Enforce Protection Orders, providing resources to bring abusers to justice and providing victims with the legal protections to live free of fear from their abusers; \$57 million for Legal Assistance for Victims, providing necessary funding to strengthen state legal systems and ensure that agencies charged with handling domestic abuse and sexual assault cases are able to assist victims through the legal process; and millions more in housing assistance to shelter victims away from their abusers; grants to protect young women on college campuses; training and services for abuse against women in rural areas and those with disabilities; funding to reduce rape kit backlogs so we can identify past abusers and provide justice to their victims; and many more critical programs that strengthen communities to combat abuse against vulnerable populations.

I just want to point out something that far too little attention has been paid to: the Leahy Amendment cuts to the State Department Trafficking in Persons, TIP, Office contained in the Senate version.

A little over a decade ago, I authored the Trafficking Victims Protection Act, TVPA, of 2000—the landmark law that created America's comprehensive policy to combat modern day slavery.

The TVPA created the State Department's Trafficking in Persons Office, now led by an ambassador-at-large with a robust complement of over 50 dedicated and highly trained people.

The Leahy trafficking amendment to S. 47—Title XII—guts the TIP office and represents a significant retreat in the struggle to end human trafficking. The only way to fix it is to pass the Violence Against Women Act sponsored by Congresswoman MCMORRIS RODGERS, go to negotiations, and strike the cut.

Madam Speaker the now at risk Trafficking in Persons Office is an extraordinary advocacy mechanism and has had a huge impact worldwide. In addition to "best practices" advocacy, the office monitors labor and sex trafficking in every country of the world pursuant to minimum standards prescribed in the TVPA and makes recommendations for whether or not countries should be ranked Tier I, Tier II Watch List or Tier III. Countries with bad records and who fail to make "serious and sustained" efforts to improve are designated Tier 3—the worst ranking—which may result in sanctions.

For over a decade the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking, but that will change if the McMorris Rodgers VAWA fails and the House has no means to fix the Leahy amendment in conference.

The Leahy Amendment, cuts the authorization for the TIP office authorization from \$7

million down to \$2 million—effectively eviscerating the TIP office.

Making matters worse the Leahy Amendment also shifts responsibilities to the regional bureaus—and we have had problems with regional bureaus and trafficking over the last decade—as my colleagues I'm sure know. Regional bureaus have a large portfolio of issues that they handle. As they deal with those other issues, trafficking is often relegated to page four or page five of their agenda and talking points. The TIP office on the other hand walks point, is singular in focus, and it is imperative that it be adequately resourced and vested with current-day powers to act. Under Leahy the TIP office is demoted significantly.

The simple fact of the matter is that since enactment of the TVPA in 2000, the regional bureaus have often sought to undermine and weaken TIP country ranking recommendations due to other so-called equities. Advancing human rights is general and combating human trafficking in particular, far too often takes a back seat to other priorities.

That's why, back in 2000, I led the effort and wrote the law to make the Trafficking in Persons Office the lead in gathering, analyzing, and putting forward recommendations for every country.

That's why slashing the Trafficking in Persons Office is an awful idea. The victims deserve better.

Ms. PELOSI. Madam Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore. The gentleman from Michigan will control the time as the designee.

Mr. CONYERS. Madam Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Madam Speaker, I'd like to talk to you about Lucy. Lucy is not the name of the person I'm referring to, although she is absolutely real. I can't use her name because Lucy still lives in fear of her abuser, a man she was married to.

Lucy is from a nation in West Africa. The man who was abusing her, physically and sexually, and mistreating her would tell her and threaten her—based on her immigration status to the United States that she was hoping to obtain—he would threaten her and tell her, I'm going to hold this against you; I'm going to do this to you; don't you dare leave me.

The Violence Against Women Act's self-petition process was a lifeline and a savior to her. She was able to explain the extreme violence that she lived through and suffered through all the time, and she was able to separate from her husband and seek a way to become a citizen and to stay in this country and get rid of her abuser. Sadly, the House version rolls this protection back. That's why you should support the Senate version.

Mrs. MCMORRIS RODGERS. Madam Speaker, I'm happy to yield 2 minutes to a champion, a former judge who has worked on these issues for many years, the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentlelady for yielding.

Violence against women is awful. I think we can all agree with that. Behind the scenes in homes throughout America, behind closed doors bad things are happening in those families. It is violent. It affects the spouse, the children, and the quality of life of our community. Today, the House of Representatives can do something about that to make America safer for women, primarily, and their children. We have two choices before us today: the House bill, the Senate bill.

But there's another thing going on behind closed doors in America as well, and that's sexual assault that is occurring in America. I spent time on the bench as a judge in criminal cases in Texas for 22 years; and one of the greatest scientific, forensic discoveries was DNA. It's helped prosecute sexual assault cases.

DNA: when those outlaws commit sexual assault crimes against primarily women and children, they leave DNA evidence, it's examined, and we find out who the criminal was. But here's the problem: there are 400,000 DNA rape kits that have not been tested, some going back 20 and 25 years. They're so old that when it's determined who the outlaw is, they can't be prosecuted because the statute of limitations has run; 400,000 cases where rape victims are waiting for us to just analyze those sexual assault cases.

That concept is called the SAFER bill, sponsored by CAROLYN MALONEY and myself to try to fix that issue by taking money in one legislation and putting it in the SAFER legislation to analyze those 400,000 cases so victims know who committed the crime, and also outlaws go to prison and not get a free ride because there's not money to test those cases.

That SAFER bill is in the Senate version. I encourage the House of Representatives to vote for the SAFER bill because it is in the Senate legislation.

And that's just the way it is.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. I thank the ranking member of our Judiciary Committee.

I rise in support of the Senate bill, S. 47, which reauthorizes VAWA. It passed by a strong bipartisan vote of 78–22 on February 12.

It is also an honor to be next to the gentlewoman from Wisconsin, who has really championed this bill.

□ 1030

I rise specifically to address section 904, which provides tribal governments with jurisdiction over the abuse of Native American women on tribal lands. The statistics, which were set forth by Senator UDALL in a recent article, were very alarming. Native American women are two-and-a-half times more

likely to be raped, one in three will be assaulted, and three out of five will encounter domestic violence.

And the criticism, the criticism we've heard against why the Senate version of this bill should not pass is because they say it doesn't afford due process. All we need to do is to look at the defendant's rights as set forth in the tribal court criminal proceedings under ICRA, the Indian Civil Rights Act, and TLOA, the Tribal Law and Order Act of 2010.

The rights are there. Support the Senate version.

Mr. CONYERS. Madam Speaker, I am pleased to yield 2 minutes to the vice chair of the Democratic Caucus from New York, Mr. JOE CROWLEY.

Mr. CROWLEY. I thank my friend and colleague from Detroit, Michigan, for yielding me this time.

Madam Speaker, it has been over 500 days since the Violence Against Women Act expired—500 days—and every day that has passed without a vote, my colleagues and I have been asking ourselves, What are we waiting for? Are we waiting for our colleagues in the Senate to have a strong, bipartisan vote and send us a bill worth voting on? Oh, wait a minute. They've already done that. But maybe we're waiting for a bill that strengthens the Violence Against Women Act. Sorry, the Senate has already done that, as well. Or maybe we're waiting for support of hundreds of State, local, and national organizations. Oh, but wait. We've already had that with the passage of the Senate bill.

My colleagues, it's time to end this wait for our mothers, for our daughters, and for our friends so they can get the protection and the service that they deserve because, let me tell you, the abusers are not waiting.

Today, we have the chance to pass the actual Senate bill, the bipartisan, commonsense legislation that has been waiting for a vote. So let's vote "no" on the substitute amendment, support the underlying bill, and send this to the President's desk.

I don't believe my colleagues, if they saw a lesbian woman being beaten by their neighbor, that they would not want to have that violence stopped. I don't believe that my Republican colleagues, if they saw an undocumented person, even an illegal alien, being beaten by her husband, that they would not want that stopped. I don't believe that my colleagues on the other side of the aisle, if they saw a Native American woman being beaten or abused, that they would not want that stopped.

Why do they not have it specified in their legislation? The Senate bill does. Let's stop this back-and-forth and pass the Senate legislation.

Mrs. McMORRIS RODGERS. Madam Speaker, I would just like to remind my colleagues on the other side of the aisle that the House, the Republican

majority in the House, passed legislation to reauthorize the Violence Against Women Act in May of last year. Funding has continued. Congress, including the Republicans in the House, has supported and continues to fund these important programs at \$600 million a year. No program has gone unfunded as we have continued to focus on the important work of getting this bill reauthorized.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the distinguished gentlewoman from California, SUSAN DAVIS.

Mrs. DAVIS of California. Madam Speaker, at last, at last. Madam Speaker, like Americans all across the country, I'm glad this Chamber has finally put the Senate Violence Against Women Act to the floor for a vote.

I urge my colleagues to support this legislation and to oppose the Republican substitute. If we pass a strong and bipartisan reauthorization, women can breathe a sigh of relief knowing that Congress has got their backs.

Every woman deserves protection and justice. I'm glad that the Senate bill closes the gap in current law by extending that protection to Native American, LGBT, and immigrant victims.

In contrast, as we have heard, the Republican substitute inexplicably continues to exclude these groups and put them at risk. That is exclusionary and it is hurtful.

Let's swiftly pass the Senate VAWA and send it straight to the President's desk for his signature. I urge my colleagues to vote "yes" on S. 47 and to stand up for all victims of domestic violence. They've waited far too long for this day.

Mr. CONYERS. Madam Speaker, I'm pleased now to yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Speaker, 2 weeks ago, the Senate overwhelmingly passed a strong, bipartisan reauthorization of the Violence Against Women Act to extend much-needed protections to all women of domestic violence, including immigrants, Native Americans, and members of the LGBT community.

Domestic violence victims and their families have waited far too long for the House to act to reauthorize VAWA and to provide victims of domestic violence with important resources to help end this violence. It's critical that we ensure that every single victim of domestic violence, no matter what they look like or where they come from or who they love, has access to these critical tools and resources.

According to the National Task Force to End Sexual and Domestic Violence, one in four women will be victims of domestic violence in their life-

time. Each year, 15 million American children are exposed to domestic violence and all the dangers of this violence.

Have we really come to the point that we can't persuade every single Member of Congress that violence against all women is indefensible and that we have a moral responsibility to do everything in our power to stop it? Do we really want to say some women, some group of women, are not worthy of protection against such violence? I hope not.

I urge my colleagues to pass the strengthened Senate version reauthorizing the Violence Against Women Act and to protect all American women from violence.

AMERICAN
PSYCHOLOGICAL ASSOCIATION,
February 4, 2013.

Hon. PATRICK LEAHY, *Chairman,*
U.S. Senate Judiciary Committee, Washington,
DC.

Hon. MIKE CRAPO,
U.S. Senator,
Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of the 137,000 members and affiliates of the American Psychological Association (APA), I am writing to thank you for your invaluable leadership in introducing the Violence Against Women Reauthorization Act of 2013 (S. 47). As the legislative process advances, APA offers its full support of your efforts to ensure a comprehensive and inclusive reauthorization of the Violence Against Women Act (VAWA).

As you know, nearly one in four women in the United States reports experiencing domestic violence at some point in her life, and 15 million children live in families in which intimate partner violence has occurred within the past year. Domestic violence can result in significant mental and behavioral health consequences including depression, anxiety, post-traumatic stress disorder, relationship problems, diminished self-esteem, social isolation, substance use disorders, and suicidal behavior. VAWA programs can help to mitigate these negative outcomes by providing a vital link to services and supports for survivors and their families.

APA applauds your commitment to protect survivors of intimate partner violence with a comprehensive VAWA reauthorization. In particular, we appreciate the inclusion of essential public health provisions to reauthorize and strengthen the health care system's identification, assessment, and response to violence, as well as provisions to protect vulnerable populations, including Native women, immigrants, and LGBT individuals.

We welcome the opportunity to work with you to address these important issues. For further information, please contact Nida Corry, Ph.D., in our Public Interest Government Relations Office at (202) 336-5931 or ncorry@apa.org.

Sincerely,

GWENDOLYN PURYEAR KEITA, Ph.D.,
Executive Director,
Public Interest Directorate.

OFFICE OF PUBLIC WITNESS,
PRESBYTERIAN CHURCH (U.S.A.),
February 1, 2013.

Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY: In the Presbyterian Church (U.S.A.), we believe that "domestic

violence is always a violation of the power God intended for good." We believe that "God the Creator is preeminently a covenant-maker, the One who creates, sustains, and transforms the people of God. Domestic violence and abuse destroys covenants in which people have promised to treat each other with respect and dignity."

Because of these convictions, we strongly support a robust reauthorization of the Violence Against Women Act and we thank you for your leadership in sponsoring S. 47. Further, we wish you to know that we have written to all of your Senate colleagues, asking them to support final passage of this bill, and urging them to oppose any amendments that you have not endorsed.

As you know, VAWA's programs support state, tribal, and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault, and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Again, we thank you for your leadership on this important issue and look forward to the bill's passage, so that we can build upon VAWA's successes and continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable, and to keep victims and their families safe from future harm. For our part, we commit to continued ministry with victims and survivors of violence and to do all we can, through our ministries and our advocacy, to end this desperate cycle of violence and brokenness.

We give thanks for your service to our nation and for your leadership on this issue.

Sincerely,

The Reverend J. HERBERT NELSON II,
Director for Public Witness.

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,

February 6, 2013.

Hon. PATRICK LEAHY,
Chair, Senate Judiciary Committee, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. MICHAEL CRAPO,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: The National Task Force to End Sexual and Domestic Violence—comprised of national, tribal, state, territorial and local organizations, as well as individuals, committed to securing an end to violence against women, including civil rights organizations, labor unions, advocates for children and youth, anti-poverty groups, immigrant and refugee rights organizations, women's rights leaders, and education groups—writes to express its strong and unequivocal support for the tribal provisions included in Title IX of S. 47, the Violence Against Women Reauthorization Act. As you are aware, these provisions are identical to those that were contained in S. 1925, the VAWA bill introduced in the 112th Congress. As such, the provisions were first voted affirmatively out of the Indian Affairs Committee, then added to S. 1925 and passed out of the Judiciary Committee, and finally were contained in the final version of S. 1925 that passed the Senate last year with bipartisan support.

While we understand that some have expressed constitutional concerns with respect to the criminal jurisdiction provisions con-

tained in section 904, Title IX of S. 47, we wish to respectfully point out that the provisions were drafted and put forward by the U.S. Department of Justice, and were thoroughly vetted before they were submitted to the Senate Indian Affairs and Judiciary Committees. We also wish to remind the members of the Senate of the terrifying rates of victimization that American Indian and Alaska Native women experience: 34% of American Indian and Alaska Native women will be raped in their lifetimes; 39% will be subjected to domestic violence in their lifetimes. Sixty-seven percent of Native women victims of rape and sexual assault report that their assailants are non-Native individuals. On some reservations, Native women are murdered at more than ten times the national average. These startling statistics, coupled with the unfortunately high declination rates (U.S. Attorneys declined to prosecute nearly 52% of violent crimes that occur in Indian country; and 67% of cases declined were sexual abuse related cases), provide ample reason for Congress to act in passing S. 47 with Section 904 intact.

Additionally, we offer for the consideration of the members of the Senate a letter submitted last year by over 50 U.S. law professors who carefully reviewed the provisions of section 904 and found them to be constitutional. We offer some relevant excerpts below:

It is important to note that Section 904 of S. 1925 does not constitute a full restoration of all tribal criminal jurisdiction—only that which qualifies as "special domestic violence criminal jurisdiction." So there must be an established intimate-partner relationship to trigger the jurisdiction. Moreover, no defendant in tribal court will be denied Constitutional rights that would be afforded in state or federal courts. Section 904 provides ample safeguards to ensure that non-Indian defendants in domestic violence cases receive all rights guaranteed by the United States Constitution.

In other words, a defendant who has no ties to the tribal community would not be subject to criminal prosecution in tribal court. Federal courts have jurisdiction to review such tribal jurisdiction determinations after exhaustion of tribal remedies. Section 904 is specifically tailored to address the victimization of Indian women by persons who have either married a citizen of the tribe or are dating a citizen of the Tribe."

In closing, the National Task Force wishes to thank you for your tireless efforts to reauthorize the Violence Against Women Act, S. 47. We appreciate your leadership and look forward to working with you toward a speedy passage of S. 47, including Title IX as introduced with no weakening amendments.

Sincerely,

The National Task Force To End Sexual and Domestic Violence.

THE LEADERSHIP CONFERENCE
ON CIVIL AND HUMAN RIGHTS,
Washington, DC, February 11, 2013.

VOTE YES ON VAWA (S. 47) AND OPPOSE ANY AMENDMENTS THAT WEAKEN PROTECTIONS

DEAR SENATOR: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to urge you to support S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA), and to vote against any amendments that would weaken this important legislation.

The Leadership Conference believes that the reauthorization of VAWA is critical for protecting the civil and human rights of Americans to be free from domestic violence. These protections are especially important for Native Americans and people of color, who experience the highest rates of domestic violence and sexual assault. Further, it is essential that these protections be extended to all instances of intimate partner violence, including for gay, lesbian, bisexual and transgender people. In short, S. 47 would strengthen our nation's ability to prosecute perpetrators of violence and provide protections to all victims.

While domestic violence, dating violence, sexual assault, and stalking occur in all parts of the nation and affect people of all backgrounds, according to the Centers for Disease Control and Prevention, these forms of violence and harassment disproportionately affect the communities represented by The Leadership Conference. For example, 37 percent of Hispanic women are victims; 43 percent of African-American women and 38 percent of African-American men are victims; and a staggering 46 percent of American Indian or Alaska Native women and 45 percent of American Indian or Alaska Native men experience intimate-partner victimization.

VAWA-funded programs have dramatically improved the national response to domestic violence, dating violence, sexual assault, and stalking. The annual incidence of domestic violence has decreased by more than 53 percent since VAWA became law in 1994 and reporting by victims has also increased by 51 percent. Not only do these comprehensive programs save lives, they also save money. In its first six years, VAWA saved \$12.6 billion in net averted social costs.

Yet, as law enforcement officers, service providers, and health care professionals have acknowledged, even with the successes of the current VAWA programs, there are significant gaps in current VAWA programs which, if addressed, could have a significant impact on diminishing the incidences of domestic violence in the United States. S. 47 helps address these concerns by strengthening services for minority communities and expanding protections for underserved communities to include lesbian, gay, bisexual and transgender people. Further, S. 47 addresses the crisis of violence against women in tribal communities by strengthening legal protections for Native victims of domestic violence and sexual assault. S. 47 also includes important improvements to VAWA protections for immigrant victims. In addition, the bill provides new tools and training to prevent domestic violence homicides.

VAWA has provided for a coordinated approach, improving collaboration between law enforcement and victim services providers and supporting community-based responses and direct services for victims. As a result, victims' needs have been better met, perpetrators have been held accountable, communities have become safer, and progress has been made toward breaking the cycle and culture of violence within families. Without question, VAWA reauthorization is the key to ensuring that victims and survivors of violence have continued access to these critical services.

We look forward to working with you to swiftly adopt, without any weakening amendments S. 47, the Violence Against Women Reauthorization Act, and continue a strong federal response to domestic violence, dating violence, sexual assault, and stalking. If you have any questions, please feel free to

contact June Zeitlin at 202-263-2852 or zeitlin@civilrights.org.

9to5.
AFL-CIO.
AIDS United.
Alaska Federation of Natives.
American Association of People with Disabilities (AAPD).
American Association of University Women (AAUW).
American Federation of Government Employees, AFL-CIO.
American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO.
American Federation of Teachers, AFL-CIO.
American-Arab Anti-Discrimination Committee (ADC).
Amnesty International USA.
Anti-Defamation League.
Asian & Pacific Islander American Health Forum.
Asian American Justice Center.
Member of Asian American Center for Advancing Justice.

Asian Pacific American Labor Alliance, Asian Pacific American Legal Center, a member of the Asian American Center for Advancing Justice, Association of Flight Attendants—CWA, Association of Jewish Family & Children's Agencies, Center for Reproductive Rights, Center for Women Policy Studies.

Center for Women's Global Leadership, CenterLink: The Community of LGBT Centers Coalition on Human Needs, Communications Workers of America, Disability Policy Consortium, Disability Rights Education and Defense Fund (DREDF), Disciples Home Missions & Family and Children's Ministries of the Christian Church (Disciples of Christ), Family Equality Council, Feminist Majority, Friends Committee on National Legislation, Gay, Lesbian & Straight Education Network (GLSEN), GetEQUAL, GlobalSolutions.org, Hadassah, The Women's Zionist Organization of America, Inc., Hip Hop Caucus, Human Rights Campaign, Institute for Science and Human Values, Inc., International Center for Research on Women, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Jewish Council for Public Affairs.

Jewish Women International, LatinoJustice PRLDEF, The Leadership Conference on Civil and Human Rights, League of United Latin American Citizens (LULAC), Log Cabin Republicans, Maryknoll Sisters, NAACP, National Association of Human Rights Workers (NAHRW), National Association of Social Workers, National Bar Association, National Black Justice Coalition, National Capital Area Union Retirees, National Center for Lesbian Rights, National Center for Transgender Equality, National Coalition for Asian Pacific American Community Development, National Community Reinvestment Coalition, National Congress of American Indians, National Council of Jewish Women (NCJW), National Council on Independent Living, National Education Association.

National Employment Law Project, National Fair Housing Alliance, National Gay and Lesbian Task Force Action Fund, National Health Law Program, National Immigration Law Center, National Latina Institute for Reproductive Health, National Law Center on Homelessness & Poverty, National Legal Aid and Defender Association, National Low Income Housing Coalition, National Organization for Women, National Partnership for Women & Families, National

Urban League, National Women's Law Center, People For the American Way, Planned Parenthood Federation of America, Presbyterian Church (U.S.A.), Refugee Women's Network, Sealaska Heritage Institute, Secular Coalition for America, The Sentencing Project.

South Asian Americans Leading Together (SAALT), Southern Poverty Law Center, Transgender Law Center, Union for Reform Judaism, United Church of Christ, Justice and Witness Ministries, United Food and Commercial Workers International Union (UFCW), US Human Rights Network, US National Committee for UN Women, Women of Reform Judaism, Women's Action for New Directions (WAND), Women's Business Development Center, Women's Environment and Development Organization (WEDO), Women's International League for Peace and Freedom, U.S. Section, Woodhull Sexual Freedom Alliance, Zonta International.

NATIONAL ALLIANCE
TO END SEXUAL VIOLENCE,
Washington, DC, January 28, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, U.S. Senate, Russell Senate Office Building, Washington, DC.

Hon. MICHAEL CRAPO,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of 56 state and territorial sexual assault coalitions and 1300 rape crisis centers, I want to express our sincere gratitude for the introduction of S. 47. The Violence Against Women Act (VAWA) with the SAFER Act included represents the essential and comprehensive legislative package that is necessary to advance this nation's response to the crime of rape and protect and support victims. S. 47 includes critical enhancements to address sexual assault including criminal justice improvements, housing protections, vital direct service and prevention programs, and SAFER's policies to address the rape kit backlog.

We are urging all Senators to stand with sexual assault survivors and support the swift passage of this far-reaching legislation.

Sincerely,

MONIKA JOHNSON HOSTLER,
Board President.

BOARD OF SUPERVISORS,
COUNTY OF SANTA BARBARA,
January 31, 2013.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the Santa Barbara County Board of Supervisors to urge you to take action on legislation to reauthorize the Violence Against Women Act (VAWA).

Thank you for introducing S. 47, the Violence Against Women Reauthorization Act. Programs authorized by VAWA have saved lives as well as providing resources and training needed in communities like Santa Barbara County to address these reprehensible crimes, and the Board recognizes the importance of reauthorizing and enhancing the resources provided by this important public safety program.

The Violence Against Women Reauthorization Act would expand the law's focus on sexual assault and help ensure access to services for all victims of domestic and sexual violence. It also responds to these difficult economic times by consolidating pro-

grams, focusing on the most effective approaches, and adding accountability measures to ensure that Federal funds are used efficiently and effectively.

The Violence Against Women Act has been successful because it has consistently had strong bipartisan support for nearly two decades. Please work with the members of your committee to expedite action on S. 47 or similar legislation to reauthorize VAWA.

Sincerely yours,

THOMAS P. WALTERS,
Washington Representative.

Mrs. MCMORRIS RODGERS. Madam Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a champion for all women and families.

Mrs. BLACKBURN. Madam Speaker, I thank the gentlelady from Washington for the leadership that she has brought to this issue, and I also stand to thank Leader CANTOR and the leadership that he has placed on this.

It's an incredible thing when you think about we still need the Violence Against Women Act. And I think for so many of us who have participated in giving birth to sexual assault centers and domestic abuse centers and child advocacy centers, we realize that for far too long domestic abuse was something that nobody ever wanted to talk about; it should be swept under the rug; it should be hidden behind the four walls of a house. It was not something that was addressed as a crime, but we all knew it was a crime, and we knew it needed to be addressed. And we know that this act and the grants that have been provided to our State and local law enforcement agencies have allowed so many—so many—people the safe harbor that was needed for their opportunity.

Now I stand here today to support our Republican alternative and the amendment that we have placed on this bill making certain that, in a fiscally responsible, targeted, and focused way, those who need access to the help, the assistance, and the funds are going to be able to receive the help, the assistance, the funds, the focus and the attention that they are going to need.

□ 1040

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. MCMORRIS RODGERS. I would be happy to yield the gentlewoman an additional 30 seconds.

Mrs. BLACKBURN. I think that it is noteworthy that we also put some of the attention on stalking, the need to address this; that we look at the need for additional education so that some day we can say, yes, indeed, local law enforcement is fully equipped to handle the issue because the problem has been arrested. All too sadly, Madam Speaker, the problem has not been dealt with.

Mr. CONYERS. Madam Speaker, I'm pleased to yield 1 minute to the distinguished gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. No woman should have to live in fear of violence in this country.

One of my first actions in Congress was to cosponsor the Violence Against Women Act, which was authored by my colleague, GWEN MOORE.

Her bill took critical steps to strengthen the ability of our local law enforcement and service providers to protect victims of domestic violence, sexual assault, and stalking. Her bill went to great lengths to ensure that all women in our country would be protected under the bill.

The Senate passed overwhelmingly on a bipartisan basis her bill. That is why I find the political game being played by some Republicans today to be frustrating, my colleagues find it to be frustrating, and my constituents find it to be frustrating.

I do not understand why, Madam Speaker, you would eliminate provisions to protect women from immigrant communities—many of which I represent in my district in Congressional District Four—and women from Native American communities, or inappropriately discriminate against women based on their sexual orientation.

I urge my colleagues to pass the bipartisan bill.

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, February 1, 2013.

Re NAACP Strong Support for S. 47, To Reauthorize the 1994 Violence Against Women Act.

Senator PATRICK LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I would like to sincerely thank you for your leadership in introducing S. 47, legislation strengthening and reauthorizing the 1994 Violence Against Women Act (VAWA). As strong and consistent supporters of VAWA, the NAACP recognizes that this important legislation would improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States.

As you know, the NAACP supported the passage of VAWA in 1994, and its reauthorization in 2000 and 2005. We have witnessed VAWA change the landscape for victims of violence in the United States who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals has come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate. Your bill will not only continue proven effective programs, but that it will make key changes to streamline VAWA and make sure that even more people have access to safety, stability and justice.

Thank you again for your continued leadership in this endeavor. Your thoughtfulness and tenacity in this area over the years has improved the lives of millions of Americans. Should you have any questions or comments,

please do not hesitate to contact me at my office at (202) 463-2940.

Sincerely,

HILARY O. SHELTON,
Director, NAACP
Washington Bureau
& Senior Vice President
for Advocacy
and Policy.

Washington, DC, February 7, 2013.

DEAR SENATOR: The National Coalition Against Domestic Violence (NCADV), the oldest and largest national anti-domestic violence advocacy organization that serves more than 1.3 million domestic violence victims in more than 2,000 shelter programs nationwide, expresses strong support for S. 47, the Violence Against Women Act (VAWA) of 2013 introduced by Senators Patrick Leahy and Michael Crapo.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against women. More victims report domestic violence to the police and the rate of non-fatal intimate partner violence against women has decreased by 53 percent. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the frontline response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim services providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly \$12.6 billion in net averted social costs in just its first six years.

But more work remains. The CDC's 2010 National Intimate Partner and Sexual Violence Survey found that 1 in 4 women have been the victim of severe physical domestic violence and 1 in 5 women have been raped in their lifetime.

S. 47 renews successful programs that have helped law enforcement, prosecutors, and victim service providers keep victims safe and hold perpetrators accountable. It consolidates programs in order to reduce administrative costs and avoid duplication. The reauthorization is also mindful of our current fiscal state, and reduces authorizations by 17 percent from the 2005 reauthorization. New accountability measures have been included in the bill in order to ensure that VAWA funds are used wisely and efficiently.

S. 47 builds on existing efforts to more effectively combat violence against all victims and aims to ensure that VAWA programs reach more communities whose members need services. It expands the definition of "underserved" to include religion, sexual orientation, and gender identity to encourage development of services for people who have had trouble getting help in the past based on those categories. It also includes new purpose areas to ensure that grant funds can be used to make services available for all victims regardless of sexual orientation or gender identity. The bill includes important provisions to ensure that vulnerable immigrant victims of domestic and sexual violence receive the support and services they need.

This bill addresses the ongoing crisis of violence against Native American victims, who face rates of domestic violence and sexual assault much higher than those faced by the general population, by strengthening existing programs and by narrowly expanding concurrent tribal criminal jurisdiction over those who assault Indian spouses and dating partners in Indian country. This provision

would ensure that no perpetrators of abuse are immune from accountability, but would do so in a way that protects rights and ensures fairness.

Intimate partner violence remains a critical problem in our nation. We cannot let victims of domestic and sexual violence continue to suffer. Congress must protect all victims of violence, hold all perpetrators accountable and provide justice for all.

We urge you to vote in favor of S. 47. Your support is essential to enhancing our nation's ability to hold perpetrators accountable and keep victims safe from future harm. Thank you for your consideration and please do not hesitate to contact me or Tralonne Shorter, Public Policy Advisor for NCADV at (202) 744-8455 if you have any questions or want additional information.

Sincerely,

RITA SMITH,
Executive Director.

ATTORNEY GENERAL OF MISSOURI,
Jefferson City, MO, February 6, 2013.

DEAR MEMBERS OF CONGRESS: In 1994, this nation's leaders enacted the Violence Against Women Act ("VAWA"). This landmark piece of legislation put in place a legal framework that better enabled states like Missouri to effectively investigate violent crimes against women, prosecute and punish offenders, and protect victims from further harm. In the decades since VAWA's enactment, Congress has twice voted to reauthorize the law. With each reauthorization, Congress not only strengthened the provisions of the law, it also reaffirmed this country's commitment to support survivors of personal violence and sexual assault. It is time to do so again.

Missouri women and their families rely on the programs and services that VAWA makes possible. For example, non-profit, community, and faith-based organizations use federal funds directed through VAWA's Sexual Assault Services Program to provide vital support to victims of sexual assault. And Missouri prosecutors, police officers, and court personnel participate in training funded through the STOP (Services Training Officers Prosecutors) program, equipping them to better address violent crime against women.

But the work is just beginning. In 2011, over 40,000 incidents of domestic violence were reported in Missouri. Thirty women were killed by their husbands or boyfriends. Missouri women reported more than 1,400 forcible rapes or attempted forcible rapes. And although over 10,000 women in need were able to find a place at a shelter, nearly 20,000 more were turned away.

By reauthorizing VAWA, this Congress will continue the effort undertaken nearly twenty years ago—the effort to eliminate violent crime perpetrated against our mothers, our sisters, our daughters, our neighbors, and our friends. I urge each of you to support this important legislation.

Respectfully,

CHRIS KOSTER,
Attorney General, State of Missouri.

GREAT PLAINS TRIBAL
CHAIRMAN'S ASSOCIATION,
Rapid City, SD, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization.

Hon. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Great Plains Tribal Chairman's Association to voice our strong support for S. 47, the

Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found, that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts.... We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes

forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in ensuring domestic safety for Native women nationwide. We urge you to support and vote for S. 47 when the measure moves to the Senate floor. Thank you for your attention to this matter.

Sincerely,

TEX "RED TIPPED ARROW"

HALL,

Chairman, Mandan,
Hidatsa, Arikara
Nation, Three Affiliated
Tribes,
Chairman, Great
Plains Tribal Chair-
man's Association.

OFFICE OF THE GOVERNOR,
PUEBLO OF TESUQUE,
Santa Fe, NM, February 5, 2012.

Re Support for S. 47, VAWA Reauthorization.

Hon. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Pueblo of Tesuque to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also

provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts.... We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

MARK MITCHELL,
Governor.

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, February 5, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee,
Washington, DC.

Hon. MIKE CRAPO,
U.S. Senate,
Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing to express our support for S. 47, the "Violence Against Women Reauthorization Act of 2013." This bill, which reauthorizes the landmark Violence Against Women Act (VAWA), would strengthen and improve existing programs that assist victims and survivors of domestic violence, dating violence, sexual assault, and stalking.

While violence against adult women has decreased 60 percent since VAWA was first passed in 1994, it remains a critical problem in our country and much more work remains to be done. According to the Centers for Disease Control and Prevention's National Intimate Partner and Sexual Violence Survey released in December 2011, one in five women

in the United States has been raped in her lifetime and one in four women has been the victim of severe physical violence by a partner. Domestic and sexual violence is a health care problem and one of the most significant social determinants of health for women and girls.

We are pleased that S. 47 would address some of the critical gaps in delivery of health care to victims by strengthening the health care system's identification and assessment of, and response to, victims. We also appreciate and support language in Title V of the bill on the development and testing of quality improvement measures for identifying, intervening, and documenting victims of domestic violence that recognizes and aligns with the important work underway by the AMA, the National Quality Forum, and other stakeholders in the quality improvement arena.

We commend you for your long-standing support for victims of violence and abuse and for your leadership in introducing the Violence Against Women Reauthorization Act of 2013. We urge swift passage of your bill in the Senate and look forward to working with you to ensure enactment of this important legislation this year.

Sincerely,

JAMES L. MADARA, MD.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield the balance of our time, 4¼ minutes, to the distinguished gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Thank you, distinguished ranking member of the Judiciary Committee.

I've listened very carefully and very patiently to all of my colleagues in the House, and it seems that everyone in the Chamber is against violence against women. It's just which women we want to protect that remains the question.

For the last 18 months, it appears that I have lived in some sort of twilight zone, like that program on TV, "Sliders," where there are alternate realities. This debate recalls that alternate reality when we hear support of the House amendment over the Senate amendment, and we hear that all women are protected.

For example, the Senate bill supports LGBT victims but the House bill strikes LGBT women as underserved communities. It also strikes the language that would have them as a protected group to not be discriminated against.

The distinguished floor leader has asked us to find areas in the legislation that are wanting, and I would submit that that is one area that is wanting.

The distinguished floor leader has asked us to find ways that the substitute is wanting and the Senate bill is superior.

We give lip service to wanting to support tribal women. But when you stop and think about it, in 1978, the Supreme Court in the Oliphant case decided that Federal laws and policies divested tribes of criminal authority

over non-Indians, and the substitute seeks to affirm that, even though that was modified and overturned by the U.S. Supreme Court in *U.S. v. Lara*, which said that, in fact, if this body voted, we could, in fact, confer upon Native Americans the authority to give—we have plenary power to enact legislation to relax restrictions on tribal sovereign authority, that we have the power to allow them to enforce domestic violence laws and rape laws on their land.

We so need it, Madam Speaker, because if you are a member of a tribe—say, for example, the Bad River Chippewa band of Chippewa in my State—and you are raped on native land, tribes don't have any authority over that perpetrator if he is a non-Indian, even if he's your husband. The local police in that area don't have any authority. The county sheriff doesn't have any authority. The State trooper can't come in and arrest him. The only person that has any authority over that non-Indian is some Federal agent in Madison, Wisconsin, 500 miles away, which is why there has been a 67 percent declination of prosecutions of sexual assault.

SUSANVILLE INDIAN RANCHERIA,

Susanville, CA, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization.

Hon. PATRICK LEAHY,

U.S. Senate, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Susanville Indian Rancheria to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47,

Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

MR. STACY DIXON,
Tribal Chairman.

FEBRUARY 4, 2013.

Hon. PATRICK LEAHY,
Dirksen Senate Office Building,
U.S. Senate, Washington, DC.

Hon. MIKE CRAPO,
Dirksen Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: We, the undersigned sentencing and criminal justice reform organizations, are writing to express our opposition to the inclusion of any mandatory minimum sentencing provisions in S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA).

We acknowledge that reducing the level of sexual, domestic, and dating violence and stalking directed at victims of violence is a worthwhile objective and an issue of national concern. We recognize and appreciate that many of the proposals contained in S. 47

enjoy broad bipartisan support, as well as the support of the American public. In its current form, S. 47 does not include any mandatory minimum sentences. We think it should remain that way through passage.

We do not believe that including mandatory minimum sentencing provisions for the domestic violence, sexual assault, and stalking offenses in S. 47 would be necessary, appropriate, or cost-effective. In fact, such provisions could be counterproductive in combatting violence. According to the National Task Force to End Sexual and Domestic Violence Against Women, the threat of a lengthy, mandatory prison sentence for an intimate partner abuser could deter a victim from reporting a crime. Because the victim and offender are often related or in an intimate relationship, many of the crimes included in VAWA will involve complex facts and unique circumstances. Such complicated crimes demand that courts have flexibility to ensure that the sentence fits the crime and the offender, protects victims, and best meets the needs of the family or couple impacted.

Finally, more mandatory minimum sentences would only increase the burdens on and high costs of our already overcrowded federal prison system. A recent Congressional Research Service report shows that mandatory minimums are the primary driver of high prison populations and increasing prison costs. Mandatory minimum sentences are unfair, ineffective, and result in extraordinary costs to American taxpayers.

Accordingly, as the Senate considers S. 47, we strongly urge you to oppose the adoption of any mandatory minimums. Thank you for your leadership on this important issue and for considering our views. Please do not hesitate to contact any of us if you should have any questions.

Sincerely,

American Civil Liberties Union, Church of Scientology National Affairs Office, Drug Policy Alliance, Families Against Mandatory Minimums, Human Rights Watch, Justice Fellowship, Lawyers' Committee for Civil Rights Under Law, National Association of Criminal Defense Lawyers, National Legal Aid & Defender Association, The Sentencing Project, United Methodist Church, General Board of Church and Society.

NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES,
Reno, NV, February 4, 2013.

SENATOR PATRICK LEAHY,
Chairman, Senate Committee on the Judiciary,
U.S. Senate, Washington, DC.

TO THE MEMBERS OF THE U.S. SENATE: On behalf of the National Council of Juvenile and Family Court Judges (NCJFCJ) and its 2,000 members who represent the nation's 30,000 state family and juvenile court judges, I am writing in support of Title IX of S. 47, the bill to reauthorize the Violence Against Women Act. In particular, I am writing to apprise you of the NCJFCJ's strong support for the recognition of tribes' need for and sovereign authority to establish tribal courts to address the epidemic of domestic violence on tribal lands.

On January 21, 2011, the NCJFCJ adopted an organizational policy that states that we recognize tribal courts as equal and parallel systems of justice to the state court systems. We did so because our state court judge members have a strong history of working with tribal courts and are aware of their capacity to adjudicate local cases of domestic violence. Our organization has long

supported the efforts of tribal courts to address these crimes, whether these crimes are committed by Indian or non-Indian persons, in order to protect the safety of the victims of these crimes, their family members, and the local community.

In our role as state court judges working alongside tribal lands, we are in a unique position to see the shortcomings of the current system of justice afforded to the tribes through the federal district courts. Currently, only the U.S. Attorneys can prosecute these cases—but they seldom do, because there are not enough U.S. Attorneys to handle these cases and because in many cases the nearest office of the U.S. Attorney is several hundred miles away. The remote locations of many tribal communities create serious obstacles to access for victims of these crimes. They have no way to get to federal court and the federal court has no capacity to reach out to these geographically distant communities. Yet we know how dangerous domestic violence cases can be, and cannot stand by and let these crimes go unaddressed. Too many lives are at risk; too many victims and children are left to suffer because the only system of justice afforded to them is utterly out of reach.

We believe that the provisions contained in S. 47 create an excellent path for supporting a system of tribal courts that can quickly, appropriately, and fairly respond to the epidemic of domestic violence on tribal lands. We base this belief on the long history NCJFCJ has had in providing training and technical assistance to tribal courts. There is a dedication and willingness on the part of both tribal and state courts to build the best possible system of justice for Native victims of domestic violence. We ask the Senate to recognize the appropriateness of tribal courts' providing protection to their most vulnerable community members. In the interests of justice for all, we ask you to vote for S. 47 so that its tribal provisions can become law.

If you have any questions, we stand ready to answer with whatever information you may need.

Sincerely,

HON. MICHAEL NASH,
President, National
Council of Juvenile
and Family Court
Judges.

SAMISH INDIAN NATION,
Anacortes, WA, February 4, 2012.
Re Support for S. 47, VAWA Reauthorization.

Hon. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Samish Indian Nation to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will

sutler domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA—it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts * * *. We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh." *Oilphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

TOM WOOTEN.

ÆQUITAS,

Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
Chairman,
Senate Committee on Judiciary,
Washington, DC.

Hon. BOB GOODLATTE,
Chairman,
House Committee on Judiciary,
Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member,
Senate Committee on Judiciary, Washington,
DC.

Hon. JOHN CONYERS,
Ranking Member, House Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY, CHAIRMAN GOODLATTE, RANKING MEMBER GRASSLEY AND RANKING MEMBER CONYERS: On behalf of Æquitas: The Prosecutors' Resource on Violence Against Women, in support for the Violence Against Women Act's (VAWA) reauthorization. Æquitas' mission is to improve the quality of justice in sexual violence, intimate partner violence, stalking, and human trafficking cases by developing, evaluating and refining prosecution practices that increase victim safety and offender accountability.

VAWA has unquestionably improved the nation's justice system response to the devastating crimes of sexual violence, intimate partner violence, and stalking. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has improved the criminal justice system's ability to keep victims safe and hold perpetrators accountable. As a result of this historic legislation, every state has enacted laws making stalking a crime and strengthened criminal rape and sexual assault statutes.

VAWA has undoubtedly had a positive impact on the efforts of prosecutors to hold offenders accountable while supporting victim safety. We urge Congress to reauthorize VAWA to build upon its successes and to expand its ability to improve our response to these crimes, hold perpetrators accountable, and keep victims and their children safe from future harm.

Thank you for your leadership and steadfast commitment to supporting victims of sexual violence, intimate partner violence, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, please feel free to contact me at 202.596.4223.

Sincerely,

JENNIFER G. LONG, J.D.,
Director.

—
ASSOCIATION OF PROSECUTING
ATTORNEYS,

Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the Association of Prosecuting Attorneys, which represents and supports all prosecutors, I am writing today regarding the Violence Against Women Acts (VAWA) reauthorization. VAWA has improved the criminal justice system's response to the devastating crimes of domestic violence, dating violence, sexual assault and stalking. The reauthorization of this critical legislation ensures a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's re-

sponse to violence against women. More victims report domestic violence to the police, the rate of non-fatal intimate partner violence against women has decreased by 63%, and VAWA saved nearly \$14.8 billion in net averted social costs in just the first six years.

The reauthorization of VAWA builds upon existing efforts to more effectively combat violence against all victims. The reauthorization of VAWA renews a range of important programs and initiatives for law enforcement to address the various causes and far-reaching consequences of domestic violence, sexual assault, dating violence, and stalking. VAWA Reauthorization will further build upon the successes of these programs by including measures to ensure an increased focus on sexual assault prevention, enforcement, and services; and providing assistance to law enforcement to take key steps to reduce backlogs of rape kits under their control.

VAWA has undoubtedly had a positive impact on the efforts of law enforcement agencies nationwide to keep victims and their children safe and hold perpetrators accountable. Thank you for your leadership and steadfast commitment to supporting victims of domestic violence, dating violence, sexual assault, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, feel free to contact me at 202.861.2482 or StevenJansen@APAAInc.org.

Sincerely,

STEVEN JANSEN,
Vice President/COO.

Mrs. McMORRIS RODGERS. Madam Speaker, I am happy to yield the balance of my time to the attorney, the wife, the mom, the gentlelady from Alabama (Mrs. ROBY).

Mrs. ROBY. In closing, I just want to make sure that we're clear: Republicans have committed to standing for all victims.

This bill, or amendment, strengthens penalties for sexual assault, improves the Federal stalking statute, provides for enhanced investigation and prosecution of sexual assault, and provides services for victims. Most importantly, our amendment is constitutional, and it will stand up to constitutional muster from the court.

The Senate passed a weakened bill that has a real chance of being overturned by the courts.

I urge support for the House amendment.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MRS. MCMORRIS RODGERS

Mrs. McMORRIS RODGERS. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. VAWA definitions and grant conditions.

Sec. 4. Accountability provisions.
Sec. 5. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. STOP grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Court-appointed special advocate program.
Sec. 106. Outreach and services to underserved populations grant.
Sec. 107. Culturally specific services grant.
Sec. 108. Reduction in rape kit backlog.
Sec. 109. Assistance to victims of sexual assault training programs.
Sec. 110. Child abuse training programs for judicial personnel and practitioners.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Grant for training and services to end violence against women in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus safety.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the health care system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—IMMIGRATION PROVISIONS

Sec. 801. Clarification of the requirements applicable to U visas.

Sec. 802. Protections for a fiancée or fiancé of a citizen.

Sec. 803. Regulation of international marriage brokers.

Sec. 804. GAO report.

Sec. 805. Annual report on immigration applications made by victims of abuse.

Sec. 806. Protection for children of VAWA self-petitioners.

Sec. 807. Public charge.

Sec. 808. Age-Out Protection for U Visa Applicants.

Sec. 809. Hardship waivers.

Sec. 810. Disclosure of Information for National Security Purpose.

Sec. 811. Consideration of other evidence.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Tribal jurisdiction over crimes of domestic violence.

Sec. 904. Consultation.

Sec. 905. Analysis and research on violence against Indian women.

Sec. 906. Assistant United States Attorney Domestic Violence Tribal Liaisons.

Sec. 907. Special attorneys.

Sec. 908. GAO Study.

TITLE X—CRIMINAL PROVISIONS

Sec. 1001. Sexual abuse in custodial settings.

Sec. 1002. Criminal provision relating to stalking, including cyberstalking.

Sec. 1003. Amendments to the Federal assault statute.

SEC. 3. VAWA DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) in paragraph (2), by inserting “to an unemancipated minor” after “serious harm”;

(2) in paragraph (3), by striking “an organization” and inserting “a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community”;

(3) in paragraph (6) by inserting “or intimate partner” after “former spouse” and after “as a spouse”;

(4) by amending paragraph (16) to read as follows:

“(16) LEGAL ASSISTANCE.—The term ‘legal assistance’—

“(A) includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

“(i) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

“(ii) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim’s safety and privacy; and

“(B) may include services and assistance to victims of domestic violence, dating vio-

lence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

except that intake or referral, without other action, does not constitute legal assistance.”.

(5) by amending paragraph (18) to read as follows:

“(18) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.”;

(6) in paragraph (19), by striking “services” and inserting “assistance”;

(7) in paragraph (21)—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B)(ii), by striking the period and inserting “; or”; and

(C) by adding at the end the following:

“(C) any federally recognized Indian tribe.”;

(8) in paragraph (22)—

(A) by striking “52” and inserting “57”; and

(B) by striking “150,000” and inserting “250,000”;

(9) by amending paragraph (23) to read as follows:

“(23) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(10) by amending paragraph (33) to read as follows:

“(33) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ means populations who face barriers to accessing and using victim services, and includes populations underserved because of geographic location or religion, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or the Secretary of Health and Human Services, as appropriate.”;

(11) by amending paragraph (37) to read as follows:

“(37) YOUTH.—The term ‘youth’ means a person who is 11 to 24 years of age.”;

(12) by adding at the end the following new paragraphs:

“(38) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

“(39) CHILD.—The term ‘child’ means a person who is under 11 years of age.

“(40) CULTURALLY SPECIFIC.—The term ‘culturally specific’ (except when used as part of

the term ‘culturally specific services’) means primarily composed of racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g))).

“(41) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services and resources that are culturally relevant and linguistically specific to culturally specific communities.

“(42) HOMELESS, HOMELESS INDIVIDUAL, HOMELESS PERSON.—The terms ‘homeless’, ‘homeless individual’, and ‘homeless person’—

“(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and

“(B) includes—

“(i) an individual who—

“(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

“(II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;

“(III) is living in an emergency or transitional shelter;

“(IV) is abandoned in a hospital; or

“(V) is awaiting foster care placement;

“(ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

“(iii) migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph.

“(43) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(44) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim services that—

“(A) address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

“(B) are designed primarily for, and are targeted to, a specific underserved population.

“(45) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means—

“(A) a nonprofit, nongovernmental, or tribal organization that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims; or

“(B) a governmental entity that—

“(i) is located in a State other than a Territory;

“(ii) provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims;

“(iii) is not a law enforcement agency or other entity that is part of the criminal justice system; and

“(iv) offers a level of confidentiality to victims that is comparable to a nonprofit entity that provides similar victim services.

“(46) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code,

whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(47) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.

“(48) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

“(49) VICTIM SERVICES.—The term ‘victim services’—

“(A) means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services; and

“(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(50) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State sexual assault coalition or tribal coalition, that—

“(A) assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations; and

“(B) has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”; and

(13) by striking paragraphs (17), (29), and (36), and then reordering the remaining paragraphs of such subsection (including the paragraphs added by paragraph (12) of this subsection) in alphabetical order based on the headings of such paragraphs, and renumbering such paragraphs as so reordered.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by amending clauses (i) and (ii) to read as follows:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been en-

coded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that—

“(I) consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor; and

“(II) if a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, such minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—

“(i) IN GENERAL.—Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

“(ii) LIMITATIONS.—Grantees and subgrantees may not—

“(I) require an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee; or

“(II) share any personally identifying information in order to comply with Federal reporting, evaluation, or data collection requirements, whether for this program or any other Federal grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this paragraph prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, when specifically mandated by the State or tribe involved.”; and

(E) by adding at the end the following new subparagraph:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees shall certify their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with and provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies, and develop and promote State, local, or tribal legislation or model codes, designed to

reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made publicly available on the website of the disbursing agency.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in any State shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be denied the assistance of, or excluded from receiving services from, a grantee under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) RULE MAKING.—The Attorney General may make rules to ensure that grantees or subgrantees providing services with funds awarded under this title do not impermissibly discriminate in the provision of such services.

“(C) REASONABLE ACCOMMODATION.—Nothing in this paragraph shall prevent consideration of an individual’s gender for purposes of a program or activity described in subparagraph (A) if the grantee involved determines that gender segregation or gender-specific programming is necessary to the essential operation of such program or activity. In such a case, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

“(D) APPLICATION.—The provisions of paragraphs (2) through (4) of section 809(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) shall apply to violations of subparagraph (A).

“(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities of grantees under other Federal or State civil rights law, whether statutory or common.”.

(c) CONFORMING AMENDMENT.—Section 41403(6) of the Violence Against Women Act of 1994 (14043e-2(6)) is amended to read as follows:

“(6) the terms ‘homeless’, ‘homeless individual’, and ‘homeless person’ have the meanings given such terms in section 40002(a).”.

SEC. 4. ACCOUNTABILITY PROVISIONS.

(a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO INCLUDE CERTAIN INFORMATION ABOUT FEDERAL GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant for a grant from the Department of Justice shall submit, as part of the application for the grant, the following information:

(1) A list of each Federal grant the applicant applied for during the one-year period

preceding the date of submission of the application.

(2) A list of each Federal grant the applicant received during the five-year period preceding the date of submission of the application.

(b) **ENHANCING GRANT EFFICIENCY AND COORDINATION.**—

(1) **IN GENERAL.**—The Attorney General, in consultation with the Secretary of Health and Human Services, shall, to the greatest extent practicable, take actions to further the coordination of the administration of grants within the Department of Justice to increase the efficiency of such administration.

(2) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Attorney General under paragraph (1) and the progress of such actions in achieving coordination described in such paragraph.

(c) **REQUIRING OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT FUNCTIONS TO APPLY TO VAWA GRANTS.**—

(1) **IN GENERAL.**—Section 109(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following new paragraph:

“(3) Any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”.

(2) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to grant periods beginning on or after the date of the enactment of this Act.

(d) **VAWA GRANT ACCOUNTABILITY.**—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended by adding at the end the following:

“(c) **ACCOUNTABILITY.**—All grants awarded under this title shall be subject to the following accountability provisions:

“(1) **AUDIT REQUIREMENT.**—Beginning in fiscal year 2014, and in each fiscal year thereafter, the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, shall conduct audits of grantees under this title to prevent waste, fraud, and abuse of funds by such grantees.

“(2) **MANDATORY EXCLUSION.**—A grantee described in paragraph (1) that is found by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, to have an unresolved audit finding (as defined in paragraph (4)) shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in such paragraph.

“(3) **REIMBURSEMENT.**—If an entity is awarded grant funds under this title during

any period in which the entity is prohibited from receiving funds under paragraph (2), the head of the Federal agency administering a grant program under this title shall—

“(A) deposit into the General Fund of the Treasury an amount equal to the grant funds that were improperly awarded to the grantee; and

“(B) seek to recoup the costs of the repayment to the Fund from the entity that was erroneously awarded such grant funds.

“(4) **UNRESOLVED AUDIT FINDING DEFINED.**—In this subsection, the term ‘unresolved audit finding’ means, with respect to a grantee described in paragraph (1), an audit report finding, statement, or recommendation by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date of an initial notification of the finding, statement, or recommendation.

“(5) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

“(A) **DEFINITION.**—For purposes of this paragraph, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) **PROHIBITION.**—The Attorney General shall not award a grant under any grant program under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(6) **ADMINISTRATIVE EXPENSES.**—Unless otherwise explicitly provided in authorizing legislation, not more than 5.0 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Office on Violence Against Women.

“(7) **CONFERENCE EXPENDITURES.**—

“(A) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Justice or Department of Health and Human Services under this title may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this title, to host or support any conferences for which the expenditures exceed \$20,000, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host or support any expenditure for such a conference.

“(B) **WRITTEN APPROVAL.**—Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

“(C) **REPORT.**—The Deputy Attorney General and Deputy Secretary of Health and Human Services shall submit an annual report to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Energy and Commerce of the House of Representatives on all conference expenditures approved and denied during the fiscal year for which the report is submitted.

“(8) **PROHIBITION ON LOBBYING ACTIVITY.**—

“(A) **IN GENERAL.**—Amounts authorized to be appropriated under this title may not be utilized by any grantee or subgrantee to lobby any representative of the Federal Government (including the Department of Justice) or a State, local, or tribal government regarding the award of grant funding.

“(B) **PENALTY.**—If the Attorney General or the Secretary of Health and Human Services, as applicable, determines that any grantee or subgrantee receiving funds under this title has violated subparagraph (A), the Attorney General or the Secretary of Health and Human Services, as applicable, shall—

“(i) require the grantee or subgrantee to repay such funds in full; and

“(ii) prohibit the grantee or subgrantee from receiving any funds under this title for not less than 5 years.

“(9) **ANNUAL CERTIFICATION.**—Beginning in the first fiscal year beginning after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a certification for such year that—

“(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

“(B) all mandatory exclusions required under paragraph (2) have been issued;

“(C) all reimbursements required under paragraph (3) have been made; and

“(D) includes a list of any grantees and subgrantees excluded during the previous year under paragraph (2).”.

(e) **TRAINING AND RESOURCES FOR VAWA GRANTEES.**—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended—

(1) in the heading, by striking “**AND GRANT PROVISIONS**” and inserting “**GRANT PROVISIONS, AND TRAINING AND RESOURCES FOR VAWA GRANTEES**”; and

(2) by adding after subsection (c), as added by subsection (d) of this section, the following new subsection:

“(d) **TRAINING AND RESOURCES FOR VAWA GRANTEES.**—

“(1) **IN GENERAL.**—The Attorney General and Secretary of Health and Human Services, as applicable, shall—

“(A) develop standards, protocols, and sample tools and forms to provide guidance to grantees and subgrantees under any program or activity described in paragraph (2) regarding financial record-keeping and accounting practices required of such grantees and subgrantees as recipients of funds from the disbursing agency;

“(B) provide training to such grantees and subgrantees regarding such standards, protocols, and sample tools and forms; and

“(C) publish on the public Internet website of the Office of Violence Against Women information to assist such grantees and subgrantees with compliance with such standards, protocols, and sample tools and forms.

“(2) **VAWA PROGRAMS AND ACTIVITIES.**—For purposes of paragraph (1), a program or activity described in this paragraph is any program or activity funded in whole or in part with funds made available under this title, the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491),

the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the first day of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

(a) STOP GRANTS.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 2001(a) (42 U.S.C. 3796gg(a)), by striking “violent crimes against women” each place it appears and inserting “violent crimes that predominantly affect women including domestic violence, dating violence, sexual assault, and stalking”;

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” before “and specifically,”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women), as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by inserting “, classifying,” after “identifying”; and

(ii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)”;

(iii) by striking “including crimes” and all that follows and inserting “including crimes of domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as so redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)”;

(I) in paragraph (7), as so redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking (crimes that predominantly affect women)”;

(J) in paragraph (9), as so redesignated by subparagraph (G)—

(i) by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking (crimes that predominantly affect women)”;

(ii) by striking “such violence or assault” and inserting “such violence, assault, or stalking (crimes that predominantly affect women)”;

(K) in paragraph (12), as so redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”;

(ii) in subparagraph (D), by striking “and” at the end;

(L) in paragraph (13), as so redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “to provide” and inserting “providing”;

(II) by striking “nonprofit nongovernmental”;

(III) by striking the comma after “local governments”;

(ii) by inserting “and” after the semicolon in subparagraph (B); and

(iii) by striking the period at the end of subparagraph (C) and inserting a semicolon;

(M) by inserting after paragraph (13), as so redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women);

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

“(19) with not more than 5 percent of the total amount allocated to a State for this part, developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking (crimes that predominantly affect women).”;

(N) in the flush text at the end, by striking “paragraph (14)” and inserting “paragraph (13)”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim services pro-

grams” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by amending paragraph (2) to read as follows:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) representatives of the law enforcement entities within the State;

“(D) representatives of prosecution offices;

“(E) representatives of State and local courts;

“(F) tribal governments or tribal coalitions in those States with State or federally recognized Indian tribes;

“(G) representatives of underserved populations, including culturally specific communities;

“(H) representatives of victim service providers;

“(I) representatives of population specific organizations; and

“(J) representatives of other entities that the State or the Attorney General identifies as necessary for the planning process.”;

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(iii) by inserting after paragraph (2) the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b); and”;

(iv) in paragraph (4), as so redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E); and

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors;

“(C) for each fiscal year beginning on or after the date that is 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, not less than 20 percent shall be allocated for 2 or more purposes described in section 2001(b) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship”;

(D) by amending subsection (d) to read as follows:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this part shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases described in section 2011;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault described in section 2013;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) **CONDITIONS.**—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards disbursed after the date of enactment of the Violence Against Women Reauthorization Act of 2013 to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) **IMPLEMENTATION PLANS.**—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with representatives of the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will use the funds that are required to be allocated under subsection (c)(4)(C); and

“(2) submit to the Attorney General as part of the application submitted in accordance with subsection (d)—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee with respect to the member’s participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the requirements pursuant to regulations issued under subsection (e)(2);

“(G) goals and objectives for reducing domestic and dating violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) **REALLOCATION OF FUNDS.**—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations under subsection (c)(4).”;

(4) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by amending paragraph (1) to read as follows:

“(1) **IN GENERAL.**—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3);

(C) by amending subsection (d) to read as follows:

“(d) **NONCOOPERATION.**—

“(1) **IN GENERAL.**—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) **COMPLIANCE PERIOD.**—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of the Violence Against Women Reauthorization Act of 2013 to come into compliance with this subsection.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears; and

(B) by striking “domestic violence, stalking, or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is amended by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2014 through 2018”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) **IN GENERAL.**—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence,

sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “, dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, population specific organizations.”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims of sexual assault.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (4)—

(I) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(II) by inserting “dating violence,” after “domestic violence,”; and

(III) by striking “and” at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after the date of enactment of this section,”;

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (II) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

(IV) by striking the period at the end and inserting “; and”;

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively, and adjusting the margin accordingly;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the second comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(vii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) **ALLOCATION FOR TRIBAL COALITIONS.**—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)).

“(g) **ALLOCATION FOR SEXUAL ASSAULT.**—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011” and inserting “\$73,000,000 for each of fiscal years 2014 through 2018”; and

(2) by striking the second period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victim services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “subsection (c) has completed” and all that follows and inserting the following: “this section—

“(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.”;

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f)—

(A) in paragraph (1), by striking “this section” and all that follows through the period at the end and inserting “this section \$57,000,000 for each of fiscal years 2014 through 2018.”; and

(B) in paragraph (2), by adding at the end the following new subparagraph:

“(D) Of the amount made available under this subsection in each fiscal year, not more than 10 percent may be used for purposes described in subsection (c)(3).”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) **IN GENERAL.**—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 3016), and inserting the following:

“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

“(a) **IN GENERAL.**—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal

justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) **USE OF FUNDS.**—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide adequate resources in juvenile court matters to respond to domestic violence, dating violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the physical health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(7) improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system regarding domestic violence, dating violence, sexual assault, stalking, or child abuse.

“(c) **CONSIDERATIONS.**—

“(1) **IN GENERAL.**—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange, demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section);

“(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training, developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section, \$22,000,000 for each of the fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 2015 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2016”;

(2) in section 217 (42 U.S.C. 13013)—

(A) in subsection (c)(2)(A), by striking “Code of Ethics” and inserting “Standards for Programs”; and

(B) by adding at the end the following new subsection:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:

“(A) Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP grants).

“(B) Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to encourage arrest policies).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building, and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach, and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for—

“(A) implementing prevention, outreach, and intervention strategies to address the barriers to accessing services;

“(B) promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations; and

“(C) evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and victim services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by

victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall annually submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds during the preceding fiscal year.

“(g) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.

“(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of the fiscal years 2014 through 2018.”

SEC. 107. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking **“AND LINGUISTICALLY”**;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by amending paragraph (2) of subsection (a) to read as follows:

“(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:

“(A) Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) (Grants to encourage arrest policies).

“(B) Section 1201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal assistance for victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced training and services to end violence against women later in life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, training, and enhanced services to end violence against and abuse of women with disabilities).”;

(5) in subsection (g), by striking “linguistic and”.

SEC. 108. REDUCTION IN RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)), is amended—

(1) in subparagraph (B), by striking “2014” and inserting “2013”; and

(2) by adding at the end the following new subparagraph:

“(C) For fiscal year 2014, not less than 75 percent of the grant amounts shall be awarded for purposes under subsection (a)(2) and (a)(3).”.

SEC. 109. ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT TRAINING PROGRAMS.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941(c)) is amended by striking “to carry out this sec-

tion” and all that follows through the period at the end and inserting “to carry out this section \$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 110. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking “\$2,300,000” and all that follows through the period at the end and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows through the period at the end and inserting “other non-governmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “non-profit, nongovernmental organizations for programs and activities” and inserting “non-governmental or tribal programs and activities”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) in the first sentence—

(i) by inserting “and territory” after “each State”; and

(ii) by striking “1.50 percent” and inserting “.075 percent”; and

(iii) by striking “, except that” and all that follows through “of the total appropriations”; and

(B) in the last sentence, by striking “the preceding formula” and inserting “this paragraph”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high-risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2), by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim services and population specific services”;

(C) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(4) developing, expanding, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs; and

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including—

“(A) addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training; and

“(B) providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”; and

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2014 through 2018”.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

“SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

“(a) DEFINITIONS.—In this section:

“(1) The term ‘eligible entity’ means an entity that—

“(A) is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

“(v) a victim service provider; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) is partnered with—

“(i) a law enforcement agency;

“(ii) an office of a prosecutor;

“(iii) a victim service provider; or

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life.

“(2) The term ‘elder abuse’ means domestic violence, dating violence, sexual assault, or stalking committed against individuals in later life.

“(3) The term ‘individual in later life’ means an individual who is 60 years of age or older.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2). In awarding such grants, the Attorney General shall consult with the Secretary of Health and Human Services to ensure that the activities funded under this section are not duplicative with the activities funded under the elder abuse prevention programs of the Department of Health and Human Services.

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of elder abuse;

“(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

“(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.”

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial, or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”;

(2) in subsection (c)(1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”; and

(3) in subsection (c), by adding at the end the following new paragraph:

“(3) FUNDING FORMULA.—Amounts provided under this section shall be allotted to each State, territory, and the District of Colum-

bia based on population. If the amounts appropriated under paragraph (1) exceed \$48,000,000 in any fiscal year, a minimum allocation of \$150,000 shall be awarded to each State and territory and the District of Columbia. Any remaining funds shall be allotted to each State and territory and the District of Columbia based on population.”

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 (42 U.S.C. 14043c et seq.) is amended by striking sections 41201 through 41204 and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (CHOOSE CHILDREN AND YOUTH).

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and to prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address sex trafficking, population specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma on youth. Funds may be used to—

“(A) assess and analyze available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, as well as homeless youth, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable secondary or elementary schools that serve students in any of grades five through twelve and institutions of higher education to—

“(A) provide training to school personnel, including health care providers and security

personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) develop and implement age-appropriate prevention and intervention policies in accordance with State law in secondary or elementary schools that serve students in any of grades five through twelve, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, or stalking, such as a resource person who is either on-site or on-call;

“(D) provide evidence-based educational programs for students regarding domestic violence, dating violence, sexual assault, and stalking; or

“(E) develop strategies to increase identification, support, referrals, and prevention programs for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal nonprofit organization, population specific organization, or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965), charter school (as defined in section 5210 of such Act), a school that is operated or supported by the Bureau of Indian Education, or a legally operating private school, a school administered by the Department of Defense under section 2164 of title 10, United States Code, or section 1402 of the Defense Dependents’ Education Act of 1978, a group of such schools, a local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965), or an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965).

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant youth population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers with priority on victim safety and autonomy;

“(3) ensure that all individuals providing intervention or prevention programs to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking; and

“(4) ensure that parents are informed of the programs funded under this program that are being offered at their child's school.

“(e) REQUIREMENT FOR EVIDENCE-BASED PROGRAMS.—Any educational programming, training, or public awareness communications regarding domestic violence, dating violence, sexual assault, or stalking that are funded under this section shall be evidence-based.

“(f) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.

“(g) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of the fiscal years 2014 through 2018.

“(i) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).”

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “and” after “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by striking “assault and stalking,” and inserting “assault, and stalking, including the use of technology to commit these crimes,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim

services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services provided by such program are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To provide evidence-based educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through the first occurrence of “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services.”; and

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2014 through 2018”;

(4) in subsection (d)—

(A) by striking paragraph (3); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “\$12,000,000” and all that follows through the period and inserting “\$12,000,000 for each of the fiscal years 2014 through 2018.”.

SECTION 304. CAMPUS SAFETY.

(a) CAMPUS SAFETY GUIDANCE AND TECHNICAL ASSISTANCE FOR INSTITUTIONS OF HIGHER EDUCATION.—Beginning in academic year 2013–2014, the Secretary of Education shall provide to institutions of higher education annual guidance and technical assistance relating to compliance with the requirements for campus safety, including requirements under section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) for reporting crime statistics and prevention programs for domestic violence, dating violence, sexual assault, and stalking.

(b) CAMPUS SAFETY STUDY, REPORT, AND ACTION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to exam-

(A) the incidents of domestic violence, dating violence, sexual assault, and stalking that were reported to campus security or local police by students and employees of institutions of higher education during academic years 2010–2011, 2011–2012, and 2012–2013;

(B) the response by campus security or local police to the incidents described in subparagraph (A);

(C) the extent to which such incidents occur more or less frequently on campuses of institutions of higher education than in the communities surrounding such campuses;

(D) the procedures institutions of higher education have in place to respond to reports of incidents of domestic violence, dating violence, sexual assault, and stalking, including procedures to follow up with the students involved and disciplinary and privacy policies for students and employees;

(E) the policies institutions of higher education have in place to prevent domestic violence, dating violence, sexual assault, and stalking, including programs, classes, and employee training;

(F) the challenges faced by institutions of higher education with respect to reports of and collection of data on incidents of domestic violence, dating violence, sexual assault, and stalking on campus;

(G) the possible disciplinary actions institutions of higher education face under Federal law for the occurrence of, or for failure to properly respond to, incidents of domestic violence, dating violence, sexual assault, and stalking; and

(H) the coordination of programs and policies by institutions of higher education with respect to the campus safety requirements of the Department of Education, the Department of Justice, the Department of Health and Human Services, and States.

(2) REPORT.—Not later than one year after the date of enactment of this section, the Comptroller General of the United States shall report the results of the study required under paragraph (1), including any recommendations for changes to Federal laws and policies related to campus safety, to Congress, the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services.

(3) AGENCY RESPONSE AND REPORT.—Not later than 180 days after receipt of the report required under paragraph (2)—

(A) the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services shall, to the extent authorized, revise policies and regulations related to campus safety in accordance with the recommendations reported under paragraph (2); and

(B) the Secretary of Education, in consultation with the Attorney General and the Secretary of Health and Human Services, shall report to Congress, any recommendations for changes to Federal law related to campus safety, including changes to section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) and other appropriate laws.

(c) DEFINITIONS.—For the purposes of this section:

(1) ACADEMIC YEAR.—The term “academic year” has the meaning given such term in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088).

(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 102(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(1)), except that such term does not include institutions described in subparagraph (C) of such section.

(3) DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.—The terms “domestic violence”, “dating violence”, “sexual assault”, and “stalking” have the meanings given such terms in section 4002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 4 13925(a)).

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$1,000,000 for each of the fiscal years 2014 through 2018”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) evidence-based age education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, health care providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other nonprofit, nongovernmental organization.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Health care entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that are consistent with the best practices developed under section 402 of the Violence

Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4) and—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.”

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality; and

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

“(iv) the provision of training and followup technical assistance to health care profes-

sionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities (which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas) for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools, including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than

10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.

“(4) APPLICATION.—

“(A) SUBSECTION (a)(1) AND (2) GRANTEES.—An entity desiring a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(B) SUBSECTION (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population-specific organizations with demonstrated expertise in addressing domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will

adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (a)(3) GRANTEEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and

childhood exposure to domestic violence, dating violence, or sexual assault on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating, and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS.—Except as otherwise provided in this section, the definitions in section 4002 of the Violence Against Women Act of 1994 apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (relating to research on effective interventions to address violence; 42 U.S.C. 13973; as added by section 505 of Public Law 109-162 (119 Stat. 3028)).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e-1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e-2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”; and

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) each of the programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) for insurance of mortgages that bear interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p-2); and

“(J) the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing program or housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence,

dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If a public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to

require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof, and include such notice in documents required by law to be provided to tenants assisted under a covered housing program.

“(2) PROVISION.—The applicable public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1) to an applicant for or tenant of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program; and

“(C) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order No. 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY RELOCATION AND TRANSFERS.—Each appropriate agency shall develop a model emergency relocation and transfer plan for voluntary use by public housing agencies and owners or managers of housing assisted under a covered housing program that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to relocate or transfer to another available and safe dwelling unit assisted under a covered housing program and retain their status as tenants under the covered housing program if—

“(A) the tenant expressly requests to move;

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent

harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) the sexual assault, domestic violence, dating violence, or stalking occurred on the premises during the 90-day period preceding the request to move; and

“(C) the tenant has provided documentation as described in subparagraph (A), (B), (C) or (D) of subsection (c)(3) if requested by a public housing agency or owner or manager;

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant;

“(3) describes how the appropriate agency will coordinate relocations or transfers between dwelling units assisted under a covered housing program;

“(4) takes into consideration the existing rules and regulations of the covered housing program;

“(5) is tailored to the specific type of the covered housing program based on the volume and availability of dwelling units under the control or management of the public housing agency, owner, or manager; and

“(6) provides guidance for use in situations in which it is not feasible for an individual public housing agency, owner, or manager to effectuate a transfer.

“(f) **POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.**—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers for assistance under section 8(o)(16) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(16)), assistance under such section.

“(g) **IMPLEMENTATION.**—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”

(b) **CONFORMING AMENDMENTS.**—

(1) **SECTION 6.**—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident” and all that follows through “victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) **SECTION 8.**—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant” and all that follows through “assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident” and all that follows through “victim of such violence”; and

(II) in clause (iii), by striking “, except that.” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident” and all that follows through “victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) **RULE OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act or the amendments made by this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act or the amendments made by this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE

GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975; as added by section 611 of Public Law 108-21 (117 Stat. 693)) is amended—

(1) in the chapter heading, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(B) in subsection (a)(1), by striking “fleeing”;

(C) by striking subsection (f); and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2014 through 2018”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) **QUALIFIED APPLICATION DEFINED.**—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any significant activities that may compromise victim safety;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.”

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

(a) **CLARIFICATION OF REQUIREMENTS FOR NONIMMIGRANT STATUS.**—Section 101(a)(15)(U)(i)(III) of the and Nationality Act (8 U.S.C. 1101(a)(15)(U)) is amended—

(1) by striking “is being helpful, or is likely to be helpful” and inserting the following “or is being helpful”; and

(2) by insert “and has complied with any reasonable request for assistance in the Federal, State, or local investigation or prosecution of the criminal activity” before “; and”.

(b) **CLARIFICATION OF CONTENT OF CERTIFICATION.**—Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended by striking “This certification shall state that the alien ‘has been helpful, is being helpful, or is likely to be helpful’ in the investigation or prosecution” and inserting “This certification shall state that the alien ‘has been helpful or is being helpful’ in the investigation or prosecution”.

SEC. 802. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) **IN GENERAL.**—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (3)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 803. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report that includes the number of prosecutions for violations of section 833 of the International Marriage Broker Act of 2005 (8 U.S.C. 1375a) that have occurred since the date of enactment of that Act.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”.

(2) In paragraph (2)(B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”.

SEC. 804. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51))).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 805. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for non-immigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

(6) The actions being taken to combat fraud and to ensure program integrity.

(7) Each type of criminal activity by reason of which an alien received nonimmigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) during the preceding fiscal year and the number of occurrences of that criminal activity that resulted in such aliens receiving such status.

SEC. 806. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(1)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(1)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

SEC. 807. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, non-immigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 808. AGE-OUT PROTECTION FOR U VISA APPLICANTS.

Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”.

SEC. 809. HARDSHIP WAIVERS.

Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSE.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Subsection (d) (as added by section 817(4) of the Violence Against Women and Department of Justice Reauthorization Act of 2005) of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is

amended by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) **IMPLEMENTATION.**—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) **CLERICAL AMENDMENT.**—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

SEC. 811. CONSIDERATION OF OTHER EVIDENCE.

Section 237(a)(2)(E)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(E)(i)) is amended by adding at the end the following: “If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to vio-

lent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.”; and

(2) in paragraph (2)(B), by striking “individuals or”.

SEC. 903. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

(a) **IN GENERAL.**—Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) **SPECIAL DOMESTIC VIOLENCE JURISDICTION.**—

“(1) **IN GENERAL.**—A participating tribe is authorized to exercise jurisdiction in accordance with this section over an alleged offender who commits a covered offense. In exercising such jurisdiction, the participating tribe—

“(A) except as otherwise provided in this section, may exercise such jurisdiction to the same extent and in the same manner as the participating tribe has jurisdiction over a member of such tribe; and

“(B) shall not violate any right described in subsection (b)(3).

Jurisdiction under this section shall be referred to as ‘special domestic violence jurisdiction’.

“(2) **ALLEGED OFFENDER.**—The term ‘alleged offender’ means a person—

“(A) who is not an Indian;

“(B) who is alleged to have committed a covered offense; and

“(C) who—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(3) **COVERED OFFENSE.**—The term ‘covered offense’ means an offense that—

“(A) is committed against an Indian who is described in subclause (I) or (II) of paragraph (2)(C)(iii);

“(B) is punishable by the written laws of the participating tribe by a term of imprisonment of not more than 1 year; and

“(C) is—

“(i) an act of domestic violence or dating violence that occurs in the Indian country of the participating tribe; or

“(ii) an act that—

“(I) occurs in the Indian country of the participating tribe; and

“(II) violates the portion of a protection order that—

“(aa) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(bb) was issued against an alleged offender;

“(cc) is enforceable by the participating tribe; and

“(dd) is consistent with section 2265(b) of title 18, United States Code.

“(b) **CERTIFICATION OF PARTICIPATING TRIBES.**—

“(1) **ELECTION.**—An Indian tribe seeking to exercise special domestic violence jurisdiction shall submit to the Attorney General a request for certification as a participating tribe.

“(2) **APPROVAL.**—Not later than 120 days after receiving a request under paragraph (1),

the Attorney General shall make a determination as to whether the tribe, in exercising special domestic violence jurisdiction, is able to afford, and provides adequate assurances that the tribe will afford, an alleged offender all the rights described in paragraph (3). If the Attorney General determines that the tribe is so able and the tribe provides such assurances, the Attorney General shall certify the tribe as a participating tribe. If the Attorney General determines that the tribe is not so able or has not provided such assurances, the Attorney General shall—

“(A) deny such a request; and

“(B) provide the Indian tribe with written notice thereof, including the reasons of the Attorney General for that denial and guidance on how the Indian tribe could obtain approval.

“(3) **RIGHTS DESCRIBED.**—The rights described in this paragraph are—

“(A) all rights described in section 202;

“(B) all rights secured by the Constitution of the United States, as such rights are interpreted by the courts of the United States; and

“(C) all rights otherwise provided for under this section.

“(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed—

“(1) to affect any jurisdiction of a participating tribe, other than the special domestic violence jurisdiction of that tribe, that such tribe possessed prior to the date of enactment of this section; or

“(2) to affect any criminal jurisdiction over Indian country of the United States, of a State, or of both.

“(d) **CONCURRENCE OF JURISDICTION.**—The exercise of special domestic violence jurisdiction shall be concurrent with any jurisdiction of the United States, of a State, or of both.

“(e) **ISSUANCE OF PROTECTION ORDER.**—A tribal court of a participating tribe may issue a protection order for the protection of an Indian who is described in subparagraph (A) or (B) of paragraph (3) of this subsection against a person who is not an Indian if that person—

“(1) resides in the Indian country of the participating tribe;

“(2) is employed in the Indian country of the participating tribe; or

“(3) is a spouse, intimate partner, or dating partner of—

“(A) a member of the participating tribe; or

“(B) an Indian who resides in the Indian country of the participating tribe.

“(f) **REMOVAL.**—

“(1) **BY DEFENDANT.**—

“(A) **IN GENERAL.**—Subject to paragraph (2), any criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending.

“(B) **GROUND FOR REMOVAL.**—The district court may grant removal under paragraph (1) only in the case of—

“(i) a violation of any provision of this section by the participating tribe; or

“(ii) a violation of a right described in subsection (b)(3) of the defendant.

“(C) **MANNER OF REMOVAL.**—In the case of a defendant desiring to remove a criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction, that defendant shall do so in the same form and manner as a defendant that seeks removal of

a criminal prosecution from State court under section 1455 of title 28, United States Code. Sections 1447 through 1450 of such title shall apply in the case of such a removal. In applying sections 1447 through 1450 and section 1455 of such title pursuant to this paragraph, the term 'State court' shall be read to include such tribal court.

“(D) NOTICE REQUIRED.—Not later than the time at which the defendant makes an initial appearance before a tribal court exercising special domestic violence jurisdiction or 48 hours after the time of arrest, whichever is earlier, the defendant shall be notified of the right of removal under this subsection.

“(2) BY UNITED STATES ATTORNEY.—

“(A) IN GENERAL.—Any criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction may be removed to the district court of the United States for the district and division embracing the place wherein it is pending by the United States attorney for that district and division.

“(B) NOTICE TO UNITED STATES ATTORNEY REQUIRED.—Not later than 48 hours after the defendant makes an initial appearance before the tribal court, the participating tribe shall provide notice to the United States attorney for the district and division embracing the tribal court that the tribal court is exercising special domestic violence jurisdiction in this prosecution.

“(C) APPLICABLE PROVISIONS.—Sections 1447 through 1450 of title 28, United States Code, shall apply in the case of a removal under this paragraph. In applying sections 1447 through 1450 of such title pursuant to this paragraph, the term 'State court' shall be read to include a tribal court exercising special domestic violence jurisdiction.

“(D) REQUIREMENTS.—If the United States attorney seeks to remove a criminal prosecution pursuant to this paragraph, the United States attorney shall, not later than the commencement of trial in the prosecution, provide notice of removal to the tribal court. On receipt of such notice, the tribal court shall terminate all proceedings pertaining to that prosecution. A notice of removal filed under this subparagraph shall identify the covered case and the grounds for removal.

“(g) INTERLOCUTORY APPEAL.—In a criminal prosecution in which a tribal court exercises special domestic violence jurisdiction, the defendant may appeal an order of a tribal court to the United States district court for the district and division embracing the tribal court not later than 14 days after that order is entered if a district judge's order could similarly be appealed. The defendant shall file a notice with the clerk specifying the order being appealed and shall serve a copy on the adverse party.

“(h) REVIEW OF JUDGMENT AND SENTENCE.—

“(1) IN GENERAL.—Not later than 60 days after the date on which a tribal court enters a final judgment against a defendant in a criminal proceeding in which a participating tribe exercises special domestic violence jurisdiction, the defendant may petition the United States district court for the district and division embracing the tribal court for review of the final judgment against the defendant.

“(2) NOTICE TO DEFENDANT.—When the tribal court enters a final judgment, the tribal court shall inform the defendant of the right to petition for review of the final judgment under this subsection.

“(3) RELEASE OR DETENTION PENDING APPEAL.—Section 3143(b) of title 18, United States Code, shall apply in the case of a defendant under this subsection.

“(i) HABEAS CORPUS.—Any petition for habeas corpus by an alleged offender who is detained under the special domestic violence jurisdiction of a participating tribe shall be in accordance with section 2257 of title 28, United States Code.

“(j) CIVIL ACTION FOR DEPRIVATION OF RIGHTS.—

“(1) IN GENERAL.—Every person who, under color of any statute, ordinance, regulation, custom, or usage of any participating tribe, subjects, or causes to be subjected, any person over whom the participating tribe exercises special domestic violence jurisdiction to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States and Federal laws, shall be liable to the party injured in a civil action.

“(2) IMMUNITY FOR TRIBAL OFFICIALS.—In any action described in paragraph (1), tribal officials shall be entitled to claim the same immunity accorded public officials in actions brought under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983).

“(3) ADMINISTRATION.—

“(A) IN GENERAL.—An action described in paragraph (1) may be brought in any appropriate district court of the United States.

“(B) TIMING.—An action described in paragraph (1) shall commence not later than 4 years after the date on which the conduct giving rise to the action occurred.

“(k) GRANTS TO TRIBAL GOVERNMENTS.—

“(1) IN GENERAL.—The Attorney General may award grants to participating tribes—

“(A) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence jurisdiction, including—

“(i) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(ii) prosecution;

“(iii) trial and appellate courts;

“(iv) probation systems;

“(v) detention and correctional facilities;

“(vi) alternative rehabilitation centers;

“(vii) culturally appropriate services and assistance for victims and their families; and

“(viii) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(B) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(C) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(D) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(2) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this subsection shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this subsection.

“(3) PROHIBITION ON LOBBYING ACTIVITY.—Amounts authorized to be appropriated under this subsection may not be used by any grant recipient to—

“(A) lobby any representative of the Department of Justice regarding the award of grant funding under this subsection; or

“(B) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding under this subsection.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out this subsection.

“(1) DEFINITIONS.—In this section:

“(1) DATING VIOLENCE.—The term 'dating violence' means violence committed against a victim by a dating partner of that victim.

“(2) DATING PARTNER.—The term 'dating partner' has the meaning given such term in section 2266 of title 18, United States Code.

“(3) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by—

“(A) a current or former spouse or intimate partner of the victim; or

“(B) a person similarly situated to a spouse of the victim under the domestic- or family-violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(4) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

“(5) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that is certified under subsection (b) to exercise special domestic violence jurisdiction.

“(6) PROTECTION ORDER.—The term 'protection order'—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.”.

(b) HABEAS CORPUS.—

(1) IN GENERAL.—Chapter 153 of title 28, United States Code, is amended—

(A) in section 2241(c)—

(i) in paragraph (5), by striking the period at the end and inserting the following: “; or”; and

(ii) by adding at the end the following:

“(6) He is in custody for an act done or omitted and to which the special domestic violence jurisdiction under section 204 of Public Law 90-284 extends.”.

(B) by adding at the end the following:

“§ 2257. Special domestic violence jurisdiction

“For purposes of this chapter, an Indian tribe that is exercising special domestic violence jurisdiction under section 204 of Public Law 90-284 shall be treated as a State.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 153 of title 28, United States Code, is amended by inserting after the item relating to section 2256 the following:

“2257. Special domestic violence jurisdiction.”.

SEC. 904. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2013” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) **ANNUAL REPORT.**—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year;

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b); and

“(4) contains information compiled by the Federal Bureau of Investigation, on an annual basis and by Field Division, regarding decisions not to refer to an appropriate prosecuting authority cases in which investigations had been opened into an alleged crime in Indian country, including—

“(A) the types of crimes alleged;

“(B) the statuses of the accused as Indians or non-Indians;

“(C) the statuses of the victims as Indians or non-Indians; and

“(D) the reasons for deciding against referring the investigation for prosecution.

“(5) contains information compiled by each United States Attorney, on an annual basis and by Federal judicial district, regarding declinations of alleged violations of Federal criminal law that occurred in Indian country that were referred for prosecution by law enforcement agencies, including—

“(A) the types of crimes alleged;

“(B) the statuses of the accused as Indians or non-Indians;

“(C) the statuses of the victims as Indians or non-Indians; and

“(D) the reasons for deciding against referring the investigation for prosecution.

“(d) **NOTICE.**—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) **IN GENERAL.**—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native

Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2014 and 2015”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 906. ASSISTANT UNITED STATES ATTORNEY DOMESTIC VIOLENCE TRIBAL LIAISONS.

Section 13(b) of the Indian Law Enforcement Reform Act (25 U.S.C. 2810(b)) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following:

“(9) Serving as domestic violence tribal liaison by doing the following:

“(A) Encouraging and assisting in arrests and Federal prosecution for crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

“(B) Conducting training sessions for tribal law enforcement officers and other individuals and entities responsible for responding to crimes in Indian country to ensure that such officers, individuals, and entities understand their arrest authority over non-Indian offenders.

“(C) Developing multidisciplinary teams to combat domestic and sexual violence offenses against Indians by non-Indians.

“(D) Consulting and coordinating with tribal justice officials and victims’ advocates to address any backlog in the prosecution of crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

“(E) Developing working relationships and maintaining communication with tribal leaders, tribal community and victims’ advocates, and tribal justice officials to gather information from, and share appropriate information with, tribal justice officials.”.

SEC. 907. SPECIAL ATTORNEYS.

Section 543(a) of title 28, United States Code, is amended by striking “, including” and all that follows through the period at the end and inserting the following: “The Attorney General shall appoint qualified tribal prosecutors and other qualified attorneys to assist in prosecuting Federal offenses committed in the Indian country of no fewer than 10 federally recognized tribes, with a preference given to those tribes that do not exercise special domestic violence jurisdiction as defined in section 204(a) of title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ‘Indian Civil Rights Act of 1968’).”.

SEC. 908. GAO STUDY.

The Comptroller General of the United States shall submit to the Congress a report on—

(1) the prevalence of domestic violence and sexual assault in Indian Country;

(2) the efforts of Federal law enforcement agencies, including the Federal Bureau of Investigation and Bureau of Indian Affairs, to investigate these crimes; and

(3) Federal initiatives, such as grants, training, and technical assistance, to help address and prevent such violence.

TITLE X—CRIMINAL PROVISIONS**SEC. 1001. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

(a) **SUITS BY PRISONERS.**—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) **UNITED STATES AS DEFENDANT.**—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) **ADOPTION AND EFFECT OF NATIONAL STANDARDS.**—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) **APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) **APPLICABILITY.**—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with, or pursuant to an intergovernmental service agreement with, the Department.

“(3) **COMPLIANCE.**—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) **CONSIDERATIONS.**—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(d) **APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) **APPLICABILITY.**—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1002. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“(a) Whoever uses the mail, any interactive computer service, or any facility of interstate or foreign commerce to engage in a course of conduct or travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or intimidate another person, or place another person under surveillance with the intent to kill, injure, harass, or intimidate such person and in the course of, or as a result of, such travel or course of conduct—

“(1) places that person in reasonable fear of the death of, or serious bodily injury to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner; or

“(2) causes or attempts to cause serious bodily injury or serious emotional distress to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner; shall be punished as provided in subsection (b).

“(b) The punishment for an offense under this section is the same as that for an offense under section 2261, except that if—

“(1) the offense involves conduct in violation of a protection order; or

“(2) the victim of the offense is under the age of 18 years or over the age of 65 years, the offender has reached the age of 18 years at the time the offense was committed, and the offender knew or should have known that the victim was under the age of 18 years or over the age of 65 years; the maximum term of imprisonment that may be imposed is increased by 5 years over the term of imprisonment otherwise provided for that offense in section 2261.”.

(b) CLERICAL AMENDMENT.—The item relating to section 2261A in the table of sections at the beginning of chapter 110A of title 18, United States Code, is amended to read as follows:

“2261A. Stalking.”.

SEC. 1003. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3), by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (5), by striking “1 year” and inserting “5 years”;

(F) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(G) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

The SPEAKER pro tempore. Pursuant to House Resolution 83, the gentleman from Washington (Mrs. McMORRIS RODGERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Washington.

Mrs. McMORRIS RODGERS. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, we’ve heard strong bipartisan support over the last hour for the Violence Against Women Act and standing for all victims.

I remain convinced that the House amendment is the strongest reauthorization of VAWA and the one that should be sent to the President’s desk. It’s a responsible bill that protects all victims of domestic violence. It’s a bill that holds offenders fully accountable for their crimes. It is a bill that respects the Constitution.

It puts the focus on the victim, where it should be. It provides the necessary services and resources to victims while at the same time strengthening investigations and prosecutions to lock

away offenders for a longer period of time.

What it does not do is engage in the type of divisive, political rancor that many have tried to leverage or exploit. Republicans want to reauthorize a bill that protects women, not promotes partisanship.

□ 1050

Over the last few months, the debate over VAWA has been muddled with partisan attacks. In fact, just last week, comments were made that claim the House bill will not provide critical protections for rape victims, domestic violence victims, human trafficking victims, students on campus, or stalking victims, or that the House Republican leadership just doesn’t get it.

None of these assertions are further from the truth, and it is this political bickering and these baseless accusations that keep Congress from doing the job to protect those who need the most protection, because this bill is about people, not politics.

It’s about Rebecca Schiering, from my home near Spokane Valley, who broke up with her fiancé after a domestic dispute. Two months later, he shot and killed her and her 9-year-old son. It’s about Michelle Canino of north Spokane, who was stabbed to death by her husband, Jeffrey, while her 11-year-old son watched the entire thing. This bill is about Rebecca and Michelle and the millions of women like them all across this country who need protection, and that’s what this bill will do. It ensures that all vulnerable populations are protected. No one is excluded from it or can be discriminated against.

The bill ensures that resources are available for critical services. It ensures that victims and their families have access to housing. It ensures that investigations and prosecutions are more effective in putting offenders away for a longer period of time. It ensures that Native American women have access to justice on Indian land and in such a way that prohibits offenders from getting off the hook.

I am disappointed that even some of our country’s most influential leaders—the ones who have the ability to move this legislation through Congress and get it to the President’s desk—have dismissed this House bill. It is a responsible step forward, and I urge its support.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 10 minutes.

Mr. CONYERS. Ladies and gentlemen of the House, the controlling objective here is that, if we reject the substitute and, instead, adopt the bipartisan and comprehensive Senate bill, the bill will go directly to the President for his signature. So I rise in strong opposition

to the substitute and in support of the Senate bill, the Violence Against Women Act of 2013.

Madam Speaker, I yield 30 seconds to the distinguished gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Madam Speaker, in a letter written by our friend and colleague TOM COLE, a Member of Congress, he says that he does not support the House substitute to VAWA because it does not adequately recognize sovereignty or give them the tools that they need to combat violence against women.

HOUSE OF REPRESENTATIVES,
Washington, DC.

Why I'm Voting Against the House Substitute Amendment to S. 47

DEAR REPUBLICAN COLLEAGUE: I want to let you know why I will vote against the House substitute to S. 47, the Violence Against Women Act ("VAWA"). While the House substitute to VAWA has improved tremendously over what this body passed last Congress, it falls short of giving tribes what they need to keep their women safe.

Unlike the Senate version, the House substitute fails to recognize existing tribal sovereignty that is enshrined in the Constitution by requiring tribes to seek DOJ certification before exercising jurisdiction over non-Indian offenders, and waives tribes' sovereign immunity. It doesn't make sense to force tribes to abdicate part of their sovereignty to exercise another part of their sovereignty.

Like most Republicans, I believe in moving control away from the federal government towards local governments. Tribal governments are local governments, and tribes do a good job of taking care of tribal citizens when they have the resources to do so. Tribes do not support the House substitute to VAWA because it does not adequately recognize sovereignty or give them the tools they need to combat violence against Indian women. I trust the tribes to understand their needs best, and that is why I will vote against the House substitute and in favor of the Senate VAWA bill, S. 47.

Sincerely,

TOM COLE,
Member of Congress.

Mr. CONYERS. I thank the gentlelady.

Members of the House, I was here in 1994 when the Violence Against Women Act was introduced to provide critical lifesaving assistance for women, children and men. This law has been the centerpiece of our government's commitment to combating domestic violence, dating violence, stalking, and sexual assault. The results have been striking:

In the nearly two decades since the landmark legislation was passed, the rate of intimate partner violence against women has dropped by nearly two-thirds. On two occasions since its enactment, Members of both bodies have worked on a bipartisan basis to extend the Violence Against Women Act's protections and to make necessary improvements.

Unfortunately, in the last Congress, we weren't able to agree on a bill, and the authorization was allowed to lapse.

This month, the Senate took the unique opportunity to pass strong bipartisan legislation by a vote of 78-22—with all of the women in the Senate. It incorporates years of analysis of the problem and the solutions proposed by law enforcement and victim service providers. In my judgment, it is much stronger.

I urge my colleagues to join with me, the 78 Senators, the President, and the more than 1,300 organizations in supporting S. 47, the Violence Against Women Act.

I reserve the balance of my time.

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,

February 22, 2013.

DEAR HOUSE LEADERS: We, the undersigned local, state, tribal, and national organizations, represent and support millions of victims of domestic violence, dating violence, sexual assault and stalking throughout the United States, American Indian Tribal lands and U.S. Territories. On behalf of the victims we represent, and the professionals who serve them and the communities that sustain them, we ask that you support the Violence Against Women Act's (VAWA) reauthorization by bringing the recently-passed bipartisan Senate VAWA (S.47) to the House floor for a vote as speedily as possible. As you know, VAWA passed the Senate on Tuesday, February 12 with a resounding bipartisan vote of 78-22 in favor of an all-embracing bill that strives to address violence for all victims in communities, homes, campuses and workplaces all around the country.

VAWA's programs support national, state, tribal, territorial, and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against girls and women, boys and men. More victims report domestic violence to the police and the rate of non-fatal intimate partner violence against women has decreased by 64%. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the front-line response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim services providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly \$12.6 billion in net averted social costs in just its first six years.

VAWA has unquestionably improved the national response to these terrible crimes. Nonetheless, much work remains to be done to address unmet needs and enhance access to protections and services for all victims, including housing, campus security, and addressing the needs of racial and ethnic communities, tribal, immigrant and LGBT victims. We urge you work with your colleagues in both parties as we all work to build upon VAWA's successes, continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable and

to keep victims and their families safe from future harm. Thank you.

Sincerely,

NATIONAL ORGANIZATIONS

1. 3 DVas, LLC
2. 9to5
3. Abortion Care Network
4. AFGE Women's/Fair Practices Departments
5. AFL-CIO
6. African Action on Aids
7. AFSCME
8. After The Trauma
9. Alianza—National Latino Alliance for the Elimination of Domestic Violence
10. Alliant International University
11. American Association of University Women (AAUW)
12. American Baptist Women's Ministries, ABCUSA
13. American College Health Association
14. American Congress of Obstetricians and Gynecologists
15. American Dance Therapy Association
16. American Federation of Government Employees, AFL-CIO
17. American Federation of Labor-Congress of Industrial Organizations
18. American Federation of State, County, and Municipal Employees
19. American Federation of Teachers, AFL/CIO
20. American Humanist Association
21. American Postal Workers Union
22. American Psychiatric Association
23. American Psychological Association
24. American-Arab Anti-Discrimination Committee (ADC)
25. Americans for Immigrant Justice, Americans Overseas Domestic Violence Crisis Center
26. Amnesty International USA
27. Anti-Defamation League
28. Asian & Pacific Islander American Health Forum
29. Asian & Pacific Islander Institute on Domestic Violence
30. Asian American Justice Center, member of Asian American Center for Advancing Justice
31. Asian Pacific American Labor Alliance, AFL-CIO
32. Asian/Pacific Islander Domestic Violence Resource Project
33. ASISTA Immigration Assistance
34. Association of Jewish Family & Children's Agencies
35. Association of Physicians of Pakistani Descent in N. America (APPNA)
36. Bah'ais of the United States
37. Battered Mothers Custody Conference
38. Black Women's Health Imperative
39. Black Women's Roundtable
40. Break the Cycle
41. Business and Professional Women's Foundation
42. Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
43. Casa Esperanza
44. Center for Family Policy and Practice
45. Center for Partnership Studies
46. Center for Reproductive Rights
47. Center for Women Policy Studies
48. Central Conference of American Rabbis
49. Choice USA
50. Church Women United
51. Circle of 6 App
52. Clan Star
53. Clery Center for Security On Campus
54. Coalition of Labor Union Women
55. Coalition on Human Needs
56. Communications Workers of America
57. Communications Workers of America (CWA)

58. Community Action Partnership
59. cultureID
60. CWA National Women's Committee
61. Daughters of Penelope
62. Delta Sigma Theta Sorority
63. Dialogue on Diversity
64. Disciples Justice Action Network
65. Domestic Abuse intervention Programs
66. Domestic Violence Legal Empowerment and Appeals Project (DV LEAP)
67. Elder Justice Coalition
68. Episcopal Church
69. Episcopal Women's Caucus
70. Expert Panel on violence, American Academy of Nursing
71. FaithTrust Institute
72. Falling Walls
73. Family Equality Council
74. Federally Employed Women (FEW)
75. Feminist Agenda Network
76. Feminist Majority
77. Feminist Peace Network
78. Freedom from Hunger
79. Friends Committee on National Legislation
80. Friends of Nabeela
81. Futures Without Violence
82. Gay & Lesbian Medical Association
83. General Board of Church & Society, United Methodist Church
84. General Federation of Women's Clubs
85. George Washington University Law School
86. Girls Inc.
87. GLMA: Health Professionals Advancing LGBT Equality
88. GLSEN (Gay, Lesbian & Straight Education Network)
89. Hadassah, The Women's Zionist Organization of America, Inc.
90. HIAS (Hebrew Immigrant Aid Society)
91. Hindu American Seva Communities
92. Human Rights Campaign
93. Indian Law Resource Center
94. Inspire Action for Social Change
95. Institute for Interfaith Activism
96. Institute for Science and Human Values
97. Institute on Domestic Violence in the African American Community
98. IOFA
99. Jewish Council for Public Affairs
100. Jewish Labor Committee
101. Jewish Women International
102. Joe Torre Safe at Home Foundation
103. Labor Council for Latin American Advancement
104. League of United Latin American Citizens
105. Legal Momentum
106. LiveYourDream.org
107. Log Cabin Republicans
108. Media Equity Collaborative
109. Men Can Stop Rape
110. Mennonite Central Committee U.S. Washington Office
111. Men's Resources International
112. Methodist/Catholic
113. Mexican American Legal Defense and Educational Fund
114. Migrant Clinicians Network
115. MomsRising
116. Ms. Foundation for Women
117. Muslim American Society
118. Muslim Bar Association
119. Muslim Public Affairs Council
120. Muslims for Progressive Values
121. NAACP
122. NAPAFASA
123. National Advocacy Center of the Sisters of the Good Shepherd
124. National Alliance to End Sexual Violence
125. National Asian Pacific American Bar Association (NAPABA)
126. National Association of Commissions for Women (NACVV)
127. National Association of Hispanic Organizations
128. National Association of School Psychologists
129. National Association of State Head Injury Administrators
130. National Association of VOCA Assistance Administrators
131. National Center for Lesbian Rights
132. National Center for Transgender Equality
133. National Center for Victims of Crime
134. National Center on Domestic and Sexual Violence
135. National Clearinghouse for the Defense of Battered Women
136. National Coalition Against Domestic Violence
137. National Coalition for LGBT Health
138. National Coalition of 100 Black Women
139. National Coalition of Anti-Violence Programs (NCAVP)
140. National Coalition on Black Civic Participation
141. National Committee for the Prevention of Elder Abuse
142. National Congress of American Indians
143. National Council for Jewish Education
144. National Council of Churches, USA
145. National Council of Jewish Women
146. National Council of Juvenile and Family Court Judges
147. National Council of the Churches of Christ in the USA
148. National Council of Women's Organizations
149. National Council on Independent Living
150. National Dating Abuse Helpline
151. National Domestic Violence Hotline
152. National Employment Law Project
153. National Fair Housing Alliance
154. National Family Justice Center Alliance
155. National Focus on Gender Education
156. National Gay and Lesbian Task Force Action Fund
157. National Hispanic Council on Aging
158. National Housing Law Project
159. National Indian Health Board
160. National Latina Institute for Reproductive Health
161. National Latina Psychological Association
162. National Latina/o Psychological Association
163. National Law Center on Homelessness & Poverty
164. National Network to End Domestic Violence
165. National Org of Asian Pacific Islanders Ending Sexual Violence
166. National Organization for Men Against Sexism
167. National Organization for Women (NOW)
168. National Organization of Asian Pacific Islanders Ending Sexual Violence
169. National Organization of Black Law Enforcement Executives
170. National Organization of Sisters of Color Ending Sexual Assault
171. National Partnership for Women & Families
172. National Research Center for Women & Families
173. National Resource Center on Domestic Violence
174. National Stonewall Democrats
175. National WIC Association
176. National Women's Health Network
177. National Women's Law Center
178. National Women's Political Caucus
179. Native American Indian Court Judges Association
180. Native American Indian Housing Council
181. NCAI
182. NCCE
183. NETWORK, A National Catholic Social Justice Lobby
184. NLPA
185. Nursing Network on Violence against Women International
186. NVC Academy
187. One Woman's Voice
188. Our Bodies Ourselves
189. OWL—The Voice of Midlife and Older Women
190. Peaceful Families Project
191. PFLAG National
192. Rape Crisis Services
193. Rape, Abuse & Incest National Network (RAINN)
194. Reformed Church in America
195. Religious Coalition for Reproductive Choice
196. Rural Women's Health Project
197. Rural Womyn Zone
198. Ryan Immigration Law
199. Safe Kids International
200. Safe Nation Collaborative
201. Sargent Shriver National Center on Poverty Law
202. Sauti Yetu
203. School and College Organization for Prevention Educators
204. Secular Woman
205. Self Empowerment Strategies
206. SER-Jobs for Progress National Inc.
207. Service Employees International Union
208. Share Time Wisely Consulting Services
209. Sisters of Color Ending Sexual Assault
210. Sisters of Mercy Institute Justice Team
211. Sojourners
212. South Asian Americans Leading Together (SAALT)
213. Spittin' Out the Pitts
214. Stonewall Democratic Club
215. SuhaibWebb.com
216. Survivors In Service
217. Tahirih Justice Center
218. Take Back The Night
219. The Episcopal Church
220. The Jewish Federations of North America
221. The Leadership Conference on Civil and Human Rights
222. The Line Campaign
223. The National Council on Independent Living
224. The National Resource Center Against Domestic Violence
225. The United Methodist Church, General Board of Church & Society
226. Tribal Law and Policy Institute
227. UAW
228. Union for Reform Judaism
229. Union Veterans Council, AFL-CIO
230. Unitarian Universalist Association
231. United Church of Christ, Justice & Witness Ministries
232. United States Hispanic Leadership Institute
233. United Steelworkers
234. UniteWomen.org
235. US National Committee for UN Women
236. US women Connect
237. USAction
238. V-Day
239. Veteran Feminists of America
240. Victim Rights Law Center
241. Vital Voices Global Partnership

- 242. We Are Woman
- 243. Winning Strategies
- 244. Witness Justice
- 245. Women Enabled, Inc.
- 246. Women of Color Network
- 247. Women of Reform Judaism
- 248. Women, Action & the Media
- 249. Women's Action for New Directions
- 250. Women's Business Development Center
- 251. Women's Institute for Freedom of the Press
- 252. Women's International League for Peace and Freedom
- 253. Women's Media Center
- 254. Women's Resource Center
- 255. YWCA USA
- 256. Zonta

ALABAMA

- 1. Alabama Coalition Against Domestic Violence
- 2. Alabama—NOW
- 3. St Vincent's Hospital
- 4. The Hispanic Interest Coalition of Alabama (HICA)

ALASKA

- 1. WOMEN IN SAFE HOME, INC
- 2. Native Village of Emmonak Women's Shelter
- 3. South Peninsula Haven House
- 4. Yup'ik Women's Coalition
- 5. YWCA Alaska

ARIZONA

- 1. Arizona Bridge to Independent Living
- 2. Arizona Coalition Against Domestic Violence
- 3. Arizona NOW
- 4. Arizona State University
- 5. Child Crisis Center Foundation
- 6. Community Alliance Against Family Abuse
- 7. Family LAW CASA
- 8. Hopi-Tewa Women's Coalition to End Abuse
- 9. Jewish Community Relations Council (Tucson)
- 10. M.U.J.E.R. Inc.
- 11. National Organization for Women—AZ
- 12. Phoenix/Scottsdale NOW
- 13. Protecting Arizona's Family Coalition (PAFCO)
- 14. Southern Arizona Center Against Sexual Assault
- 15. Southwest Indigenous Women's Coalition
- 16. Yavapai Family Advocacy Center
- 17. Yup'ik Women's Coalition

ARKANSAS

- 1. Arkansas Coalition Against Domestic Violence
- 2. Arkansas Coalition Against Sexual Assault
- 3. Arkansas NOW

CALIFORNIA

- 1. 9to5 Bay Area
- 2. 9to5 California
- 3. 9to5 Los Angeles
- 4. AAUW, Big Bear Valley Branch
- 5. Alliance Against Family Violence and Sexual Assault
- 6. Alliance Against Family Violence and Sexual Assault
- 7. Alliant International University
- 8. Antolino Family Wellness Center
- 9. Asia Pacific Cultural Center
- 10. Asian Law Caucus
- 11. Asian Pacific American Legal Center, Member of Asian American Center for Advancing Justice
- 12. Bay Area Turning Point, Inc.
- 13. Bay Area Women's Center
- 14. CA Rural Indian Health Board, Inc.
- 15. California Coalition Against Sexual Assault

- 16. California Latinas for Reproductive Justice
- 17. California National Organization for Women
- 18. California Partnership to End Domestic Violence
- 19. California Protective Parents Association
- 20. California School of Professional Psychology
- 21. California School of Professional Psychology at Al
- 22. California Women Lawyers
- 23. CARECEN Los Angeles
- 24. Catalyst Domestic Violence Services
- 25. Catalyst Domestic Violence Services
- 26. Center For A Non Violent Community
- 27. Center for the Pacific Asian Family
- 28. Central CA Coalition of Labor Union Women
- 29. Children's Institute, Inc.
- 30. Choices Domestic Violence Solutions
- 31. Clergy and Laity United for Economic Justice, Los Angeles
- 32. Community Overcoming Relationship Abuse
- 33. County of Sacramento, Native American Caucus
- 34. C—VISA, Coachella Valley Immigration Service and Assistance
- 35. Domestic Abuse Center
- 36. Domestic Violence Solutions for Santa Barbara County
- 37. DOVES in Natchitoches, LA
- 38. DOVES of Big Bear Lake, Inc.
- 39. End DV Counseling and Consulting
- 40. Episcopal Women's Caucus
- 41. Family Services of Tulare County
- 42. Forward Together
- 43. Freshwater Haven
- 44. Good Shepherd Shelter
- 45. Haven Hill, Inc
- 46. Haven Women's Center of Stanislaus
- 47. Hollywood Chapter of the National Organization for Women
- 48. House of Ruth, Inc.
- 49. Humboldt County Domestic Violence Coordinating Council
- 50. Immigration Services of Mountain View
- 51. Institute for Multicultural Counseling and Education Services (IMCES)
- 52. Instituto Para La Mujer
- 53. Inter-Tribal Council of California, Inc.
- 54. Lone Band of Miwok Indians
- 55. Jafri Law Firm
- 56. Jewish Community Relations Council
- 57. Jewish Family Service of Los Angeles
- 58. Jewish Federation of the Sacramento Region
- 59. L.A. Gay & Lesbian Center
- 60. La Casa de las Madres
- 61. La Jolla Band of Luiseno Indians
- 62. Law Students for Reproductive Justice
- 63. Marjaree Mason Center
- 64. Maya Chilam Foundation
- 65. MINDS—Medical Network Devoted to Service
- 66. Miracle Mile LA NOW
- 67. Monterey County Rape Crisis Center
- 68. MORONGO BASIN UNITY HOME
- 69. Mountain Crisis Services, Inc
- 70. National Coalition of 100 Black Women, San Francisco Chapter
- 71. National Coalition of 100 Black Women, Silicon Valley Chapter
- 72. National Council of Jewish Women, Sacramento Section
- 73. National Hispanic Media Coalition
- 74. Oakland County Coordinating Council against Domestic Violence
- 75. OPCC
- 76. Option House, Inc.
- 77. Project: Peacemakers, Inc
- 78. Rainbow Community Cares

- 79. Rainbow Services, Ltd.
- 80. Sacramento Native American Health Center
- 81. Safe Alternatives to Violent Environments (SAVE)
- 82. Santa Fe Natl. Organization for Women
- 83. Sexual Assault/Domestic Violence Center
- 84. Shasta Women's Refuge
- 85. Shelter From the Storm
- 86. Sojourn Services For Battered Women And Their Children
- 87. South Asian Network (SAN)
- 88. Southern Indian Health Council, Inc.
- 89. STAND! for Families Free of Violence
- 90. Strong Hearted Native Women's Coalition, Inc
- 91. The Good Shepherd Shelter
- 92. Tri-Valley Haven
- 93. Valley Crisis Center
- 94. Victim Compensation and Government Claim Board
- 95. Violence Intervention Program
- 96. Wild Iris Women's Service in Bishop, Inc.
- 97. WOMAN, Inc
- 98. Women's and Children's Crisis Shelter, Inc.
- 99. Women's Center-High Desert, Inc.
- 100. Women's Crisis support—Defensa de Mujeres
- 101. WordsMatter.Episcopal Expansive Language Project
- 102. YWCA Glendale, CA
- 103. YWCA Greater Los Angeles
- 104. YWCA San Diego County

COLORADO

- 1. 9to5 Colorado
- 2. Advocate Safehouse Project
- 3. Advocates Crisis Support services
- 4. Advocates for a Violence-Free Community
- 5. Advocates for Victims of Assault
- 6. Alamosa County Sheriffs Office
- 7. Alamosa Victim Response Unit
- 8. Alternatives to Violence, Inc.
- 9. Archuleta County Victim Assistance Program
- 10. Catholic Charities Diocese of Pueblo
- 11. Center on Domestic Violence
- 12. Colorado Anti-Violence Program
- 13. Colorado Coalition Against Domestic Violence
- 14. Colorado Coalition Against Sexual Assault
- 15. Colorado Coalition Against Sexual Assault (CCASA)
- 16. Colorado Mesa University Association of Feminists
- 17. Colorado Sexual Assault & Domestic Violence Center
- 18. Deaf Overcoming Violence through Empowerment
- 19. Domestic Safety Resource Center
- 20. Douglas County Task Force on Family Violence, Inc.
- 21. Dove Advocacy Services for Abused Deaf Women and Children
- 22. Gateway Battered Women's Services
- 23. Gay-Straight Alliance, Colorado Mesa University
- 24. Gunnison County Law Enforcement Crime Victim Services
- 25. Gunnison County Sheriffs Office
- 26. Immigrant Legal Center of Boulder County
- 27. Justice & Mercy Legal Aid Clinic
- 28. Latina Safe House
- 29. Moving to End Sexual Assault (MESA)
- 30. NEWSED C.D.C.
- 31. NOW Colorado
- 32. Park County Sheriffs Office, Victim Services
- 33. Pueblo Rape Crisis Services

34. Rape Assistance and Awareness Program
35. RESPONSE: Help for Survivors of Domestic Violence and Sexual Assault
36. Rocky Mountain Immigrant Advocacy Network
37. Rose Forensic & Treatment Services, LLC (Denver, CO)
38. San Luis Valley Immigrant Resource Center
39. San Luis Valley Victim Response Unit (Alamosa)
40. Servicios de La Raza
41. Sexual Assault Victim Advocate Center
42. SLV Regional Medical Center
43. TESSA of Colorado Springs
44. The Latina Safehouse
45. Tu Casa, Inc.

CONNECTICUT

1. Beth El Temple Sisterhood
2. Betty Gallo & Company
3. Bridgeport Public Education Fund
4. Center for Women and Families—Bridgeport, CT
5. Center for Women and Families of Eastern Fairfield County Connecticut
6. Connecticut Coalition Against Domestic Violence
7. Connecticut Sexual Assault Crisis Services
8. CT NOW
9. Hartford GYN Center
10. Local 530
11. Meriden-Wallingford Chrysalis, Inc.
12. New Haven Legal Assistance Association
13. Quinnipiac University
14. Safe Haven of Greater Waterbury
15. Sexual Assault Crisis Center of Eastern Connecticut, Inc.
16. Susan B. Anthony Project, Inc.
17. The Center for Sexual Assault Crisis Counseling and Education
18. The Center for Women and Families of Eastern Fairfield County
19. United Services, Inc.
20. Women and Families Center
21. Women's Center of Greater Danbury, Inc.
22. YWCA Darien-Norwalk
23. YWCA Greenwich
24. YWCA Hartford Region
25. YWCA New Britain

DISTRICT OF COLUMBIA

1. Ayuda
2. 51st State NOW
3. Community Action Partnership
4. DC Coalition Against Domestic Violence
5. District Alliance for Safe Housing (DASH)
6. Family Place
7. Freedom House
8. George Washington University Law School
9. Hispanic Federation
10. Human Rights Campaign
11. Lutheran Social Services
12. My Sister's Place DC
13. National Capital Area Union Retirees
14. National Organization for Women, Washington, DC Chapter
15. Ramona's Way
16. Safe Haven Ministries
17. SAGE Metro DC
18. Solutions Center
19. Survivors and Advocates for Empowerment (SAFE), Inc.
20. The Family Place
21. Turning Anger Into Change
22. William Kellibrew Foundation
23. Women's Information Network
24. YWCA National Capital Area

DELAWARE

1. ContactLifeline, Inc.

2. DE Coalition Against Domestic Violence
3. Delaware NOW
4. Delaware Opportunities, Safe Against Violence
5. Domestic Abuse Project of Delaware County
6. HelpLine of Delaware and Morrow County
7. National Coalition of 100 Black Women, Delaware Chapter
8. Sexual Assault Network of Delaware
9. Women's Resources of Monroe County, Inc.

FLORIDA

1. Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
2. Betty Griffin House
3. Chain of Lake Achievers, Inc.
4. Children's Advocacy Center for Volusia and Flagler Counties
5. Community Action Stops Abuse
6. Democratic Women's Club of Northeast Broward
7. DOVES, Lake County
8. Empowerment Christian Community Corp
9. Enfamilia, Inc
10. Florida Consumer Action Network
11. Florida Council Against Sexual Violence
12. Florida Equal Justice Center
13. Florida National Organization for Women
14. Hispanic AIDS Awareness Program
15. Jacksonville Area Legal Aid, Inc.
16. Manatee Glens Rape Crisis Services
17. National Coalition for 100 Black Women, Polk County Chapter
18. National Organization For Women, Bay County Chapter
19. National Organization for Women, Broward Chapter
20. Palm Beach County Victim Services and Rape Crisis Center
21. Pinellas County Domestic Violence Task Force
22. Polk Co Women's Shelter
23. REACH / FCC
24. Safe Harbor Counseling, Inc.
25. South Florida CLUW chapter
26. The Haven of RCS
27. University of Miami School of Law Human Rights Clinic
28. UNO Immigration Ministry
29. West Pinellas National Organization for Women
30. Women's Center of Jacksonville
31. Women's Production Network, Inc.
32. YWCA Palm Beach County

GEORGIA

1. 9to5 Atlanta
2. 9to5 Atlanta Working Women
3. Angels Recovery & Spirituality
4. Atlanta Women's Center
5. C.O.T.T.A.G.E.Life Coaching, LLC
6. Caminar Latino, Inc.
7. Center for Pan Asian Community Services, Inc
8. Cherokee Family Violence Center
9. Defying the Odds, Inc
10. Faith House, Inc.
11. Georgia Coalition Against Domestic Violence
12. Georgia Mountain Women's Center, Inc.
13. Georgia Rural Urban Summit
14. Hospitality House for Women, Inc.
15. International Women's House
16. Jewish Family & Career Services, Atlanta, Georgia
17. Northwest Georgia Family Crisis Center
18. PADV Partnership Against Domestic Violence

19. Raksha, Inc
20. Ruth's Cottage
21. Safe Shelter
22. Sankofa Counseling Center
23. Sexual Assault Center of NWGA
24. Shalom Bayit Program of Jewish Family & Career Services
25. SpeakOut Georgia LGBT Anti-Violence
26. Support in Abusive Family Emergencies, Inc (S.A.F.E.)
27. Victim Services South Georgia Judicial Circuit

GUAM

1. Guam Coalition Against Sexual Assault & Family Violence

HAWAII

2. AARP Chapter 60 Waikiki
3. AAUW, Honolulu women's coalition, others
4. American Congress of Obstetricians and Gynecologists, Hawaii Section
5. Breastfeeding Hawaii
6. Catholic Charities Hawaii
7. Catholic Charities Hawaii
8. Child & Family Service—Hawaii
9. Community Alliance on Prisons
10. Domestic Violence Action Center Honolulu
11. Hawai'i Women's Coalition
12. Hawaii Commission on the Status of Women
13. Hawaii Rehabilitation Counseling Assoc.
14. Hawaii State Coalition Against Domestic Violence
15. Hawaii State Democratic Women's Caucus
16. Moloka'i Community Service Council
17. Parents And Children Together, A Family Service Agency
18. The Sex Abuse Treatment Center
19. Women Helping Women Lanai
20. YWCA Kauai
21. YWCA O'ahu

IDAHO

1. Idaho Coalition Against Sexual & Domestic Violence
2. Idaho State Independent Living Council
3. Native Women's Coalition, Boise
4. United Action for Idaho
5. YWCA Lewiston-Clarkston

IOWA

1. Aging Resources
2. Center for Creative Justice
3. Centers Against Abuse & Sexual Assault
4. Crisis Center & Women's Shelter
5. Crisis Intervention & Advocacy Center
6. Des Moines NOW
7. DIAA/CSD
8. Domestic Violence Alternatives/Sexual Assault Center, Inc.
9. Domestic Violence Intervention Program, Iowa
10. Family Resources
11. Iowa Citizen Action Network
12. Iowa Coalition Against Domestic Violence
13. Latinas Unidas por un Nuevo Amanecer (LUNA, Iowa)
14. Mid-Iowa SART
15. Monsoon United Asian Women of Iowa
16. Nisaa African Women's Project
17. Riverview Center
18. Rural Iowa Crisis Center
19. Seeds of Hope

ILLINOIS

1. A Safe Place Domestic Violence Shelter
2. ADV & SAS
3. Apna Ghar, Inc. ("Our Home")
4. Arab American Family Services
5. Between Friends—Chicago
6. Center on Halsted

7. Christ United Methodist Church, Rockford, IL
 8. Citizen Action/Illinois
 9. Crisis Center for South Suburbia
 10. DuPage County NOW
 11. Family Rescue, Inc.
 12. Family Shelter Service
 13. GLOBES
 14. Guardian Angel Community Services
 15. Hamdard Center for Health and Human services
 16. HEART Women & Girls
 17. Hearts of Hope
 18. HOPE of East Central Illinois
 19. Hospira
 20. Illinois Coalition Against Domestic Violence
 21. Illinois Coalition Against Sexual Assault
 22. Illinois National Organization for Women
 23. Jewish Child and Family Services
 24. Jewish Federation of Metropolitan Chicago
 25. Kankakee County Center Against Sexual Assault (KC-CASA)
 26. Mercer County Family Crisis Center
 27. Metropolitan Family Services
 28. Mujeres Latinas en Accion
 29. Mutual Ground, Inc.
 30. National Council of Jewish Women Illinois State Policy Advocacy Committee
 31. Prairie Center Against Sexual Assault
 32. Rainbow House Domestic Abuse Services, Inc.
 33. Rape Victim Advocates
 34. Riverview Center
 35. Rockford Sexual Assault Counseling
 36. Safe Harbor Family Crisis Center
 37. Sarah's Inn
 38. Sexual Health Peers of the University of Illinois
 39. Sojourn Shelter & Services, Inc.
 40. South Suburban Family Shelter
 41. Streamwood Police Department
 42. The Center for Prevention of Abuse
 43. Vermilion County Rape Crisis Center
 44. Violence Prevention Center of Southeastern IL
 45. Violence Prevention Center of Southwestern IL
 46. VOICE Sexual Assault Services
 47. VOICES DV Stephenson County
 48. WINGS Program, Inc.
 49. WIRC-CAA Victim Services
 50. YWCA Elgin
 51. YWCA Evanston North Shore
 52. YWCA Kankakee
 53. YWCA McLean County
 54. YWCA Metropolitan Chicago
 55. YWCA Rockford
 56. YWCA Sauk Valley
 57. Zacharias Sexual Abuse Center

INDIANA

1. Alcohol and Addictions Resource Center
 2. Franciscan Physician Alliance
 3. Indiana Coalition Against Domestic Violence
 4. Indiana Legal Services Organization
 5. Legal Aid—District 11
 6. National Coalition of 100 Black Women, Indianapolis Chapter
 7. Peace Over Violence
 8. Praxis Advisors

KANSAS

1. Family Life Center of Butler County
 2. Harvey County DV/SA Task Force, Inc.
 3. Kansas Coalition Against Sexual and Domestic Violence
 4. SAFEHOME, Kansas
 5. SKIL Resource Center Inc.

KENTUCKY

1. Barren River Area Safe Space, Inc.

2. Bethany House Abuse Shelter, Inc.
 3. Bluegrass Domestic Violence Program
 4. Center for Women and Families
 5. Doves of Gateway
 6. Hope's Place
 7. Kentucky Association of Sexual Assault Programs
 8. Kentucky NOW
 9. Kentucky Coalition for Immigrant and Refugee Rights
 10. Kentucky Domestic Violence Association
 11. MensWork: eliminating violence against women, inc
 12. Safe Harbor of NE KY
 13. The Center for Women and Families
 14. The Mary Byron Project
 15. UAW 862
 16. University of Louisville PEACC Program
 17. Women's Crisis Center

LOUISIANA

1. Council on Alcoholism and Drug Abuse of NW LA
 2. Jeff Davis Communities Against Domestic Abuse CADA
 3. LGBT Community Center of New Orleans
 4. Louisiana Coalition Against Domestic Violence
 5. Louisiana Foundation Against Sexual Assault
 6. Louisiana NOW
 7. National Council of Jewish Women, Louisiana State Policy Advocacy Chair
 8. New Orleans Family Justice Center
 9. New Orleans NOW
 10. Project Celebration Inc.

MAINE

1. Maine Coalition to End Domestic Violence
 2. Maine People's Alliance
 3. NCJW, Southern Maine Section
 4. New Hope For Women
 5. Safe Passage
 6. Spruce Run Association
 7. YWCA MDI

MARYLAND

1. A Woman's Place
 2. Anne Arundel County NOW
 3. Baltimore Jewish Council
 4. Circle of Hope
 5. Clearinghouse on Women's Issues
 6. Collaborative Project of Maryland
 7. Downtown Bethesda Condo Assn
 8. Family Crisis Center, Inc.
 9. Family Crisis Services
 10. First Step, Inc.
 11. Global Connections
 12. Johns Hopkins Technology Transfer
 13. La Voz Latina
 14. Maryland Commission for Women
 15. Maryland National Organization for Women
 16. Maryland Network Against Domestic Violence
 17. Men On The Move
 18. Minara Fellowship
 19. Montgomery County Commission for Women
 20. Nursing Students for Reproductive Health and Justice at Johns Hopkins University
 21. Parent-Child Center
 22. Progressive Maryland
 23. Ryan Immigration Law
 24. SAFE Harbor Inc.
 25. Safe Journey
 26. SafeCenter
 27. Woman's Place
 28. YWCA Greater Baltimore

MASSACHUSETTS

1. Aging and Disability Resource Consortium of the Greater North Shore (ADRCGNS)

2. Boston Area Rape Crisis Center
 3. Boston University Civil Litigation Program
 4. Broward Women's Emergency Fund
 5. Cape Organization for Rights of the Disabled
 6. Coalition for Social Justice
 7. Everywoman's Center
 8. Greater Boston Legal Services, Inc.
 9. Independent Living Center of the North Shore & Cape Ann, Inc.
 10. Jane Doe Inc., The Massachusetts Coalition Against Sexual Assault and Domestic Violence
 11. Jeanne Geiger Crisis Center
 12. Jewish Alliance for Law and Social Action (JALSA)
 13. MataHari: Eye of the Day
 14. Men's Resources International
 15. Safe Havens Interfaith Partnership Against Domestic Violence
 16. The Network/La Red
 17. The Second Step
 18. Turning Point, Inc.
 19. YWCA Malden
 20. YWCA Western MA

MICHIGAN

1. ACCESS Social Services
 2. Cadillac Area OASIS/Family Resource Center
 3. Council on American Islamic Relations (CAIR), Michigan
 4. Detroit Minds and Hearts
 5. Domestic And Sexual Abuse Services, MI
 6. EVE (End Violent Encounters)
 7. HAVEN—Live Without Fear
 8. Islamic Association of Greater Detroit
 9. Michigan Citizen Action
 10. Michigan Coalition to End Domestic and Sexual Violence
 11. Michigan Muslim Community Council, United Way for Southeastern Michigan
 12. Muslim Community of Western Suburbs
 13. National Coalition of 100 Black Women, Detroit Chapter
 14. National Council of Jewish Women, MI State Policy Advocate Chair
 15. SASHA Center
 16. Shelters, Inc.
 17. The Center for Women in Transition
 18. The Underground Railroad, Inc.
 19. U of M-Dearborn Student Philanthropy Council
 20. Wayne County Chapter, National Organization for Women
 21. Wayne State University
 22. Women's Aid Service, Inc.
 23. Women's Resource Center for the Grand Traverse Area

24. YWCA Greater Flint
 25. YWCA Kalamazoo
 26. YWCA West Central Michigan

MINNESOTA

1. Anna Marie's Alliance
 2. Battered Women's Legal Advocacy Project
 3. Bridges to Safety
 4. Center for Policy Planning and Performance
 5. Central MN Sexual Assault Center
 6. Committee Against Domestic Abuse, Inc.
 7. Cornerstone Advocacy Service MN
 8. Day One of Cornerstone
 9. Domestic Abuse Project
 10. First Nations Coalition, Moorhead
 11. Hands of Hope Resource Center
 12. HOPE Center
 13. Immigrant Law Center of Minnesota
 14. Jewish Community Action
 15. Mending the Sacred Hoop
 16. Minnesota Coalition Against Sexual Assault
 17. Minnesota Coalition for Battered Women

18. Minnesota Indian Women's Resource Center
 19. Minnesota NOW
 20. New Hope for Women
 21. OutFront Minnesota
 22. Pathways of West Central MN, Inc.
 23. Pearl Crisis Center
 24. Program for Aid to Victims of Sexual Assault
 25. Range Women Advocates of Minnesota
 26. Safe Haven
 27. SARA-Goodhue SMART
 28. SCSU Women's Center
 29. Sexual Assault Program of Beltrami, Cass & Hubbard Counties
 30. The People's Press Project
 31. Volunteer Lawyers Network
 32. WINDOW Victim Services
 33. Women's Business Development Center

MISSISSIPPI

1. Jackson Engineering Womens League (JEWL)
 2. Jackson NOW
 3. Mississippi Coalition Against Domestic Violence
 4. Mississippi NOW
 5. Mississippi Women Are Representing (WAR)
 6. Missouri Coalition Against Domestic and Sexual Violence
 7. MS Coalition Against Sexual Assault
 8. National Coalition of 100 Black Women, Northeast Mississippi Chapter
 9. Rape Crisis Center, Catholic Charities, Inc.

MISSOURI

1. Buchanan County Prosecutor's Office
 2. Kansas City Anti-Violence Project
 3. Metropolitan Organization to Counter Sexual Assault (MOCSA)
 4. Missouri NOW
 5. Missouri Progressive Vote Coalition
 6. Missouri Women's Network
 7. National Council of Jewish Women—St. Louis Section
 8. National Council of Jewish Women, Missouri State Policy Advocacy Chair
 9. YWCA St. Joseph (MO)

MONTANA

1. Domestic and Sexual Violence Services (DSVS) of Carbon County Montana
 2. DSVS Red Lodge, MT
 3. Ft. Belknap Domestic Violence Program
 4. HAVEN
 5. Missoula County Crime Victim Advocate Program
 6. Missoula County Department of Grants and Community Programs
 7. Montana Coalition Against Domestic and Sexual Violence
 8. Montana National Organization for Women
 9. Montana Native Women's Coalition
 10. Montana State Coalition Against Domestic and Sexual Violence
 11. NARAL Pro-Choice Montana
 12. Red Lodge DSVS
 13. Three Rivers Defense
 14. Violence Free Crisis Line/Abbie Shelter
 15. YWCA Missoula

NEBRASKA

1. Family Violence Council
 2. National Organization for Women—Nebraska
 3. Nebraska Domestic Violence Sexual Assault Coalition
 4. Winnebago Domestic Violence Program
 5. Winnebago Tribe of Nebraska Domestic Violence Intervention Family Preservation Program

NEVADA

1. Clark County District Attorney Victim Witness Assistance Center

2. Nevada Network Against Domestic Violence
 3. S.A.F.E. House, NV
 4. Safe Nest
 5. Sexual Assault Response Advocates, Inc.
 6. Volunteer Attorneys for Rural Nevadans

NEW HAMPSHIRE

1. Bridges: Domestic & Sexual Violence Support
 2. Crisis Center of Central New Hampshire
 3. New Beginnings Without Violence and Abuse
 4. New Hampshire Citizens Alliance for Action
 5. New Hampshire Coalition Against Domestic and Sexual Violence
 6. Sexual Assault Support Services
 7. Starting Point: Services for Victims of Domestic & Sexual Violence
 8. Support Center at Burch House
 9. Voices Against Violence

NEW JERSEY

1. Center for Family Services SERV
 2. Cherry Hill Women's Center
 3. Coalition Against Rape and Abuse, Inc.
 4. CWA 1032
 5. Greater NJ CLUW
 6. IFPTE Local 194, AFL-CIO
 7. Manavi
 8. Morris County Sexual Assault Center
 9. National Council of Jewish Women Concordia Section NJ
 10. National Council of Jewish Women, Jersey Hills Section
 11. National Council of Jewish Women, New Jersey State Policy Advocacy Network
 12. Nat'l Council of Jewish Women, Central Jersey Section
 13. New Jersey Citizen Action
 14. New Jersey Coalition Against Sexual Assault
 15. New Jersey Tenants Organization
 16. NJ Coalition for Battered Women
 17. NJ State Industrial Union Council
 18. Partners for Women and Justice
 19. Safe in Hunterdon
 20. South Jersey NOW—Alice Paul Chapter
 21. St. Francis Counseling Service
 22. UFCW, Local 888
 23. Unchained At Last
 24. Womenspace, Inc.
 25. Women of Color and Allies Essex County NOW Chapter
 26. Youth Development Clinic
 27. YWCA Bergen County
 28. YWCA Central New Jersey
 29. YWCA Eastern Union County
 30. YWCA Princeton
 31. YWCA Trenton

NEW MEXICO

1. Arise Sexual Assault Services
 2. Center for Nonviolent Communication
 3. Center of Protective Environment, Inc. (COPE)
 4. Coalition to Stop Violence Against Native Women, Albuquerque
 5. Community Against Violence, Inc.
 6. Enlace Comunitario
 7. Gila Regional Medical Center SANE
 8. New Mexico Asian Family Center
 9. New Mexico Coalition Against Domestic Violence
 10. New Mexico Coalition of Sexual Assault Programs, Inc.
 11. New Mexico NOW
 12. New Mexico Voices for Children
 13. New Mexico Women's Agenda
 14. SANE of Otero & Lincoln County
 15. Sexual Assault Services of NW New Mexico
 16. Silver Regional Sexual Assault Support Services
 17. Solace Crisis Treatment Center

18. Southern New Mexico Human Development, INC
 19. Southwest Counseling Center
 20. Taos SANE at Holy Cross Hospital
 21. Tewa Women United, Santa Cruz
 22. Valencia Counseling Service Inc.

NEW YORK

1. African Services Committee
 2. Albany Law School
 3. Arab American Association of New York
 4. BIBLE FELLOWSHIP PENTECOSTAL ASSEMBLY OF NY INC.
 5. Catholic Charities of Chenango County
 6. Citizen Action of New York
 7. Committee on the Status of Women
 8. COPO (COUNCIL OF PEOPLE ORGANIZATION)
 9. Crime Victim and Sexual Violence Center
 10. Crime Victim Center of Erie County
 11. CWA 1032
 12. Domestic Harmony
 13. Fordham Prep School
 14. Hispanic United of Buffalo
 15. In Our Own Voices
 16. Legal Aid Society of Rochester, Inc.
 17. Liberty House of Albany, Inc.
 18. Local 301
 19. Los Ninos Services INC
 20. National Coalition of 100 Black Women, Long Island Chapter
 21. National Council of Jewish Women, Greater Rochester Section
 22. Nassau County Coalition Against Domestic Violence
 23. National Council of Jewish Women NY
 24. National Council of Jewish Women, Westbury
 25. National Organization for Women—New York City
 26. National Organization for Women New York State Young Feminist Task Force
 27. National Organization for Women, Greater Rochester Chapter
 28. National Organization for Women, NYC
 29. New York Board of Rabbis
 30. New York City Anti-Violence Project
 31. New York State Coalition Against Domestic Violence
 32. New York State Coalition Against Sexual Assault
 33. Safe Homes of Orange County
 34. SAFER—Survivors Advocating For Effective Reform
 35. Sanctuary for Families
 36. SEPA Mujer
 37. Sojourner House
 38. The Family Center
 39. Turning Point for Women and Families
 40. Unity House of Troy
 41. Vera House, Inc.
 42. VIBS Family Violence and Rape Crisis Center
 43. Victim Resource Center of the Finger Lakes, Inc.
 44. Victims Information Bureau of Suffolk
 45. Violence Intervention Program
 46. Women In Need
 47. Wyckoff Heights Medical Center—Violence Intervention and Treatment Program
 48. YWCA Adirondack Pothills
 49. YWCA Binghamton & Broome County
 50. YWCA Brooklyn
 51. YWCA City of New York
 52. YWCA Cortland
 53. YWCA Elmira & The Twin Tiers
 54. YWCA Genesee County
 55. YWCA Jamestown
 56. YWCA Mohawk Valley
 57. YWCA New York City
 58. YWCA Niagra
 59. YWCA Orange County
 60. YWCA Queens
 61. YWCA Rochester & Monroe County

62. YWCA Schenectady
63. YWCA Syracuse & Onondaga County
64. YWCA Tonawandas
65. YWCA Troy-Cohoes
66. YWCA Ulster County
67. YWCA Western New York
68. YWCA White Plains/Westchester
69. YWCA Yonkers

NORTH CAROLINA

1. Charlotte NOW
2. Chrysalis Network
3. Crisis Council, Inc.
4. Families Living Violence Free
5. Family Crisis Council
6. Family Service of the Piedmont
7. Mitchell County SafePlace Inc
8. Muslim American Society of Charlotte
9. National Organization for Women, Fayetteville, NC
10. National Organization for Women, North Carolina Chapter
11. National Organization for Women, Raleigh Chapter
12. NC Coalition Against Sexual Assault
13. North Carolina Coalition Against Domestic Violence
14. OASIS, Inc.
15. YWCA Central Carolinas

NORTH DAKOTA

1. First Nations Women's Alliance
2. ND Council on Abused Women's Services
3. Spirit Lake Victim Assistance

OHIO

1. Abuse & Rape Crisis Shelter, Warren County
2. Abuse Prevention Council
3. Artemis Center
4. Asha-Ray of Hope
5. Belmont Community Hospital
6. Cleveland Rape Crisis Center
7. COMPASS Rape Crisis
8. Every Woman's House
9. Forbes House
10. Islamic Center of Greater Cincinnati
11. Islamic Education Council
12. Mount Carmel Crime & Trauma Assistance Program
13. Muslim Mothers Against Violence
14. National Coalition of 100 Black Women Central Ohio Chapter
15. Nirvana Now!
16. Ohio NOW
17. Ohio Alliance to End Sexual Violence
18. Ohio Domestic Violence Network
19. OhioHealth
20. Open Arms Domestic Violence and Rape Crisis Services
21. Otterbein University
22. ProgressOhio
23. Rape Crisis Center of Medina and Summit Counties
24. Salaam Cleveland
25. Sexual Abuse Prevention Awareness Treatment Healing Coalition of NWO
26. Sexual Assault Response Network of Central Ohio
27. Sinclair Community College—Domestic Violence Task Force
28. Someplace Safe
29. The Domestic Violence Shelter, Inc. Richland County, Ohio
30. The SAAFE Center (rape crisis center)
31. The Sexual Assault Response Network of Central Ohio
32. Trumbull County Democratic Women's Caucus
33. Upper Ohio Valley Sexual Assault Help Center
34. Violence Free Coalition
35. West Ohio Annual Conference Team on Domestic Violence & Human Trafficking
36. WomenSafe
37. YWCA Dayton

38. YWCA Greater Cincinnati
39. YWCA Hamilton
40. YWCA Youngstown

OKLAHOMA

1. Community Crisis Center of Northeast Oklahoma
2. Family Crisis & Counseling Center, Inc.
3. Family Shelter of Southern Oklahoma
4. Native Alliance Against Violence, Oklahoma City
5. OK Coalition Against Domestic Violence and Sexual Assault
6. Oklahoma Coalition Against Domestic Violence and Sexual Assault
7. Tulsa Immigrant Resource Network, University of Tulsa College of Law
8. Univ. of Tulsa College of Law
9. YWCA Oklahoma City
10. YWCA Tulsa

OREGON

1. Clackamas Women's Services
2. Jackson County SART
3. Mary's Place Supervised Visitation & Safe Exchange Center
4. OCADSV
5. Oregon Action
6. Portland Store Fixtures
7. Saving Grace
8. VOA Oregon—Home Free

PENNSYLVANIA

1. Alice Paul House
2. Alle-Kiski Area HOPE Center, Inc.
3. Alliance Against Domestic Abuse
4. Berks Women in Crisis
5. Bloomsburg University
6. Bucks County NOW
7. Bucks County Women's Advocacy Coalition
8. Business & Professional Women's Federation of Pennsylvania
9. CAPSEA, Inc.
10. Centre Co. Women's Resource Center
11. Clinton County Women's Center
12. Crime Victims Center of Fayette County
13. Crime Victims Council of the Lehigh Valley, Inc.
14. Domestic Violence Center of Chester County
15. Franklin/Fulton Women In Need
16. HIAS Pennsylvania
17. International Association of Counselors & Therapists
18. Just Harvest
19. Keystone Progress
20. Laurel-House
21. Libertae, Inc.
22. Ni-Ta-Nee NOW
23. Northeast Williamsport NOW
24. Pa Democratic State Committee, Elected Member
25. PA Immigrant & Refugee Women's Network (PAIRWN)
26. PathWays PA
27. PCADV
28. Penn Action
29. Pennsylvania Coalition Against Domestic Violence
30. Pennsylvania Coalition Against Rape
31. Pennsylvania Council of Churches
32. Pennsylvania NOW
33. Philadelphia Coalition of Labor Union Women
34. Philadelphia Women's Center
35. Safehouse Crisis Center, Inc.
36. Soroptimist International of Bucks County
37. Squirrel Hill NOW
38. Survivors Inc
39. Susquehanna County Victim Services
40. The Abuse Network
41. The Women's Center, Inc. of Columbia/Montour Counties
42. Victim Services Inc.

43. Wise Options/YWCA Northcentral PA
44. Women Against Abuse
45. Women In Transition
46. Women Services Inc.
47. Women's Law Project
48. Women's Resource Center
49. Women's Services, Inc
50. WOMEN'S WAY
51. YWCA Bradford
52. YWCA Dutchess County
53. YWCA Lancaster
54. YWCA Northcentral PA/Wise Options
55. YWCA Victims' Resource Center
56. YWCA York

RHODE ISLAND

1. DVRCSC
2. National Council of Women RI
3. Ocean State Action
4. Olneyville Neighborhood Association
5. Rhode Island Coalition Against Domestic Violence
6. Rhode Island NOW
7. The Center for Sexual Pleasure and Health
8. Turning Point
9. Women's Medical Center of Rhode Island

SOUTH CAROLINA

1. Applesseed Legal Justice Center
2. Safe Harbor
3. Sexual Assault Counseling and Information Service
4. South Carolina Coalition Against Domestic Violence and Sexual Assault

SOUTH DAKOTA

1. South Dakota Coalition Ending Domestic & Sexual Violence
2. Native American Community Board, Lake Andres
3. Native Women's Society of the Great Plains, Timber Lake
4. White Buffalo Calf Woman Society, Mission
5. Wiconi Wawokiya, Inc., Fort Thompson
6. Sisseton-Wahpeton Oyate
7. Oglala Sioux Tribe Victim Services

TENNESSEE

1. Abuse Alternatives, Inc.
2. Local 365
3. Muslim Community of Knoxville
4. National Coalition of 100 Black Women, Chattanooga Chapter
5. Tennessee Citizen Action
6. Tennessee Coalition to End Domestic and Sexual Violence
7. United South and Eastern Tribes, Inc.
8. YWCA Nashville & Middle Tennessee

TEXAS

1. American Gateways
2. Artemis Justice Center
3. Casa de Esperanza
4. Casa de Proyecto Libertad
5. Catholic Charities of Dallas
6. Citizens Against Violence, Inc.
7. Concho Valley Rape Crisis Center
8. Daya Inc.
9. Fort Bend County Women's Center
10. Harris County Domestic Violence Coordinating Council
11. Hospitality House, INC.
12. Human Rights Initiative of North Texas, Inc.
13. Islamic Association of the Mid-Cities
14. Montrose Counseling Center
15. National Council of Jewish Women, Texas State Policy Advocacy Network
16. New Beginning Center
17. North Dallas Chapter of the National Organization for Women
18. Our Lady. Of the Lake University
19. Promise House, Inc.
20. Refugio del Rio Grande
21. SafePlace

22. Sam Houston State University
23. Sexual Assault Resource Center of the Brazos Valley
24. Sun City Democratic Club
25. Sun City/West Valley NOW
26. Texas Council on Family Violence
27. Texas Muslim Women's Foundation
28. The Family Place, Dallas TX
29. Travis County Attorney's Office
30. TX Association Against Sexual Assault
31. Women's Shelter of South Texas
32. YWCA Fort Worth & Tarrant County

U.S. VIRGIN ISLANDS

1. Women's Coalition of St. Croix

UTAH

1. Enriching Utah Coalition
2. Holy Cross Ministries
3. Icarus Group
4. Latin American Chamber of Commerce of Salt Lake City
5. National Council of Jewish Women Utah State Policy Advocacy Chair
6. NCJW, Utah Section
7. PERRETTA LAW OFFICE
8. Salt Lake Family Health Center
9. Utah Assistive Technology Foundation
10. Utah Coalition Against Sexual Assault
11. Utah Domestic Violence Council
12. Utah Women's Lobby
13. West Valley City Victim Services
14. YWCA Salt Lake City

VERMONT

1. Circle—VT
2. Clarina Howard Nichols Center
3. Finding Our Voices
4. RU12 Community Center
5. Vermont Center for Independent Living
6. Vermont Council on Domestic Violence
7. Vermont Legal Aid, Inc.
8. Vermont Network Against Domestic and Sexual Violence
9. Voices Against Violence/Laurie's House

VIRGINIA

1. American Postal Workers Union
2. Center For Behavioral Change, P.C.
3. Domestic Violence Action Center
4. DOVES of Big Bear Valley, Inc
5. Dream Project Inc.
6. Fredericksburg NOW
7. Healthy Mothers Healthy Babies
8. NARAL Pro-Choice Virginia
9. National Organization for Women, Alexandria, VA Chapter
10. National Organization for Women, Virginia Chapter
11. Prince George's Crime Victim's Fund
12. S.H.A.R.E., Inc.
13. Transitions
14. Trinity Episcopal Church
15. Virginia Anti-Violence Project
16. Virginia Sexual and Domestic Violence Action Alliance
17. YWCA Central Virginia
18. YWCA DVPC
19. YWCA Greater Harrisburg

WASHINGTON

1. African Communities Network
2. ALLYSHIP
3. API Chaya
4. Cambodian Women Networking Association
5. Compass Housing Alliance
6. CIELO Project
7. King County Coalition Against Domestic Violence
8. LGO Consulting
9. Local 242
10. Lummi Nation Victims of Crime Program
11. National Council of Jewish Women, Seattle Section
12. National Council of Jewish Women, Washington State Policy Advocacy Chair

13. Navos Mental Health Solutions
14. NCJW Seattle section
15. New Beginnings
16. Northwest Immigrant Rights Project
17. Seattle NOW
18. Support, Advocacy & Resource Center
19. Tacoma Women of Vision NGO
20. WA State National Organization for Women
21. Washington Coalition of Sexual Assault Programs
22. Washington Community Action Network
23. Washington State Coalition Against Domestic Violence
24. Women Spirit Coalition, Olympia
25. YWCA Bellingham
26. YWCA Clark County
27. YWCA Kitsap County
28. YWCA Pierce County
29. YWCA Seattle/King/Snohomish
30. YWCA Spokane
31. YWCA Walla Walla
32. YWCA Yakima
33. Zonta Club of Yakima Valley

WEST VIRGINIA

1. Branches Domestic Violence Shelter, Inc.
2. CHANGE Inc./The Lighthouse
3. CONTACT Huntington
4. Direct Action Welfare Group (DAWG)
5. Family Crisis Intervention Center
6. Family Refuge Center
7. Kanawha County Victim Services Center
8. Northern West Virginia Center for Independent Living
9. Rape & Domestic Violence Information Center, Inc.
10. Rape and Domestic Violence Information Center
11. Shenandoah Women's Center, Inc.
12. West Virginia Citizen Action Group
13. West Virginia Coalition Against Domestic Violence
14. West Virginia Foundation for Rape Information and Services
15. Women's Aid in Crisis
16. WV Coalition Against Domestic Violence
17. WV NOW
18. YWCA Charleston WV
19. YWCA Wheeling

WISCONSIN

1. 9to5 Milwaukee
2. American Indians Against Abuse
3. Asha Family Services, Inc.
4. Beloit Domestic Violence Center
5. Bolton Refuge House, Inc.
6. Bridge to Hope
7. Center Against Sexual & Domestic Abuse, Inc.
8. Citizen Action of Wisconsin
9. Community Immigration Law Center
10. Daystar, Inc.
11. DCY Dubuque Domestic Violence Program
12. Golden House
13. Green Haven Family Advocates
14. Harbor House Domestic Abuse Programs
15. HELP of Door County, Inc.
16. Hmong American Women's Association
17. Hope House of South Central Wisconsin
18. IndependenceFirst
19. Jewish Community Relations Council, Milwaukee Jewish Federation
20. Manitowoc County Domestic Violence Center
21. New Horizons Shelter and Outreach Centers, Inc.
22. People Against Domestic and Sexual Abuse (PADA)
23. People Against Violent Environment

24. Personal Development Center, Inc.
25. Red Cliff Band of Lake Superior Chippewa Indians
26. Red Cliff Family Violence Prevention Program
27. Safe Harbor of Sheboygan County, Inc.
28. Sojourner Family Peace Center
29. St. Agnes Hospital Domestic Violence Program
30. The Bridge to Hope
31. The Women's Center, Inc.
32. Tri-County Council on Domestic Violence and Sexual Assault, Inc.
33. Tri-County Mental Health and Counseling
34. Tri-Valley Haven
35. UNIDOS Against Domestic Violence
36. United Migrant Opportunity Services
37. Uniting Three Fires Against Domestic Violence, Saulte Ste. Marie
38. Wisconsin Coalition Against Domestic Violence
39. Wisconsin Coalition Against Sexual Assault
40. Wisconsin Coalition of Independent Living Centers
41. Wisconsin Community Fund
42. Wisconsin NOW
43. Women and Children's Horizons
44. YWCA Greater Milwaukee
45. YWCA Green Bay
46. YWCA Madison
47. YWCA Rock County
48. YWCA Southeast Wisconsin

WYOMING

1. Gillette Abuse Refuge Foundation
2. Wyoming Coalition Against Domestic Violence and Sexual Assault
3. Sacred Shield dv/sa program

Mrs. McMORRIS RODGERS. Madam Speaker, I am pleased to yield 2 minutes to the chair of the Women's Policy Committee, the gentlelady from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Thank you to my colleague, who has done such a wonderful job on this issue.

I rise today in support of the House substitution to the Violence Against Women Act, and I urge my colleagues in the House to vote "yes" on it as well.

Every now and then here in the House, rather than speaking about issues of cutting budgets and talking about issues that many people don't think affect them directly, we have the distinct opportunity to hold everyone up and to fight for a cause for women, for men, for families, for children. This is one of those times in which we are not necessarily talking about policy but we are talking about people. This is a very, very real issue, and it has strong bipartisan support so that we may move forward on these issues and take this off the table.

However, when we're talking about the Senate version and when we're talking about the House version, in my opinion, the House version is superior to the Senate version because it holds up all people. It does not segment individuals into certain groups and subcategories. It is all-inclusive. Violence across this country is pervasive. Women across this country are in families that they are trying to protect, and they feel the necessity to reach out, and we must help them.

I know there are many in this House who believe that there is not a Federal nexus on this issue. However, let's talk about the times that we might have Internet stalking across State lines. That becomes a Federal nexus. We must protect all victims. We must protect the victims of tribal violence as well, and I believe the House version is superior to the Senate version in that area as well.

Madam Speaker, this is a very, very important issue, and I urge my colleagues to follow along and, again, to vote "yes" on this amendment.

Mr. CONYERS. I am pleased to yield 2 minutes to the former chair of the Subcommittee on the Constitution on the House Judiciary Committee, the gentleman from New York, JERRY NADLER.

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, this bill is about women. It is about our sisters and daughters. It is about combating violence that no human being should ever face—rape, assault, sexual assault, human trafficking.

By offering an amendment that will further delay and even endanger the passage of the bill, Republicans are not just standing up for the men who abuse immigrants or for the men who rape Native Americans; they are delaying justice and counseling and health care and protection for everyone. The Republican amendment would roll back protections for immigrants who are victims of domestic abuse by making it harder to obtain U visas. The new restrictions would deter undocumented immigrants from reporting assaults and from cooperating with police, leaving victims vulnerable.

The bipartisan Senate bill would add sexual orientation and gender identity to the eligibility for grant programs under VAWA, and it would include sexual orientation and gender identity as classes. The Republican amendment, by deleting these provisions, appears to say, if you are gay or lesbian or bisexual or transgender, it's okay to beat you up, that VAWA will not help you. This is the Republican idea of equality in the 21st century.

□ 1100

Approval of the Republican amendment would delay the bill for weeks or months, or even kill the bill altogether, as it did in the last Congress. I hope that is not the true motive behind the amendment. However, the fact that Republicans in Congress have been waging a war on women from the moment they took over control of the House does make you wonder.

It is time to reject this cynical ploy and pass the Senate's bipartisan Violence Against Women Act reauthorization now without amendment. I ask my colleagues to join me in voting against the Republican amendment and for the

Senate bill. We don't need a retrogressive House bill that goes back on existing protections and endangers passage of any bill. The Senate did a fine job on a bipartisan basis. We should pass its bill without delay and not engage in partisan retrogressive conduct.

FRIENDS OF VAWA COALITION CALLS ON THE HOUSE TO DEFEAT THE SUBSTITUTE TO S. 47 AND PASS THE BIPARTISAN SENATE BILL

WASHINGTON, DC—The 73 undersigned national organizations issued the following statement opposing the House Republican substitute for the bipartisan Senate bill (S. 47), Violence Against Women Act (VAWA), which includes provisions to protect vulnerable communities, including Native American women, college students, and LGBT individuals:

The House Republican Leadership's bill puts a barrier to the protection of victims of domestic violence, dating violence, sexual assault, and stalking. Conversely, the Senate version of VAWA, which was adopted with strong bipartisan support (78-22), addresses gaps in current service programs that left Native American women, college students, LGBT individuals, and other vulnerable groups without vital protections.

Today, House Republican Leadership will offer a substitute to the bipartisan Senate version of VAWA (S. 47), eliminating these important provisions and weakening the Office of Violence Against Women. These omissions deny critical services to many victims and reinforce the perception of the Republican Party as hostile to the needs of women, college students, LGBT persons, and communities of color. The House substitute:

Limits the authority S. 47 provides to tribal authorities to prosecute non-tribal members who commit domestic violence or sexual assault crimes on tribal land. This makes it more difficult for Native American women to hold their abusers accountable. Native Americans are disproportionately affected by dating violence, sexual assault, and stalking.

Eliminates provisions of the Senate bill that would require colleges and universities to keep students safe and informed about policies on sexual assault and enhance programs that help to prevent and combat sexual violence on college campuses.

Drops the anti-discrimination provisions from S. 47, which were designed to ensure that LGBT victims receive the services they need regardless of their gender identity or sexual orientation. Studies have shown that LGBT individuals are victims of domestic and sexual violence at equal or greater levels than the rest of the population.

Even in today's polarized political climate, we should at least be able to agree that when we send our daughters and sons to college, they should be protected from stalking, date rape and sexual assault; that one-third of tribal women who have been the victims of rape or domestic abuse should have equal access to justice no matter who the perpetrator is; and, that domestic violence is still violence regardless of gender identity or sexual orientation.

It is critical that Representatives reject the exclusionary substitute bill and support passage of the bipartisan Senate bill. If you have any questions, please contact Nancy Zirkin, Executive Vice-President, The Leadership Conference on Civil and Human Rights, at 202-263-2880 zirkin@civilrights.org or Sakira Cook, Senior Policy Associate, The Leadership Conference on Civil and Human Rights, at 202-263-2894 or

cook@civilrights.org or Norma Gattsek, Director of Government Relations, Feminist Majority at ngattsekgfeministorg or 703-522-2214.

AFL-CIO, African American Ministers in Action (AAMA), Alaska Federation of Natives, American Association for Affirmative Action (AAAA), American Association of People with Disabilities (AAPD), American Association of University Women (AAUW), American Federation of Government Employees, (AFL-CIO), American Federation of Teachers, (AFL-CIO), Asian Pacific Islander Institute on Domestic Violence, Black Women's Health Imperative, Break the Cycle, Casa de Esperanza: National Latino Network for Healthy Families and Communities, Catholics for Choice, Center for Reproductive Rights, Coalition of Labor Union Women, Communications Workers of America, (AFL-CIO), Community Action Partnership, Disability Rights Education and Defense Fund (DREDF), Ecumenical Advocacy Days for Global Peace with Justice, Enterprising and Professional Women—USA.

Equal Justice Society, Federation of American Women's Clubs Overseas (FAWCO), Feminist Majority, GLMA: Health Professionals Advancing LGBT Equality, GlobalSolutions.org, Human Rights Campaign, Institute for Science and Human Values, Inc., International Community Corrections Association (ICCA), International Convocation of Unitarian Universalist Women, International Union, (UAW), Lawyers' Committee For Civil Rights Under Law, Media Equity Collaborative, Methodist Federation for Social Action, Metropolitan Community Churches, Mexican American Legal Defense and Education Fund (MALDEF), National Asian Pacific American Women's Forum, National Association of Social Workers, National Black Justice Coalition, National Coalition Against Domestic Violence, National Coalition of Anti-Violence Programs.

National Congress of American Indians, National Council of Jewish Women, National Council on Independent Living, National Gay and Lesbian Task Force Action Fund, National Immigration Law Center, National Latina Institute for Reproductive Health, National Legal Aid and Defender Association, National Organization for Women, National Partnership for Women & Families, National Women's Law Center, People For the American Way, Sargent Shriver National Center on Poverty Law, Service Women's Action Network (SWAN), South Asian Americans Leading Together (SAALT), The Leadership Conference on Civil and Human Rights, The National Coalition of 100 Black Women, Inc., The National Conference of Puerto Rican Women, Inc.

The Religious Institute, The United Methodist Church, (General Board of Church & Society), Ultra Violet, Unitarian Universalist Association, United Methodist Women, US Human Rights Network, US National Committee for UN Women, V-Day, WestCare Foundation, Wider Opportunities for Women, Women Enabled, Inc., Women's Action for New Directions (WAND), Women's Environment and Development Organization (WEDO), Women's International League for Peace and Freedom, (U.S. Section), Women's Law Project, YWCA USA.

THE LEADERSHIP CONFERENCE,
ON CIVIL AND HUMAN RIGHTS,
Washington, DC, February 25, 2013.

VOTE NO ON HOUSE SUBSTITUTE FOR S. 47; IT FAILS TO PROTECT ALL VICTIMS OF DOMESTIC VIOLENCE

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human

Rights, a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States, we urge you to oppose the House substitute for S.47, the Violence Against Women Reauthorization Act (VAWA), because it fails to protect all victims of domestic violence. The Leadership Conference strongly believes that protecting all who suffer domestic violence, dating violence, sexual assault, or stalking is a fundamental civil and human right, and therefore we intend to score this vote in our Congressional Voting Record for the 113th Congress.

The Violence Against Women Act (VAWA), which was adopted in the Senate with strong bipartisan support (78–22), addresses gaps in current service programs that left lesbian, gay, and transgender people, Native American women, and other underserved and vulnerable groups without vital services or protections. The need to address these gaps has been recognized by law enforcement officers, victim service providers, and health care professionals. While government reports document that the annual incidence of domestic violence has decreased by 63 percent, it is still unacceptable that in the United States 24 people become victims of rape, physical violence or stalking by an intimate partner in the United States every minute.

Yet the House substitute for S.47 eliminates important provisions in the bipartisan Senate bill, thereby denying services to many victims of domestic violence. Despite the well-documented unacceptably high rates of domestic violence on tribal lands, the House substitute does not include adequate provisions to make it easier for Native American women to obtain orders of protection from abusers. In addition, the House substitute drops the anti-discrimination provisions that would ensure access to services for LGBT survivors of domestic violence, sexual assault, stalking, and dating violence. Finally, the House bill eliminates specific protections for victims of violence on college campuses, where we know high incidences of dating violence, sexual assault, and stalking occur.

The Leadership Conference believes that every battered person deserves protection, regardless of the victim's race, sex, sexual orientation, or gender identity. Therefore, we urge you to vote against the House substitute for S.47 and to ask House leaders to bring the bipartisan Senate-passed VAWA Reauthorization to the floor. If you have any questions, please feel free to contact Sakira Cook at 202-263-2894 or cook@civilrights.org. Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

[From The Leadership Conference on Civil and Human Rights, Feb. 25, 2013]

CIVIL AND HUMAN RIGHTS COALITION CALLS REPUBLICAN VAWA PROPOSAL "NOTHING LESS THAN SHAMEFUL"

(By Nancy Zirkon, Executive Vice President)

"The determination of the House Republican leadership to block an inclusive, bipartisan Violence Against Women Act in favor of a narrow partisan bill that fails to protect all victims of domestic violence is nothing less than shameful.

The Republican leadership's proposal leaves out updates to VAWA that protect college students, American Indians, LGBT people, and other underserved groups vulnerable to domestic violence and sexual assault

Victims' advocates flat-out reject this proposal.

Even in today's polarized political climate, we should at least be able to agree that when we send our daughters and sons to college, they should be protected from stalking, violence, date rape, and sexual assault; that one-third of tribal women who have been the victims of rape or domestic abuse should have equal access to justice no matter where the perpetrator lives; and that domestic violence is still violence regardless of gender identity or sexual orientation. The House should stop holding victims hostage.

It's time for the House to stop playing politics with victims' lives and pass the Senate version of VAWA.

[From the New York City Anti-Violence Project, Feb. 22, 2013]

THE HOUSE OF REPRESENTATIVES'S INTRODUCTION OF THE VIOLENCE AGAINST WOMEN ACT
(By Sharon Stapel, Executive Director)

Today the House introduced a version of the Violence Against Women Act (VAWA) which stripped the language that would protect LGBT survivors of intimate partner and sexual violence and that was included in S. 47, the inclusive, bipartisan Senate bill that was overwhelmingly passed on February 12th. Leaving LGBT survivors of violence behind is an unacceptable response to the real violence that LGBT people face every day.

The CDC and the National Coalition of Anti-Violence Programs have found that LGBT people experience intimate partner and sexual violence at the same or higher rates as other communities. Yet 94% of service providers, including law enforcement, throughout the United States report that they do not have LGBT specific services available. These studies demonstrate the real need of LGBT survivors and the lack of resources available to meet that need.

The House bill does not protect LGBT people from discrimination by a service provider nor does it specifically include services to LGBT people as an underserved population. While the House bill does make VAWA gender neutral, this does not address the needs of LGBT survivors of violence who experience violence specific to their sexual orientation and gender identity and not just their gender. For example, one lesbian was asked to leave a domestic violence support group not because she was a woman but because, as the program told her, she "did not fit in" as a lesbian.

The Senate bill provisions are urgently needed to provide actual resources to LGBT survivors. VAWA is our nation's response to domestic and sexual violence and must include all survivors. We cannot pick and choose which victims deserve help through VAWA. Congress must pass a bill that includes all survivors of violence, including LGBT survivors, and they must do so now.

[From the National Congress of American Indians, Feb. 25, 2013]

TELL THE HOUSE OF REPRESENTATIVES THE HOUSE LEADERSHIP VAWA BILL DOES NOT MEET THE NEEDS OF INDIAN COUNTRY

On Friday, House leadership filed legislation which it intends to consider on Wednesday. Unfortunately, this legislation would change the strong bipartisan Senate-passed version of the bill, S. 47—the Violence Against Women Reauthorization Act of 2013—in key areas, which roll back current law and take a defendant-based protection approach to address a serious epidemic of unfettered domestic abuse on Indian reserva-

tions. NCAI released a statement in opposition to the proposed House language this past Friday.

The solution is simple. We need tribal leaders and advocates to make their voices heard, and tell Congress that 'Sovereignty is the solution; not the problem' and that tribes simply need jurisdiction to protect women. Also, tell them—if a House compromise must be made, the sensible solution is H.R. 780, which was recently introduced by Congressman Darrell Issa (R-CA49) and appropriately balances defendants' rights with the urgent need to protect Native women from unfettered violence (See Sensible Solution for House Leadership section below for more on H.R. 780).

THE HOUSE LEADERSHIP BILL ROLLS BACK CURRENT LAW

The recently proposed language from the House would roll back current law regarding tribal courts' protection order jurisdiction. Currently, this is the only local and effective recourse Native women victims of violence arguably have against non-Indian perpetrators.

The 2000 VAWA Reauthorization included language which made it clear that every Indian tribe had full civil authority to issue and enforce protection orders against all individuals.

The proposed language in the House would restrict this jurisdiction significantly. Tribes would need to seek certification through the Attorney General to exercise this civil authority, and then the tribe would only retain the authority to issue protection orders over non-Indians if: they live or work on the reservation; or if they are, or have been, in an intimate relationship with a tribal member. This last requirement adds an unjust and unnecessary burden of proof to victims seeking immediate assistance from their local courts.

Also, the law—as drafted—would subject Indian tribes to federal statutes meant to apply to States, including numerous processes and procedures, which would apply on top of the tribal courts own practices and procedures (for specific examples, see discussion below). This additional layer of processes and procedures will inevitably serve to frustrate justice in tribal courts, which are already subject to a strong and proven federal framework: the Indian Civil Rights Act of 1968.

THE PROPOSED HOUSE SPECIAL DOMESTIC VIOLENCE JURISDICTION IS UNWORKABLE AND WOULD FRUSTRATE JUSTICE IN TRIBAL COURTS

Further, while the Senate bill recognizes an Indian tribe's self-governance authority to protect Native women victims of violence, it adds additional protections for non-Indian defendants. Unfortunately, while the House bill offers unworkable federal oversight of tribal courts.

The recently proposed House legislation would add:

A certification process by the Attorney General's Office for tribes to exercise this 'special domestic violence jurisdiction' over non-Indians, even though the Department of Justice already drafted the bipartisan-passed Senate version of the bill;

A 1-year sentencing limitation on tribal courts for crimes covered under the Act, even where the same crime—if prosecuted in federal court—would require harsher sentencing;

A federal removal provision that may be exercised by either the defendant or a United States Attorney, and subjects tribes to the same procedures and processes as states;

A different set of Habeus Corpus guidelines, outside of the Indian Civil Rights Act, to abide by as States;

An interlocutory appeal process, as well as a direct review of the final judgment;

A right for tribes to be sued, which will provide even more opportunities for perpetrators to abuse tribal court systems; and
A duty for the Attorney General to appoint not less than 10 qualified tribal prosecutors as special prosecutors, with a preference given to Indian tribes that are not exercising this special domestic violence jurisdiction.

Time and time again, Indian tribes have proven that they are most efficient when they operate their own governance. The current Administration has continued a strong policy towards self-determination and self-governance, and Congress should not sway from this policy now.

THE SENSIBLE SOLUTION FOR HOUSE LEADERSHIP

Two weeks ago, Congressman Darrell Issa (R-CA49) introduced H.R. 780, which is a sensible solution to the concerns expressed by House Leadership. Currently, this bill continues to receive support from House membership. This bill would take the bipartisan-passed Senate bill, which provides a full panoply of protections for defendants, and add one additional measure—the right for the defendant to remove his case to federal court, upon a showing that the tribal court violated one of these protections.

In this manner, the Indian tribe retains jurisdiction, pledges to carry out justice in a manner consistent with state courts, and avoid undue judicial delay in administering justice for Native women victims of violence.

This Issa/Cole bill is the sensible solution because it begins with the question: 'How does Congress protect Native women?' and answers it in a sensible manner; rather than the alternative question, 'How does Congress protect alleged domestic abusers that evade prosecution because they abuse Indians on the reservation?'

Please call your representatives in Congress and tell them you oppose the proposed House substitute for S. 47 and urge them to support H.R. 780 as the House compromise to the Senate bill. It is the sensible approach that recognizes tribal self-governance and protects Native women, while appropriately balancing defendants' rights.

Mrs. McMORRIS RODGERS. Madam Speaker, I reserve my time.

Mr. CONYERS. Madam Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a senior Member of the House Judiciary Committee.

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman very much, and I thank the gentlelady, Congresswoman MOORE, for her leadership, and thank her for bringing reality to this day. For the last 18 years, we have had the cover of the Violence Against Women Act, and I was glad to be here in the reauthorization timeframe. But I am also very glad to claim that the amendment that was offered by Congresswoman MOORE and CONYERS and SLAUGHTER and myself in the Rules Committee prevailed, for we, in fact, introduced the Senate bill. But the leadership of the House, as it relates to the Democratic Members, was strong because we introduced a bill just like it.

But let me tell you what is happening with the legislation from the House side. The substitute is fuzzy legislation. It is almost as if you name your son and daughter Jane and John, but you starting calling them girl and boy. You take away the definitiveness of who they are.

Just a couple of months before, one of the coeds, a young college student, a young woman college student at the University of Virginia was murdered by her boyfriend. And so in the bill that we want to see passed, the Senate bill, we have protections for college students. We have definitive protection for Native American women, many of whom are married to non-Native Americans, and many times those cases are not prosecuted.

And so you cannot expect the U.S. Attorney to follow fuzzy legislation. You have to define that they have the jurisdiction to prosecute these cases.

With respect to immigrant women, isn't it ridiculous that you must contact the abuser and get the corroboration of the abuser. What does that say to that immigrant woman who needs to tell what is happening to her, how she is being held hostage because of her immigrant or nonimmigrant status.

I say to you that every 9 seconds a woman in the United States is assaulted or beaten by stalkers or her partner. Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners even though we've made great strides in improving it under the Violence Against Women Act. One in five women have been raped in their lifetime. Four women have been the victim of severe physical violence.

We need the Senate compromise. We need the Senate bipartisan bill. Don't vote for fuzzy legislation.

Madam Speaker, I rise in opposition to the Republican Substitute for S. 47, the so-called Violence Against Women's Reauthorization put forth by my House colleagues on the other side.

This is essentially a closed-rule on a bill that for nearly two decades has been bipartisan and non-controversial. Today, the majority stands ready to ram a stripped-down version of VAWA down the throats of the American people. Unfortunately, the bipartisan version passed by the Senate with a vote of 78–22, including all of the women in the Senate, will not even see a vote in this body.

It would have been logical, expedient, and sensible if the Majority had simply taken up the Moore-Conyers-Slaughter-Jackson Lee VAWA amendment, which is a comprehensive update to the successful law which offers protections for all victims of violence. Out amendment is the Senate-passed version which on behalf of Congressman CONYERS and many of our colleagues on the Judiciary Committee, I put forth the case to take up this Senate version.

Over the last 18 years, VAWA has provided life-saving assistance to hundreds of thousands of women, men, and children. Originally

passed by Congress in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994, this landmark bipartisan legislation was enacted in response to the prevalence of domestic and sexual violence and the significant impact that such violence has on the lives of women.

Today, as I stand on the Floor of the House, I realize that the majority has made some changes to the Senate-passed bill—that point to a disturbing pattern since the tenor, tone, and overall thrust of this bill looks like a repeat of H.R. 4970, which we passed last year.

This Act offered a comprehensive approach to reducing this violence and marked a national commitment to reverse the legacy of laws and social norms that served to excuse, and even justify, violence against women.

Originally championed by then-Senator JOSEPH BIDEN and Judiciary Committee Representative JOHN CONYERS, Jr., the original VAWA was supported by a broad coalition of experts and advocates including law enforcement officers, prosecutors, judges, victim service providers, faith leaders, health care professionals, and survivors. The law has since been reauthorized two times—in 2000 and 2005—with strong bipartisan approval in Congress and with overwhelming support from states and local communities.

If I were an outside commentator looking in, I'd be pressed to ask what Frankenstein Monster has overtaken the 112th Congress to the point that we cannot even pass this previously bipartisan bill without resorting to partisan posturing. I ask you who would be against giving protections to our most vulnerable.

Just last month a co-ed at the venerable University of Virginia, my alma mater was convicted of murdering his girlfriend. This hits close to home. As well as Yvette Cade, who had acid poured over her face by an irate ex-husband. As well as the murder of Annie Le at Harvard University. And unfortunately, I could go on and on. These women were white, black, and Asian, living in different cities under different circumstances. They had one common denominator: victims of abject and perverse violence. Lives destroyed because of men-at-large.

With each reauthorization, VAWA has been improved in meaningful ways to reflect a growing understanding of how best to meet the varied and changing needs of survivors.

Among other significant changes, the reauthorization of VAWA in 2000 improved the law with respect to the needs of battered immigrants, older victims, and victims with disabilities.

The continuation and improvement of these programs is critical to maintaining the significant progress made in increased reporting and decreased deaths during the time VAWA has been in effect.

Unfortunately, this version of S. 47 weakens vital improvements contained in the recently passed Senate VAWA bill, including provisions designed to increase the safety of Native American women and LGBTW victims. Further, S. 47 actually includes damaging provisions that roll back years of progress to protect the safety of immigrant victims.

Specifically, H.R. 4970 will create obstacles for immigrant victims seeking to report crimes and increase danger for immigrant victims by

eliminating important confidentiality protections.

When millions of women and men need the protections and services it includes. Since it first became law in 1994, millions have benefited from VAWA.

VAWA is working, while rates of domestic violence have dropped by over 50 percent in the past 18 years. There remains a lot of work to be done, still have a lot of work ahead of us.

In December, the Centers for Disease Control and Prevention (CDC) released the first National Intimate Partner and Sexual Violence Survey (NISVS), which found:

1 in 5 women have been raped in their lifetime and 1 in 4 women have been the victim of severe physical violence by a partner;

Over 80% of women who were victimized experienced significant short-term and long-term impacts related to the violence and were more likely to experience Post-Traumatic Stress Disorder and long-term chronic diseases such as asthma and diabetes.

Every nine seconds a woman in the United States is assaulted or beaten by stalkers or her partner.

Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners, often after a long, escalating pattern of battering.

In 2009, 111 women were killed by their former or current husband, intimate partner or boyfriend in the State of Texas.

Domestic violence is the leading cause of injury for women in America.

According to a study, there are more victims of domestic violence than victims of rape, mugging and automobile accidents combined. VAWA was designed to address these gruesome statistics.

VAWA established the National Domestic Violence Hotline, which receives over 22,000 calls each month. VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel each year.

This landmark legislation sent the message that violence against women is a crime and will not be tolerated.

States are taking violence against women more seriously and all states now have stalking laws, criminal sanctions for violation of civil protection orders, and reforms that make date or spousal rape as serious of a crime as stranger rape.

Moore-Conyers-Slaughter-Jackson Lee VAWA amendment to S. 47—Representative MOORE's VAWA reauthorization bill is an excellent companion to the Senate-passed version. Why are we not discussing this legislation—using it as a launching point to get where we need to go.

Destroying VAWA Confidentiality. Since 1996, VAWA has contained strong confidentiality provisions to protect victims and prevent abusers from using the immigration system against their victims. When this Committee expanded those protections to trafficking victims in 2005, Chairman SENSENBRENNER's report noted the importance of preventing abusers from "using DHS to obtain information about their victims, including the existence of a VAWA immigration petition" and preventing agents from "initiat[ing] contact with abusers." This bill destroys confidentiality by authorizing

immigration agents to contact abusers and tip them off to victims' efforts to leave. This puts domestic violence victims at risk of severe retaliation and makes it far less likely that they will seek protection in the first place.

Requiring the Consideration of Uncorroborated Abuser Statements. It is well-established that abusers will say and do almost anything to prevent a victim from seeking protection or corroborating with law enforcement. As the 2005 Committee report makes clear, abusers often "interfer[e] with or undermin[e] their victims' immigration cases, and encourag[e] immigration enforcement officers to pursue removal actions against their victims."

For this reason, the Committee specifically allowed DHS to consider evidence presented by abusers, but only if corroborated. The Cantor/Adams bill would now undo that protection and require agents to consider uncorroborated statements, even though abusers have every incentive to lie. This will delay or deny protection, essentially giving abusers veto authority over certain victims.

The Jackson Lee amendment will reauthorize the Debbie Smith DNA Backlog Grant Program through 2017. The program has been effective in reducing rape kit backlogs and would help law enforcement better collect and use evidence in sexual assault cases, and help all levels of the criminal justice system work together to ensure that rape kits are tested. In addition, my amendment increases the percentage of grant funds available for use in testing the backlog of rape kits from 40 percent to 70 percent.

As many of my colleagues will recall, we considered this issue in May of 2010 in response to widespread reports in the media of backlogs. This is simply unacceptable.

Consider the fact that in the time it will take for us to conduct this hearing, 60 individuals in the United States will be sexually assaulted.

The Violence Against Women reauthorization contains many of the provisions that make important changes to the current law, such as consolidating duplicative programs and streamlining others; providing greater flexibility for how communities utilize resources; and including new training requirements for people providing legal assistance to victims.

While the amendment wasn't included in the final Senate version of the VAWA reauthorization bill, or the House version which passed out of the Judiciary Committee last week, it was endorsed by the National Task Force to End Sexual and Domestic Violence which represents over 1,000 organizations across the nation.

Over the past three years, a series of embarrassing investigations into major police departments in Texas and other cities around the country revealed an appallingly large backlog of untested rape kits. Backlogs of thousands of untested kits have made headlines in Houston, San Antonio, Fort Worth and Dallas, prompting efforts in those cities to finally test the evidence.

Last year, the Texas Legislature passed a law—Senate Bill 1636, authored by Democratic Sen. Wendy Davis of Fort Worth—to mandate examination of evidence from rape cases statewide, requiring even the smallest law enforcement agencies to report how many

rape kits they've left untested, then submit them to a crime lab.

These being lean times in Texas, the Legislature passed the bill without allocating new funding to the cause. It's up to crime labs and police departments to raise money to test the old evidence. "One of the solutions offered by 1636 is that we'd get a complete picture," says Torie Camp, deputy director of the Texas Association Against Sexual Assault. Law enforcement agencies were required to report their rape kit backlogs to the Department of Public Safety (DPS) by mid-October of last year. That hasn't happened.

DPS records obtained by the Observer show that as of January 23—three months after the deadline—just 86 of the state's 2,647 law enforcement agencies had reported their backlogs.

As many of us know, rape kit collection and testing is important in moving cases through the criminal justice system. Approximately 200,000 incidents of rape are reportedly in the United States annually. A vast majority of these sexual assault victims consent and undertake medical examination immediately following the attack, thus enabling hospital/clinic personnel and police officers to collect evidence for a rape kit.

Studies have repeatedly shown that incidents where rape kit collections contain DNA are more likely to move forward in the criminal justice system than cases where no rape kit is collected. Testing the evidence collected in these rape kits enable officers to identify the attacker, confirm that sexual contact occurred between a suspect and a victim, corroborate the victim's account of the sexual assault, and exonerate innocent suspects.

Testing the evidence collected in the rape kits also helps prosecutors in deciding whether to pursue a case and likewise, help juries in deciding whether to convict an alleged perpetrator. While national statistics have not confirmed the exact number of untested rape kits, it is estimated that approximately 180,000 of these rape kits remain untested.

Two years ago I met with one of our witnesses at the Crime Subcommittee Hearing on Rape Kit Backlogs, Ms. Valeria Neumann, a 24 year old young woman who was the victim of rape nearly four years ago. During our meeting, Ms. Neumann informed me that although a rape kit was performed the same night that she reported the incident, the rape kit has never been tested.

According to Ms. Neumann, the prosecutor in the case has not brought an action against her alleged perpetrator after questioning him, even though crucial evidence could have been obtained had the rape kit been processed. When considered in light of the glaring statistics, Ms. Neumann's story seems all too common.

According to a Human Rights Watch research, the United States boast an estimated 400,000 to 500,000 untested rape kits which are sitting in police storage facilities and crime labs across the nation. Mister Chairman, untested rape kits represent lost justice for rape victims and a potential threat to public safety and society in general. The United States has repeatedly implemented several legislative initiatives aimed at bringing the rape kit backlog to an end.

FEBRUARY 25, 2013.

We began with the Edward Byrne Memorial Justice Assistance Grant Program, followed by the Debbie Smith Act. We then transitioned to the Justice for Survivors of Sexual Assault Act. In spite of these measures, I believe that the United States can do a better job of providing redress for victims, bringing offenders to justice and protecting society from future and/or reoccurring crimes of rape.

Several preliminary initiatives can be implemented toward this goal of eliminating rape kit backlog. First, recognizing that rape has the lowest reporting, arrest and prosecution rates of all violent crime in the U.S., I believe that the revolution in DNA technology could move many of these rape cases forward in the criminal justice system.

I urge my colleagues to reject this flawed bill and call upon this body to work with the Senate to pass bipartisan legislation that helps women—and does not go back on decades of work.

VAWA was created because Congress recognized that immigration was being used as a weapon by abusers. S. 47 would return that weapon to abusers. H.R. 4970 would roll back years of progress and bi-partisan commitment on the part of Congress to protect vulnerable immigrant victims of domestic violence, stalking, sex crimes, other serious crimes, and trafficking. H.R. 4970 would place victims of domestic violence in danger, deter victims of crime from cooperating with law enforcement, and hold victims of abuse to a higher standard than other applicants for immigration benefits. In short, H.R. 4970 denies victims protection and even helps perpetrate the very abuse from which they are seeking to escape.

S. 47 would place immigrant victims of domestic violence who seek lawful status in the U.S. at risk. VAWA “self-petitioning” was created in 1994 to assist immigrant victims of domestic violence obtain status on their own when their U.S. citizen and lawful permanent resident spouses, as part of the abuse, refused to petition for them. H.R. 4970 would roll back these protections.

Section 801 permits the abuser to manipulate the victim’s immigration process by allowing USCIS to seek input from the abuser as part of the VAWA self-petition process. Commonly, abusers resort to more violence when they learn that victims have sought protection from law enforcement. H.R. 4970 would put the lives of victims in even greater jeopardy.

S. 47 creates extra hurdles for victims to jump through, making lawful status even more difficult for victims to attain. Section 801 of H.R. 4970 would make it more difficult for victims of abuse to obtain lawful status by requiring VAWA applicants to establish their eligibility for lawful status by “clear and convincing” evidence—a higher standard than most other applicants applying for relief before USCIS.

Many domestic violence victims have been waiting for lawful status for years because their abusers refused to file spousal visa petitions for them, using control over the victims’ immigration status as a tool of abuse. The VAWA self-petition process was created to provide victims with a means of obtaining the status for which they were eligible under the law and which they would have obtained but for the abuse. Section 801 establishes an un-

necessarily high standard that will deprive many victims of protection.

S. 47 would punish victims more harshly than other applicants for providing incorrect information, regardless of intent or knowledge. (Section 801) The INA already makes someone ineligible for relief if they commit fraud or willfully misrepresent a material fact when seeking an immigrant benefit. However, under the guise of fraud prevention, H.R. 4970 would go much further by requiring the removal, on an expedited basis, of a victim where there is any evidence of any material misrepresentation at any point during the process, regardless of whether the victim had any intent to defraud the government. H.R. 4970 would also permanently bar the immigrant from any future immigrant status, without any possibility of a waiver. Finally, H.R. 4970 would require that these applicants be referred to the FBI for criminal prosecution. Thus, an innocent mistake by a victim when completing the application could result in victims and their children being subject to expedited removal and permanently barred from the U.S.

S. 47 would unduly restrict U-visas and undermine the safety of our communities. (Section 802) Currently, to obtain a U-visa (for victims of serious crime), a federal, state, or local law enforcement officer must certify that the applicant has, is, or is likely to be helpful in investigation or prosecuting the crime perpetrated against them. H.R. 4970 would restrict law enforcement agency certification only to victims who reported the crime within 60 days. Many victims of crimes—especially victims of sexual abuse, child abuse, and rape—are too traumatized or too afraid to come forward immediately. A 60-day time limit for reporting crimes would silence many immigrant victims. H.R. 4970 would deprive victims of protection, discourage them from reporting crimes, and make all of us less safe.

S. 47 would deny victims the opportunity to apply for a green card. In 2000, the “U” Visa was created as part of VAWA to encourage vulnerable victims of particularly serious crimes to come forward and report those crimes by removing the fear that they, rather than the perpetrator, would wind up in immigration detention or deported. When victims of crimes are afraid to go to the police, we are all less safe. H.R. 4970 would undermine the U-visa process by making the U-visa only temporary, with no eligibility to apply for future lawful permanent residence status.

The S. 47 Republican substitute retains a few of the helpful provisions included in S. 1925. These include:

Permitting children of VAWA self-petitioners to obtain derivative status if the petitioner passes away during the application process;

Eliminating the public charge ground of inadmissibility for VAWA self-petitioners and U-visa holders.

Age-out protections for children of U-visa holders who were under 21 at the time that the parent applied for U-visa status and age-out protections for U-visa holders who were minors at the time of application for U-visa status so that their relatives can still join them.

I call on the Members of the House to vote down this nefarious, ill-conceived piece of legislation.

Re: Opposition to House Substitute to VAWA Reauthorization.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary
House of Representatives, Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: I write on behalf of the — Tribe to voice our strong opposition to the House of Representatives proposed Amendment in the Nature of a Substitute to the Senate-passed S. 47, the Violence Against Women Reauthorization Act (VAWA). The House VAWA Substitute would only serve to aggravate the onslaught of violence that Native women suffer on a daily basis. The House Substitute would remove the ONLY tool available to tribes to stop non-Native abuse, further complicate the maze of injustice that exists on Indian lands, and exacerbate the epidemic of violence against Native women.

The current justice system in place on Indian lands handcuffs the local tribal justice system. As a result, some non-Native men, target Indian reservations for their crimes, and hide behind these loopholes in federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

The result: nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 would crack down on reservation domestic violence at the early stages before violence escalates.

The problem of violence against Native women is longstanding and broad, extending beyond domestic violence to gang violence and infiltration of drug trafficking organizations. However, the proposals included in S. 47 are well-reasoned and limited in scope. They extend only to reservation-based crimes of domestic and dating violence that involve individuals who work or live on an Indian reservation or who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

The House VAWA Substitute rejects the bipartisan and narrowly tailored approach adopted by the Senate. The most offensive provision in the House Substitute would remove the ONLY tool currently available to tribal governments: the ability to issue and enforce civil orders of protection against non-Native men who abuse Indian women. The House Substitute irresponsibly cuts back on this existing authority.

Instead of focusing on the protection of Native women, the House Substitute focuses on protections for suspects of abuse. The House Substitute establishes seven (7) avenues of appeal for suspects of abuse to challenge their prosecution; limits punishment

of non-Indian offenders convicted of domestic violence to misdemeanor level punishment, regardless of how savage the beating or their status as a repeat offender; and authorizes suspects of abuse to bring lawsuits against tribal law enforcement—which will only serve to further deter protection of Native women.

The gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. The bipartisan Senate-passed VAWA bill, takes reasonable well-tailored measures to fill the gap in local authority. Conversely, the House Substitute would cut back on existing protections and aggravate the epidemic of violence that Native women face on a daily basis. We urge you to oppose the House VAWA Substitute and restore the Senate-passed provisions in Title IX of the House VAWA Reauthorization.

Sincerely,

SUSANVILLE INDIAN RANCHERIA,
Susanville, CA, February 25, 2013.

Re: Opposition to House Substitute to VAWA Reauthorization.

Hon. BOB GOODLATTE, Chairman,
House Committee on the Judiciary, House of Representatives, Washington, DC.

Hon. JOHN CONYERS, Ranking Member,
House Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: I write on behalf of the Susanville Indian Rancheria to voice our strong opposition to the House of Representatives proposed Amendment in the Nature of a Substitute to the Senate-passed S. 47, the Violence Against Women Reauthorization Act (VAWA). The House VAWA Substitute would only serve to aggravate the onslaught of violence that Native women suffer on a daily basis. The House Substitute would remove the ONLY tool available to tribes to stop non-Native abuse, further complicate the maze of injustice that exists on Indian lands, and exacerbate the epidemic of violence against Native women.

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The gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. The bipartisan Senate-passed VAWA bill, takes reasonable well-tailored measures to fill the gap in local authority. Conversely, the House Substitute would cut back on existing protections and aggravate the epidemic of violence that Native women face on a daily basis. We urge you to oppose the House VAWA Substitute and restore the Senate-passed provisions in Title IX of the House VAWA Reauthorization.

Sincerely,

MR. STACY DIXON,
Tribal Chairman.

HUMAN RIGHTS CAMPAIGN,
Washington, DC, February 27, 2013.

DEAR REPRESENTATIVE: Today and tomorrow, the House is scheduled to consider the Violence Against Women Act (VAWA) reauthorization bill (S. 47). The Human Rights Campaign (HRC) urges Members to vote YES on the Rule, vote NO on the Amendment in the Nature of a Substitute, and vote YES on final passage.

HRC strongly opposes this partisan substitute amendment which is fundamentally flawed and ignores key priorities identified by service providers and victim advocates. This will be a key vote.

Over more than two years, more than 2,000 advocates responded to surveys and national conference calls to identify the most pressing issues facing victims of domestic violence. Local programs, state and federal grant administrators, national resource centers and others weighed in on the needs of victims. As a result of this deep dive into the existing gaps in the current VAWA, it became clear that LGBT victims of domestic violence were not receiving the services they needed—even though they experience domestic violence at roughly the same rate as all other victims. LGBT victims faced discrimination based on their sexual orientation and gender identity when they sought refuge from abuse. They were turned away from service providers, laughed at by law enforcement and struggled to get protective orders

from judges. Often they were left without any option but to return to their abuser.

Earlier this month, in a strong bi-partisan vote of 78-22, the Senate stood above politics and passed a VAWA bill that takes into account the lessons learned from VAWA stakeholders. The Senate bill includes three important provisions that ensure services for LGBT victims of domestic violence are explicitly included in key VAWA grant programs and prohibit any program or activity funded by the bill from discriminating against a victim based on their actual or perceived sexual orientation or gender identity. The House substitute VAWA eliminates these provisions, as well as many other critical provisions in the Senate bill.

The House should reject the partisan substitute amendment and pass a bipartisan VAWA reauthorization bill that reflects the priorities from law enforcement, court, prosecution, legal services, and victim services professionals from across the country.

If you have any questions or need more information, please don't hesitate to contact me at 202-216-1515 or Allison.Herwitz@hrc.org, David Stacy, Deputy Legislative Director, at 202-572-8959 or David.Stacy@hrc.org, or Ty Cobb, Senior Legislative Counsel, at 202-216-1537 or Ty.Cobb@hrc.org.

Best,

ALLISON HERWITT,
*Legislative Director,
Human Rights Campaign.*

AMERICAN PROBATION AND
PAROLE ASSOCIATION,
Lexington, KY, February 1, 2013.

Senator PATRICK LEAHY,
*Chairman, Committee on the Judiciary,
Dirksen Senate Office Building,
Washington, DC.*

Senator MIKE CRAPO,
*Dirksen Senate Office Building,
Washington, DC.*

DEAR SENATORS LEAHY AND CRAPO: The American Probation and Parole Association (APPA) represents over 35,000 pretrial, probation, parole and community corrections professionals working in the criminal and juvenile justice systems nationally and come from federal, state, local and tribal jurisdictions. On behalf of our membership and constituents we wholeheartedly support your efforts to have the Violence Against Women Act (VAWA) reauthorized.

The VAWA initiatives have supported state, local and tribal efforts to effectively address the crimes of domestic violence, dating violence, sexual assault and stalking. These efforts have shown great progress and promise towards keeping victims safe and holding perpetrators accountable. The reauthorization of VAWA is critical to maintaining the progress of current initiatives and ensuring comprehensive and effective responses to these crimes in the future for the protection of all victims without consideration of race, ethnicity or sexual orientation.

Domestic violence perpetrators represent a significant proportion of the total population on community supervision. In 2008 there were nearly 86,000 adults on probation for a domestic violence offense in United States, and data from the California Department of Justice indicates that in 2000 approximately 90% of adults convicted of felony domestic violence offenses in that state were sentenced to a period of probation, either alone or coupled with incarceration. Domestic violence offenders are among the most dangerous offenders on community supervision caseloads, and in order to supervise

domestic violence offenders effectively, community corrections professionals must receive adequate training.

Since its original passage in 1994, VAWA has been instrumental in increasing our constituents' attention to and understanding of these crimes as well as provided significant assistance in humanizing their responsiveness to victims and improving their practices related to accountability and intervention with perpetrators of these crimes. VAWA has without question been instrumental in developing community supervision practices that keep victims and their families safe from future harm and improved compliance and behavioral change for perpetrators.

We stand ready to assist you throughout the reauthorization process. If you have any questions or require further information or assistance, please feel free to contact me at cwicklund@csg.org or 859-244-8216.

Sincerely,

CARL WICKLUND,
Executive Director,

LUTHERAN IMMIGRATION AND
REFUGEE SERVICE,
Baltimore, MD, February 1, 2013.

Hon. PATRICK J. LEAHY,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

Hon. MIKE CRAPO,
U.S. Senate, Dirksen Senate Building, Wash-
ington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO:
On behalf of Lutheran Immigration and Refugee Service (LIRS), the national organization established by Lutheran churches in the United States to welcome immigrants and refugees, thank you for reintroducing the bipartisan Violence Against Women Reauthorization Act (VAWA) (S. 47).

As you are aware, there are many cases in which immigration status is used as a tool for abuse, leading victims to remain in abusive relationships and contributing to the underreporting of serious crimes to local enforcement officials. The creation of the U visa in 2000 by Congress to encourage migrant victims to report criminal offenses to officials has been extremely helpful in advancing community safety. The need for U visas is significant. In 2012, U.S. Citizenship and Immigration Services ran out of available U visas over a month prior to the end of the fiscal year. Therefore, the lack of a vital increase in the number of available U visas in S. 47 is extremely disappointing. However, I am encouraged by your commitment to increase the cap on U visas as part of immigration reform legislation.

While I applaud efforts to swiftly move VAWA through both chambers of Congress, I caution against any use of VAWA as a means to expand immigration enforcement provisions of the Immigration and Nationality Act. These changes would be detrimental to the central purpose of VAWA—to address the critical issues of domestic violence, sexual assault, dating violence, and human trafficking—and should remain outside of the VAWA debate.

LIRS commends your leadership in advancing this bill and we are excited to continue to work with you to ensure the inclusion of provisions to protect vulnerable migrant victims in upcoming legislation. Please contact Brittney Nystrom, LIRS Director for Advocacy, at 202-626-7943 or via email at bnystrom@lirs.org with any questions.

Yours in faith,

LINDA J. HARTKE,
President and CEO, Lutheran
Immigration and Refugee Service.

AMERICAN BAR ASSOCIATION,
Chicago, IL, January 30, 2013.

Hon. PATRICK J. LEAHY,
Russell Senate Office Building, U.S. Senate,
Washington, DC.

Hon. MICHAEL D. CRAPO,
Dirksen Senate Office Building, U.S. Senate,
Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the American Bar Association (ABA), with nearly 400,000 members across the country, I write to commend your continued bipartisan leadership in the cause of justice and equal rights with the introduction of the Violence Against Women Reauthorization Act of 2013. The ABA strongly supports your effort to renew proven and effective programs that support victims of domestic, sexual, stalking and dating violence and their families.

The ABA has long supported efforts to address domestic, sexual and stalking violence, and we recognize that the legal profession fulfills an important role in addressing these crimes. Since 1994, the ABA's Commission on Domestic & Sexual Violence has also worked to increase access to justice for victims of domestic violence, sexual assault and stalking by mobilizing the legal profession.

In recent years, the ABA has adopted policies that specifically address VAWA reauthorization, including some of the more challenging issues that ultimately proved to be barriers to reauthorization during the last Congress:

February 2010: urging reauthorization and highlighting the need for legislation that "provides services, protection, and justice for underserved and vulnerable victims of violence, including children and youth who are victims or are witnesses to family violence, and victims who are disabled, elderly, immigrant, trafficked, LGBT and/or Indian."

August 2012: urging Congress "to strengthen tribal jurisdiction to address crimes of gender-based violence on tribal lands that are committed by non-Indian perpetrators."

VAWA reauthorization was a legislative priority for the association during the 112th Congress and a focus of our annual grassroots lobbying event, ABA Day 2012, when ABA, state, local, and specialty bar leaders from all 50 states met with members of Congress of both parties on this issue.

VAWA reauthorization remains a priority for the American Bar Association during the 113th Congress. We appreciate your leadership and look forward to working with you to ensure passage of this legislation.

Sincerely,

LAUREL G. BELLOWES.

Mrs. McMORRIS RODGERS, Madam Speaker, I reserve my time.

Mr. CONYERS, Madam Speaker, I include for the RECORD a number of letters from advocacy and nonprofit groups in opposition to the House substitute and in support of the Senate-passed bill.

THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 HAS BROAD NATIONAL SUPPORT

More than 1400 local, state, tribal, and national organizations have expressed their strong support for passage of the Violence Against Women Reauthorization Act of 2011 (S.47), including national service providers and victim advocates, law enforcement organizations, and faith-based organizations.

VICTIM SERVICE PROVIDERS AND ADVOCATES
9to5, National Association of Working Women

Alianza-National Latino Alliance to End Domestic Violence
Alternatives to Family Violence
American Bar Association
American Bar Association Commission on Domestic Violence
American Medical Association
Americans Overseas Domestic Crisis Center

Asian & Pacific Islander Institute on Domestic Violence

ASISTA Immigration Assistance
Association of Jewish Family and Children's Agencies

Break the Cycle
Casa de Esperanza: National Latino Network for Healthy Families and Communities

Daughters of Penelope
Futures Without Violence (formerly the Family Violence Prevention Fund)

Gay Men's Domestic Violence Project
Institute on Domestic Violence in the African-American Community

Jewish Women International
Legal Momentum
Men Can Stop Rape

Men's Resources International
National Association of VOCA Assistance Administrators

National-Alliance to End Sexual Violence
National Center for Victims of Crime

National Center on Domestic and Sexual Violence

National Coalition Against Domestic Violence

National Coalition of Anti-Violence Programs

National Congress of American Indians
Taskforce on Violence Against Women

National Council of Jewish Women
National Dating Abuse Hotline

National Domestic Violence Hotline
National Network to End Domestic Violence

National Organization of Sisters of Color
Ending Sexual Assault (SCESA)

National Organization for Women
National Organization of Asian Pacific Islanders Ending Sexual Violence

National Organization of Sisters of Color
Ending Sexual Assault

National Resource Center on Domestic Violence

Nursing Network on Violence Against Women International Rape Abuse and Incest National Network

YWCA USA
Victims Rights Law Center

Witness Justice

LAW ENFORCEMENT ORGANIZATIONS

Æquitas
American Probation and Parole Association

Association of Prosecuting Attorneys
International Association of Chiefs of Police

National Council of Juvenile and Family Court Judges

FAITH-BASED ORGANIZATIONS

Association of Jewish Family & Children's Agencies
Church Women United

Disciples Justice Action Network
Disciples of Christ

FaithTrust Institute
Friends Committee on National Legislation

Hadassah, The Women's Zionist Organization of America, Inc.

Hindu American Seva Communities
Jewish Council for Public Affairs

Lutheran Immigration and Refugee Service

Mennonite Central Committee U.S. Washington Office
 Muslim Public Affairs Council
 National Advocacy Center of the Sisters of the Good Shepherd
 National Council of Jewish Women
 NETWORK—A National Catholic Social Justice Lobby
 Peaceful Families Project
 Pentecostals & Charismatics for Peace & Justice
 Presbyterian Church (U.S.A.) Office of Public Witness
 Presbyterian Church, U.S.A.
 Presbyterian Women in the Presbyterian Church (U.S.A.)
 Reconstructionist Rabbinical Association
 Religious Coalition for Reproductive Choice
 Safe Havens Interfaith Partnership
 Against Domestic Violence
 The Episcopal Church
 The United Church of Christ, Justice and Witness Ministries
 Union for Reform Judaism
 United Church of Christ
 United Methodist Church General Board of Church and Society
 United Methodist Women
 Women of Reform Judaism
 OTHER NATIONAL ORGANIZATIONS
 3 DVas, LLC
 9to5
 AARP Chapter 60 Waikiki
 Abortion Care Network
 AFGE Women's/Fair Practices Departments
 AFL-CIO
 African Action on Aids
 After The Trauma
 Alabama Coalition Against Domestic Violence
 Alianza—National Latino Alliance for the Elimination of Domestic Violence
 Alliant International University
 American Arab Anti Discrimination Center
 American Association of People with Disabilities
 American Association of University Women (AAUW)
 American Baptist Women's Ministries, ABCUSA
 American Bar Association
 American Civil Liberties Union
 American Congress of Obstetricians and Gynecologists
 American Dance Therapy Association
 American Federation of Government Employees, AFL-CIO
 American Federation of Labor-Congress of Industrial Organizations
 American Federation of State County and Municipal Employees
 American Federation of Teachers, AFL/CIO
 American Humanist Association
 American Postal Workers Union
 American Probation and Parole Association
 American Psychiatric Association
 American Psychological Association
 American-Arab Anti-Discrimination Committee (ADC)
 Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
 Americans Overseas Domestic Violence Crisis Center
 Amnesty International USA
 Anti-Defamation League
 Asian & Pacific Islander American Health Forum
 Asian & Pacific Islander Institute on Domestic Violence
 Asian American Justice Center, member of Asian American Center for Advancing Justice

Asian Pacific American Labor Alliance, AFL-CIO
 Asian Pacific American Labor Center
 ASISTA Immigration Assistance
 Association of Flight Attendants
 Association of Jewish Family & Children's Agencies
 Bahá'is of the United States
 Black Women's Health Imperative
 Black Women's Roundtable
 Break the Cycle
 Business and Professional Women's Foundation
 Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
 Casa Esperanza
 Center for Family Policy and Practice
 Center for Partnership Studies
 Center for Reproductive Rights
 Center for Women Policy Studies
 Center for Women's Global Leadership
 Center for Women's Policy Studies
 CenterLink
 Central Conference of American Rabbis
 Choice USA
 Church Women United
 Circle of 6 App
 Clery Center for Security On Campus
 Coalition of Labor Union Women
 Coalition on Human Needs
 Communications Workers of America (CWA)
 Community Action Partnership
 cultureID
 CWA National Women's Committee
 Daughters of Penelope
 Delta Sigma Theta Sorority
 Dialog on Diversity
 Dialogue on Diversity
 Disability Rights Education and Defense Fund
 Disciples Justice Action Network
 Domestic Abuse intervention Programs
 Domestic Violence Legal Empowerment and Appeals Project (DV LEAP)
 DVas, LLC
 Elder Justice Coalition
 Episcopal Church
 Episcopal Women's Caucus
 Expert Panel on violence, American Academy of Nursing.
 FaithTrust Institute.
 Family Equality Council.
 Federally Employed Women (FEW).
 Feminist Agenda Network.
 Feminist Majority.
 Feminist Majority/Feminist Majority Foundation.
 Feminist Peace Network.
 Freedom from Hunger.
 Friends Committee on National Legislation.
 Friends of Nabeela.
 Futures Without Violence.
 Gay & Lesbian Medical Association.
 Gay, Lesbian & Straight Education Network (GLSEN).
 General Board of Church & Society, United Methodist Church.
 General Federation of Women's Clubs.
 George Washington University Law School.
 GetEQUAL.
 Girls Inc..
 GLMA: Health Professionals Advancing LGBT Equality.
 Globalsolutions.org.
 GLSEN (Gay, Lesbian & Straight Education Network).
 Hadassah, The Women's Zionist Organization of America, Inc..
 HIAS (Hebrew Immigrant Aid Society).
 Hindu American Seva Communities.
 Hip Hop Caucus.

Human Rights Campaign.
 Human Rights Watch.
 Indian Law Resource Center.
 Inspire Action for Social Change.
 Institute for Interfaith Activism.
 Institute for Science and Human Values.
 Institute on Domestic Violence in the African American Community.
 International Center for Research on Women.
 IOFA.
 Iowa Coalition Against Domestic Violence.
 Jewish Council for Public Affairs.
 Jewish Labor Committee.
 Jewish Women International.
 Junior League of Dallas, affiliated with Junior League International.
 Labor Council for Latin American Advancement.
 Latino Justice PRLDEF.
 League of United Latin American Citizens.
 Legal Momentum.
 LiveYourDream.org.
 Log Cabin Republicans.
 Maryknoll Sisters.
 Media Equity Collaborative.
 Men Can Stop Rape.
 Mennonite Central Committee U.S. Washington Office.
 Men's Resources International.
 Methodist/Catholic.
 Migrant Clinicians Network.
 MomsRising.
 Ms. Foundation for Women.
 Muslim American Society.
 Muslim Public Affairs Council.
 NAPAFASA.
 National Advocacy Center of the Sisters of the Good Shepherd.
 National Alliance to End Sexual Violence.
 National Asian Pacific American Bar Association (NAPABA).
 National Association for the Advancement of Colored People (NAACP).
 National Association of Commissions for Women (NACW).
 National Association of Hispanic Organizations.
 National Association of Human Rights Workers.
 National Association of Social Workers.
 National Association of State Head Injury Administrators.
 National Association of VOCA Assistance Administrators.
 National Black Justice Coalition.
 National Center for Lesbian Rights.
 National Center for Transgender Equality.
 National Center for Victims of Crime.
 National Center on Domestic and Sexual Violence.
 National Clearinghouse for the Defense of Battered Women.
 National Coalition Against Domestic Violence.
 National Coalition for Asian Pacific American Community Development.
 National Coalition for LGBT Health.
 National Coalition of 100 Black Women.
 National Coalition of Anti-Violence Programs (NCAVP).
 National Coalition on Black Civic Participation.
 National Committee for the Prevention of Elder Abuse.
 National Community Reinvestment Coalition.
 National Congress of American Indians.
 National Congress of American Indians.
 National Council of Churches, USA.
 National Council of Jewish Women.
 National Council of Juvenile and Family Court Judges.
 National Council of the Churches of Christ in the USA.

National Council of Women's Organizations.
 National Council on Independent Living.
 National Dating Abuse Helpline.
 National Domestic Violence Hotline.
 National Education Association.
 National Employment Law Project.
 National Fair Housing Alliance.
 National Family Justice Center Alliance.
 National Focus on Gender Education.
 National Gay and Lesbian Task Force Action Fund.
 National Health Law Program.
 National Hispanic Council on Aging.
 National Housing Law Project.
 National Immigration Law Center.
 National Latina Institute for Reproductive Health.
 National Latina Psych Association.
 National Latina/o Psychological Association.
 National Law Center on Homelessness and Poverty.
 National Legal Aid and Defender Association.
 National Low Income Housing Coalition.
 National Network to End Domestic Violence.
 National Org of Asian Pacific Islanders Ending Sexual Violence.
 National Organization for Women (NOW).
 National Organization for Women, Miracle Mile LA chapter.
 National Organization of Asian Pacific Islanders Ending Sexual Violence.
 National Organization of Black Law Enforcement Executives.
 National Organization of Sisters of Color Ending Sexual.
 Assault National Partnership for Women & Families.
 National Partnership for Women and Families.
 National Research Center for Women & Families.
 National Resource Center on Domestic Violence.
 National Stonewall Democrats.
 National Urban League.
 National WIC Association.
 National Women's Law Center.
 National Women's Political Caucus.
 National Women's Health Network.
 National Women's Law Center.
 National Women's Political Caucus.
 NCJW Seattle section.
 NCJVV Utah.
 NETWORK, A National Catholic Social Justice Lobby.
 NLPA.
 Nursing Network on Violence against Women International.
 NVC Academy.
 Ohio NOW.
 One Woman's Voice.
 Our Bodies Ourselves.
 Peaceful Families Project.
 People for the American Way.
 PFLAG National.
 Planned Parenthood Federation of America.
 Rape Crisis Services.
 Rape, Abuse & Incest National Network (RAINN).
 Reformed Church in America.
 Refugee Women's Network.
 Religious Coalition for Reproductive Choice.
 Rural Women's Health Project.
 Rural Womyn Zone.
 Ryan Immigration Law.
 Safe Nation Collaborative.
 Sargent Shriver National Center on Poverty Law.

Sauti Yetu.
 School and College Organization for Prevention Educators.
 Seattle Chapter National Organization for Women.
 Secular Woman.
 Self Empowerment Strategies.
 SER-Jobs for Progress National Inc..
 Share Time Wisely Consulting Services.
 Shore Area NOW.
 Sisters of Color Ending Sexual Assault.
 Sisters of Mercy Institute Justice Team.
 Sojourners.
 South Asian Americans Leading Together (SAALT).
 Southern Poverty Law Center.
 Spittin' Out the Pitts.
 SuhaibWebb.com.
 Survivors In Service.
 Tahirih Justice Center.
 Take Back The Night
 The Episcopal Church
 The Jewish Federations of North America
 The Leadership Conference on Civil and Human Rights
 The Leadership Council on Civil and Human Rights
 The Line Campaign
 The National Council on Independent Living
 The National Resource Center Against Domestic Violence
 The Sentencing Project
 The United Methodist Church, General Board of Church & Society
 The Voice of Midlife and Older Women
 Transgender Law Center
 U.S. National Committee for UN Women
 UAW
 Union for Reform Judaism
 Union Veterans Council, AFL-CIO
 Unitarian Universalist Association
 United Church of Christ, Justice & Witness Ministries
 United Food and Commercial Workers International Union
 United States Hispanic Leadership Institute
 United Steelworkers
 UniteWomen.org
 US National Committee for UN Women
 US women Connect
 USAction
 V-Day
 Veteran Feminists of America
 Victim Rights Law Center
 Vital Voices Global Partnership
 We Are Woman
 West Pinellas National Organization for Women
 Wild Iris Family Counseling and Crisis Center
 Winning Strategies
 Witness Justice
 Women Enabled, Inc.
 Women of Color Network
 Women of Reform Judaism
 Women, Action & the Media
 Women's Environment and Development Organization
 Women's International League for Peace and Freedom, U.S. Section
 Women's Action for New Directions
 Women's Business Development Center
 Women's Institute for Freedom of the Press
 Women's International League for Peace and Freedom
 Women's Media Center
 Woodhull Sexual Freedom Alliance
 YWCA USA

STATE AND LOCAL ORGANIZATIONS

51st State NOW
 9to5 Atlanta

9to5 Atlanta Working Women
 9to5 Bay Area
 9to5 California
 9to5 Colorado
 9to5 Los Angeles
 9to5 Milwaukee
 A Safe Place
 A Safe Place Domestic Violence Shelter
 A Woman's Place
 AAUW, Big Bear Valley Branch
 AAUW, Honolulu women's coalition, others
 Abuse & Rape Crisis Shelter, Warren County
 Abuse Alternatives, Inc.
 Abuse Prevention Council
 ACCESS Social Services
 ADRCGNS, Inc.
 ADV & SAS
 Advocacy Resource Center
 Advocacy Resource Center
 Advocate Safehouse Project
 Advocates Crisis Support services
 Advocates for a Violence-Free Community
 Advocates for Victims of Assault
 African Services Committee
 African Women Human Right's Group
 After The Trauma, Inc.
 Aging Resources
 Alabama-NOW
 Alamosa County Sheriff's Office
 Alamosa Victim Response Unit
 Albany Law School
 Alice Paul House
 ALIVE Alliance of Leaders in Violence Elimination
 Alle-Kiski Area HOPE Center, Inc.
 Alliance Against Domestic Abuse
 Alliance Against Family Violence and Sexual Assault
 Alliant International University
 ALLYSHIP
 Alternative Strategies
 Alternatives to Violence, Inc.
 American Congress of Obstetricians and Gynecologists, Hawaii Section
 American Gateways
 American Indians Against Abuse
 Angels Recovery & Spirituality
 Anna Marie's Alliance
 Anne Arundel County NOW
 API Chaya
 Apna Ghar, Inc. ("Our Home")
 Arab American Association of New York
 Arab American Family Services
 Archuleta County Victim Assistance Program
 Arise Sexual Assault Services
 Arizona Bridge to Independent Living
 Arizona Coalition Against Domestic Violence
 Arizona NOW
 Arizona State University
 Arkansas Coalition Against Domestic Violence
 Arkansas Coalition Against Sexual Assault
 Arkansas NOW
 Artemis Center
 Artemis Justice Center
 Asha Family Services, Inc.
 Asha-Ray of Hope
 Asia Pacific Cultural Center
 Asian Law Caucus
 Asian Pacific American Legal Center, Member of Asian American Center for Advancing Justice
 Asian/Pacific Islander Domestic Violence Resource Project
 Association of Physicians of Pakistani Descent in N. America (APPNA)
 Atlanta Women's Center
 AVENUES, Inc
 Ayuda
 Baltimore Jewish Council
 Barren River Area Safe Space, Inc.

- Battered Women's Legal Advocacy Project
 Bay Area Turning Point, Inc.
 Bay Area Women's Center
 Belmont Community Hospital
 Beloit Domestic Violence Center
 Bethany House Abuse Shelter, Inc.
 Betty Gallo & Company
 Between Friends—Chicago
 BIBLE FELLOWSHIP PENTECOSTAL ASSEMBLY OF NY INC.
 Bluegrass Domestic Violence Program
 Bolton Refuge House
 Bolton Refuge House, Inc.
 Boston Area Rape Crisis Center
 Boston University Civil Litigation Program
 Branches Domestic Violence Shelter, Inc.
 Breastfeeding Hawaii
 Bridge to Hope
 Bridgeport Public Education Fund
 Bridges to Safety
 Bridges: Domestic & Sexual Violence Support
 Broward Women's Emergency Fund
 Buchanan County Prosecutor's Office
 Bucks County NOW
 Bucks County Women's Advocacy Coalition
 C.O.T.T.A.G.E. Life Coaching, LLC
 Cadillac Area OASIS/Family Resource Center
 California Coalition Against Sexual Assault
 California National Organization for Women
 California Partnership to End Domestic Violence
 California Protective Parents Association
 Cambodian Women Networking Association
 Caminar Latino
 Caminar Latino, Inc.
 Cape Organization for Rights of the Disabled
 CAPSEA, Inc.
 CARECEN Los Angeles
 Casa de Esperanza
 Casa de Proyecto Libertad
 Catalyst Domestic Violence Services
 Catholic Charities Diocese of Pueblo
 Catholic Charities Hawaii
 Catholic Charities of Chenango County
 Center Against Sexual & Domestic Abuse, Inc.
 Center for A Non Violent Community
 Center For Behavioral Change, P.C.
 Center for Creative Justice
 Center for Pan Asian Community Services, Inc.
 Center for Policy Planning and Performance
 Center for the Pacific Asian Family
 Center for Women and Families
 Center for Women and Families—Bridgeport, CT
 Center for Women and Families of Eastern Fairfield County Connecticut
 Center of Women and Families of Eastern Fairfield County
 Center on Domestic Violence
 Center on Halsted
 Centers Against Abuse & Sexual Assault
 Central MN Sexual Assault Center
 Centre Co. Women's Resource Center
 CHANGE Inc./ The Lighthouse
 Charlotte NOW
 Cherokee Family Violence Center
 Cherry Hill Women's Center
 Child & Family Service—Hawaii
 Children's Advocacy Center for Volusia and Flagler Counties
 Children's Institute, Inc.
 Choices Domestic Violence Solutions
 Choose Victory Over Violence
 Christ United Methodist Church, Rockford, IL
 Circle—VT
 Circle of Hope
 Citizen Action of New York
 Citizen Action of Wisconsin
 Citizen Action/Illinois
 Citizens Against Physical, Sexual, and Emotional Abuse, Inc.
 Citizens Against Violence, Inc.
 City of Chicago
 City of Denver
 City of Santa Fe
 Clackamas Women's Services
 Clarina Howard Nichols Center
 Clark County District Attorney Victim Witness Assistance Center
 Clearinghouse on Women's Issues
 Clergy and Laity United for Economic Justice, Los Angeles
 Cleveland Rape Crisis Center
 Clinton County Women's Center
 Collaborative Project of Maryland
 Colorado Anti-Violence Program
 Colorado Coalition Against Domestic Violence
 Colorado Coalition Against Sexual Assault (CCASA)
 Colorado Sexual Assault & Domestic Violence Center
 Committee on the Status of Women
 Community Action Partnership
 Community Action Stops Abuse
 Community Against Violence Taos, NM
 Community Against Violence, Inc.
 Community Alliance Against Family Abuse
 Community Alliance on Prisons
 Community Crisis Center of Northeast Oklahoma
 Community Immigration Law Center
 Community Overcoming Relationship Abuse
 Compass Housing Alliance
 COMPASS Rape Crisis
 Connecticut Coalition Against Domestic Violence
 Connecticut Sexual Assault Crisis Services
 CONTACT Huntington
 CONTACT Rape Crisis Center
 ContactLifeline, Inc.
 COPO (COUNCIL OF PEOPLE ORGANIZATION)
 Cornerstone Advocacy Service MN
 Council on American Islamic Relations (CAIR), Michigan
 County Victim/Witness Program
 Crime Victim and Sexual Violence Center
 Crime Victim Center of Erie County
 Crime Victims Center of Fayette County
 Crime Victims Council of the Lehigh Valley, Inc.
 Crisis Center & Women's Shelter
 Crisis Center for South Suburbia
 Crisis Center Foundation
 Crisis Center of Central New Hampshire
 Crisis Center, Inc.
 Crisis Intervention & Advocacy Center
 CT NOW
 C-VISA, Coachella Valley Immigration Service and Assistance
 DAP
 Day One of Cornerstone
 Daya Inc.
 Daystar, Inc.
 Daystar, Inc.
 DC Coalition Against Domestic Violence
 DCY Dubuque Domestic Violence Program
 DE Coalition Against Domestic Violence
 Deaf Overcoming Violence through Empowerment
 Defying the Odds, Inc.
 Delaware NOW
 Delaware Opportunities, Safe Against Violence
 Democratic Women's Club of Northeast Broward
 Des Moines NOW
 Detroit Minds and Hearts
 Dine' Council of Elders for Peace
 Direct Action Welfare Group (DAWG)
 District Alliance for Safe Housing (DASH)
 District Attorney Victim Witness Assistance Center
 Domestic Abuse & Sexual Assault Intervention Services
 Domestic Abuse Center
 Domestic Abuse Project
 Domestic Abuse Resistance Team [DART]
 Domestic And Sexual Abuse Services, MI
 Domestic and Sexual Violence Services (DSVS) of Carbon County Montana
 Domestic and Sexual Violence Services, MT
 Domestic Harmony
 Domestic Safety Resource Center
 Domestic Violence Action Center
 Domestic Violence Action Center
 Domestic Violence Action Center Honolulu
 Domestic Violence Alternatives/Sexual Assault Center, Inc.
 Domestic Violence Center of Chester County
 Domestic Violence HEALING Coalition
 Domestic Violence HEALING Coalition, West Coast
 Domestic Violence Intervention Program, Iowa
 Domestic Violence Project, Inc.
 Domestic Violence Solutions for Santa Barbara County
 Douglas County Task Force on Family Violence, Inc.
 Dove Advocacy Services for Abused Deaf Women and Children
 Dove Advocacy Services for Abused Deaf Women and Children
 Dove Story Beads
 DOVES in Natchitoches, LA
 DOVES of Big Bear Lake, Inc.
 DOVES of Big Bear Valley, Inc.
 Doves of Gateway
 DOVES, Lake County
 Downtown Bethesda Condo Assn.
 Dream Project Inc.
 DSVS Red Lodge, MT
 DSVS-Carbon County, MT
 DuPage County NOW
 DVRCS
 Empowerment Christian Community Corp.
 End DV Counseling and Consulting
 Enfamilia, Inc.
 Enlace Comunitario
 Enriching Utah Coalition
 Episcopal Women's Caucus
 EVE (End Violent Encounters)
 Everywoman's Center
 Faith House, Inc.
 Falling Walls
 Family Crisis & Counseling Center, Inc.
 Family Crisis Center
 Family Crisis Center, Inc.
 Family Crisis Intervention Center
 Family Crisis Services
 Family LAW CASA
 Family Life Center of Butler County
 Family Place
 Family Refuge Center
 Family Rescue
 Family Rescue, Inc.
 Family Resources
 Family Service of the Piedmont
 Family Services of Tulare County
 Family Shelter of Southern Oklahoma
 Family Shelter Service
 Family Violence Council
 Finding Our Voices
 First Step, Inc.

Florida Consumer Action Network.
 Florida Council Against Sexual Violence.
 Florida Equal Justice Center.
 Florida National Organization for Women.
 Florida NOW.
 Forbes House.
 Fordham Prep School
 Fort Bend County Women's Center
 Forward Together
 Franciscan Physician Alliance
 Franklin/Fulton Women In Need
 Fredericksburg NOW
 Freedom House
 Friends for Democracy
 Gateway Battered Women's Services
 Gateway Family Services, Inc.
 Georgia Coalition Against Domestic Violence
 Georgia Mountain Women's Center, Inc.
 Georgia Rural Urban Summit
 Gila Regional Medical Center SANE
 Gillette Abuse Refuge Foundation
 Global Connections
 Golden House
 Good Shepherd Shelter
 Greater Boston Legal Services, Inc.
 Green Haven Family Advocates
 Guam Coalition Against Sexual Assault & Family Violence
 Guardian Angel Community Services
 Gunnison County Law Enforcement Crime Victim Services
 Gunnison County Sheriffs Office
 Hamdard Center for Health and Human services
 Hands of Hope Resource Center
 Harbor House
 Harbor House Domestic Abuse Programs
 Harbor, Inc.
 Harris County Domestic Violence Coordinating Council
 Hartford GYN Center
 Harvey County DV/SA Task Force, Inc.
 Haven Hill, Inc.
 Haven Women's Center
 Haven Women's Center of Stanislaus
 HAVEN, MT
 HAVEN, Oakland
 Hawai'i Women's Coalition
 Hawaii Commission on the Status of Women
 Hawaii Rehabilitation Counseling Assoc.
 Hawaii State Coalition Against Domestic Violence
 Hawaii State Democratic Women's Caucus
 Healthy Mothers Healthy Babies
 HEART Women & Girls
 Hearts of Hope
 HELP of Door County, Inc.
 HelpLine of Delaware and Morrow County
 HIAS Pennsylvania
 Hispanic AIDS Awareness Program
 Hispanic Federation
 Hispanic United of Buffalo
 Hmong American Women's Association
 Hollywood Chapter of the National Organization for Women
 Holy Cross Ministries
 Hope House of South Central Wisconsin
 HOPE of East Central Illinois
 HOPE, Inc.
 Hospira
 Hospitality House for Women, Inc.
 Hospitality House, Inc.
 House of Ruth, Inc.
 Human Rights Campaign
 Human Rights Initiative of North Texas Inc.
 Human Rights Initiative of North Texas, Inc.
 Idaho Coalition Against Sexual & Domestic Violence
 Idaho State Independent Living Council
 IEC
 Illinois Coalition Against Domestic Violence
 Illinois Coalition Against Sexual Assault
 Illinois National Organization for Women
 Immigrant Law Center of Minnesota
 Immigrant Legal Center of Boulder County
 Immigration Services of Mountain View
 IMPACT Safe
 In Our Own Voices
 IndependenceFirst
 Independent Living Center of the North Shore & Cape Ann, Inc.
 Indiana Coalition Against Domestic Violence
 Institute for Multicultural Counseling and Education Services (IMCES)
 Instituto Para La Mujer
 International Association of Counselors & Therapists
 International Women's House
 Iowa Citizen Action Network
 Islamic Association of Greater Detroit
 Islamic Center of Greater Cincinnati
 Jackson County SART
 Jackson Engineering Women's League (JEWL)
 Jackson NOW
 Jacksonville Area Legal Aid, Inc.
 Jafri Law Firm
 Jane Doe Inc., The Massachusetts Coalition Against Sexual Assault and Domestic Violence
 Jeanne Geiger Crisis Center
 Jeff Davis Communities Against Domestic Abuse CADA
 Jewish Alliance for Law and Social Action (JALSA)
 Jewish Child and Family Services
 Jewish Community Action
 Jewish Community Relations Council
 Jewish Community Relations Council (Tucson)
 Jewish Community Relations Council, Milwaukee Jewish Federation
 Jewish Family & Career Services, Atlanta, Georgia
 Jewish Family Service of Los Angeles
 Jewish Federation of Metropolitan Chicago
 Jewish Federation of Metropolitan Chicago
 Jewish Federation of the Sacramento Region
 Johns Hopkins Technology Transfer
 Just Harvest
 Justice & Mercy Legal Aid Clinic
 Justice and Mercy Legal Aid Clinic
 Kanawha County Victim Services Center
 Kankakee County Center Against Sexual Assault (KC-CASA)
 Kansas City Anti-Violence Project
 Kansas Coalition Against Sexual and Domestic Violence
 Kentucky Association of Sexual Assault Programs
 Kentucky Coalition for Immigrant and Refugee Rights
 Kentucky Coalition for Immigrant and Refugee Rights
 Kentucky Domestic Violence Association
 Keystone Progress
 King County Coalition Against Domestic Violence
 L.A. Gay & Lesbian Center
 La Casa de las Madres
 La Voz Latina
 Latin American Chamber of Commerce of Salt Lake City
 Latina Safe House
 Latinas Unidas por un Nuevo Amanecer
 Latinas Unidas por un Nuevo Amanecer (LUNA, Iowa)
 Law Students for Reproductive Justice
 Legal Aid—District 11
 Legal Aid Society of Rochester, Inc.
 LGBT Community Center of New Orleans
 LGO Consulting
 Liberty House of Albany, Inc.
 Local 242
 Local 301
 Local 365
 Local 530
 Los Niños Services
 Los Niños Services INC
 Louisiana Coalition Against Domestic Violence
 Louisiana Foundation Against Sexual Assault
 Louisiana NOW
 Lutheran Social Services
 M.U.J.E.R. Inc.
 Maine Coalition to End Domestic Violence
 Maine People's Alliance
 Manatee Glens Rape Crisis Services
 Manatee Glens Rape Crisis Services
 Manavi
 Manitowoc County Domestic Violence Center
 Maijaree Mason Center
 Maryland Commission for Women
 Maryland National Organization for Women
 Maryland Network Against Domestic Violence
 Mary's Place Supervised Visitation & Safe Exchange Center
 MataHari: Eye of the Day
 MCADSV
 MD NOW
 Men on The Move
 Men's Resources International
 MensWork: eliminating violence against women, inc
 Mercer County Family Crisis Center
 Metropolitan Family Services
 Metropolitan Organization to Counter Sexual Assault (MOCSA)
 Mexican American Legal Defense and Educational Fund
 Michigan Citizen Action
 Michigan Coalition to End Domestic and Sexual Violence
 Michigan Muslim Community Council, United Way for Southeastern Michigan
 Mid-Iowa SART
 Minara Fellowship
 MiNDS—Medical Network Devoted to Service
 Minnesota Coalition for Battered Women
 Minnesota Indian Women's Resource Center
 Miracle Mile LA NOW
 Mississippi Coalition Against Domestic Violence
 Mississippi NOW
 Mississippi Women Are Representing (WAR)
 Missoula County Crime Victim Advocate Program
 Missoula County Department of Grants and Community Programs
 Missoula Crime Victim Advocate Program
 Missouri Coalition Against Domestic and Sexual Violence
 Missouri NOW
 Missouri Progressive Vote Coalition
 Missouri Women's Network
 Mitchell County SafePlace Inc
 Moloka'i Community Service Council
 Monsoon United Asian Women of Iowa
 Montana Coalition Against Domestic and Sexual Violence
 Montana National Organization for Women
 Montana NOW
 Montana State Coalition Against Domestic and Sexual Violence
 Montgomery County Commission for Women
 Montrose Counseling Center
 MORONGO BASIN UNITY HOME

Most Holy Trinity Social Justice Committee
 Mount Carmel Crime & Trauma Assistance Program
 Mountain Crisis Services, Inc.
 Moving to End Sexual Assault (MESA)
 MS Coalition Against Sexual Assault
 MSW court appointed special advocates supervisors
 MUJER
 Mujeres Latinas en Accion
 Multi-Cultural Counseling and Services, Inc.
 Muslim American Society of Charlotte
 Muslim Bar Association
 Muslim Community of Knoxville
 Muslim Community of Western Suburbs
 Muslim Mothers Against Violence
 Mutual Ground, Inc.
 NARAL Pro-Choice Montana
 NARAL Pro-Choice Virginia
 Nassau County Coalition Against Domestic Violence
 National Association of School Psychologists
 National Capital Area Union Retirees
 National Coalition of 100 Black Women
 Central Ohio Chapter
 National Council for Jewish Education
 National Council of Jewish Women
 National Council of Jewish Women—St. Louis Section
 National Council of Jewish Women Concordia Section NJ
 National Council of Jewish Women Illinois
 State Policy Advocacy Committee
 National Council of Jewish Women NY
 National Council of Jewish Women Utah
 State Policy Advocacy Chair
 National Council of Jewish Women, Central Jersey Section
 National Council of Jewish Women, Greater Rochester NY
 National Council of Jewish Women, Greater Rochester Section
 National Council of Jewish Women, Jersey Hills Section
 National Council of Jewish Women, Louisiana State Policy Advocacy Chair
 National Council of Jewish Women, Missouri State Policy Advocacy Chair
 National Council of Jewish Women, New Jersey State Policy Advocacy Network
 National Council of Jewish Women, Sacramento Section
 National Council of Jewish Women, Seattle Section
 National Council of Jewish Women, Texas State Policy Advocacy Network
 National Council of Jewish Women, Washington State Policy Advocacy Chair
 National Council of Jewish Women, Westbury
 National Council of Jewish Women, MI State Policy Advocate Chair
 National Council of Women RI
 National Hispanic Media Coalition
 National Organization for Women—AZ
 National Organization for Women—Maryland NOW
 National Organization for Women—Nebraska
 National Organization for Women—New York City
 National Organization for Women New York State Young Feminist Task Force
 National Organization for Women, Alexandria, VA Chapter
 National Organization For Women, Bay County Chapter
 National Organization for Women, Broward Chapter
 National Organization for Women, Fayetteville, NC
 National Organization for Women, Greater Rochester Chapter
 National Organization for Women, North Carolina Chapter
 National Organization for Women, NYC
 National Organization for Women, Raleigh Chapter
 National Organization for Women, Virginia Chapter
 National Organization for Women, Washington, DC Chapter
 Navos Mental Health Solutions
 NC Coalition Against Sexual Assault
 NCJW, Southern Maine Section
 NCJW, Utah Section
 NCJW, YWCA
 ND Council on Abused Women's Services
 Nebraska Domestic Violence Sexual Assault Coalition
 Nevada Network Against Domestic Violence
 New Beginning Center
 New Beginnings
 New Beginnings Without Violence and Abuse
 New Hampshire Citizens Alliance for Action
 New Hampshire Coalition Against Domestic and Sexual Violence
 New Haven Legal Assistance Association
 New Hope for Women
 New Hope For Women
 New Horizons Shelter and Outreach Centers, Inc.
 New Jersey Citizen Action
 New Jersey Coalition Against Sexual Assault
 New Jersey Tenants Organization
 New Mexico Asian Family Center
 New Mexico Coalition Against Domestic Violence
 New Mexico Coalition of Sexual Assault Programs, Inc.
 New Mexico Voices for Children
 New Mexico Women's Agenda
 New Orleans Family Justice Center
 New Orleans NOW
 New York Board of Rabbis
 New York City Anti-Violence Project
 New York State Coalition Against Domestic Violence
 New York State Coalition Against Sexual Assault
 NEWSED C.D.C.
 Nirvana Now!
 Nisaa African Women's Project
 Ni-Ta-Nee NOW
 NJ Coalition for Battered Women
 NOA's Ark, Inc./NOA
 North Carolina Coalition Against Domestic Violence
 North Dallas Chapter of the National Organization for Women
 Northeast Williamsport NOW
 Northern West Virginia Center for Independent Living
 Northwest Georgia Family Crisis Center
 Northwest Immigrant Rights Project
 NOW Colorado
 Oakland County Coordinating Council against Domestic Violence
 OASIS, Inc.
 Ocean State Action
 Office of Samoan Affairs
 Ohio Alliance to End Sexual Violence
 Ohio Domestic Violence Network
 OhioHealth
 OK Coalition Against Domestic Violence and Sexual Assault
 Oklahoma Coalition Against Domestic Violence and Sexual Assault
 Olneyville Neighborhood Association
 OPCC
 Open Arms Domestic Violence and Rape Crisis Services
 Option House, Inc.
 Oregon Action
 Otterbein University
 Our Lady of the Lake University
 OutFront Minnesota
 PA Democratic State Committee, Elected Member
 PA Immigrant & Refugee Women's Network (PAIRWN)
 PADV Partnership Against Domestic Violence
 Palm Beach County Victim Services and Rape Crisis Center
 Parent-Child Center
 Parents And Children Together, A Family Service Agency
 Park County Sheriff's Office, Victim Services
 Partners for Women and Justice
 Partnership Against Domestic Violence
 PASSAGES, Inc.
 Pathways of West Central MN, Inc.
 Path Ways PA
 PCADV
 Peace Over Violence
 Pearl Crisis Center
 Penn Action
 Pennsylvania Coalition Against Domestic Violence
 Pennsylvania Coalition Against Rape
 Pennsylvania Council of Churches
 Pennsylvania NOW
 People Against Domestic and Sexual Abuse (PADA)
 People Against Violent Environment
 PERRETTA LAW OFFICE
 Personal Development Center, Inc.
 Philadelphia Coalition of Labor Union Women
 Philadelphia Women's Center
 Phoenix/Scottsdale NOW
 Pinellas County Domestic Violence Task Force
 Pittsburgh City Council Member William Peduto
 Polk Co Women's Shelter
 Portland Store Fixtures
 Prairie Center Against Sexual Assault
 Praxis Advisors
 Prince George's Crime Victim's Fund
 Program for Aid to Victims of Sexual Assault
 Progressive Maryland
 ProgressOhio
 Project Celebration Inc.
 Project Peer
 Project: Peacemakers, Inc.
 Promise House, Inc.
 Prosecutor's Office
 Protecting Arizona's Family Coalition (PAFCO)
 Pueblo Rape Crisis Services
 Quinnipiac University
 Rainbow Community Cares
 Rainbow House Domestic Abuse Services, Inc.
 Rainbow Services, Ltd.
 Raksha, Inc.
 Range Women Advocates of Minnesota
 Rape and Domestic Violence Information Center
 Rape and Domestic Violence Information Center, Inc.
 Rape Assistance and Awareness Program
 Rape Crisis Center
 Rape Crisis Center, Catholic Charities, Inc.
 Rape Crisis Services of The Women's Center
 Rape Victim Advocates
 REACH/FCC
 Red Cliff Band of Lake Superior Chippewa Indians
 Red Cliff Family Violence Prevention Program

Red Lodge DSVS
 Refugio del Rio Grande
 Renew
 RESPONSE: Help for Survivors of Domestic Violence and Sexual Assault
 Rhode Island Coalition Against Domestic Violence
 Rhode Island NOW
 Riverview Center
 Rockford Sexual Assault Counseling
 Rocky Mountain Immigrant Advocacy Network
 Rose Forensic & Treatment Services, LLC (Denver, CO)
 RSAC
 RUI2 Community Center
 Rural Iowa Crisis Center
 Ruth's Cottage
 Ryan Immigration Law
 S.A.F.E. House, NV
 S.H.A.R.E., Inc.
 SAFE
 Safe Alternatives to Violent Environments (SAFE)
 Safe Harbor
 Safe Harbor Family Crisis Center
 SAFE Harbor Inc.
 Safe Harbor of NE KY
 Safe Harbor of Sheboygan County, Inc.
 Safe Haven
 Safe Haven Ministries
 Safe Haven of Greater Waterbury
 Safe Havens Interfaith Partnership Against Domestic Violence
 Safe Homes of Orange County
 Safe House, NV
 Safe in Hunterdon
 Safe Journey
 Safe Nest
 Safe Passage
 Safe Shelter
 Safe Space Inc.
 SafeCenter
 SAFEHOME, Kansas
 Safehouse Crisis Center, Inc.
 SafePlace
 SAFER—Survivors Advocating For Effective Reform
 SAGE Metro DC
 Salaam Cleveland
 Salt Lake Family Health Center
 Sam Houston State University
 San Luis Valley Immigrant Resource Center
 San Luis Valley Victim Response Unit (Alamosa)
 Sanctuary for Families
 SANE of Otero & Lincoln County
 Sankofa Counseling Center
 Santa Barbara County Board of Supervisors
 Santa Fe Natl. Organization for Women
 SARA-Goodhue SMART
 Sarah's Inn
 SASHA Center
 Saving Grace
 SCSU Women's Center
 Seattle Human Rights Commission
 Seattle NOW
 Seeds of Hope
 SEPA Mujer
 Servicios de La Raza
 Sewing Renewal Network
 Sexual Abuse Prevention Awareness Treatment Healing Coalition of NWO
 Sexual Assault Center of NWGA
 Sexual Assault Counseling and Information Service
 Sexual Assault Crisis Center of Eastern Connecticut, Inc.
 Sexual Assault Network of Delaware
 Sexual Assault Program of Beltrami, Cass & Hubbard Counties
 Sexual Assault Resource Center of the Brazos Valley
 Sexual Assault Response Advocates, Inc.
 Sexual Assault Response Network of Central Ohio
 Sexual Assault Response Network of Central Ohio
 Sexual Assault Services of NW New Mexico
 Sexual Assault Support Services
 Sexual Assault Victim Advocate Center
 Sexual Assault/Domestic Violence Center
 Shalom Bayit Program of Jewish Family & Career Services
 Shasta Women's Refuge
 Shelter from the Storm
 Shenandoah Women's Center, Inc.
 Silver Regional Sexual Assault Support Services
 Sinclair Comm College
 Sinclair Community College—Domestic Violence Task Force
 SKIL Resource Center Inc.
 SLV Regional Medical Center
 Sojourn Services For Battered Women And Their Children
 Sojourn Shelter & Services, Inc.
 Sojourner Family Peace Center
 Sojourner House
 Sojourner House
 Solace Crisis Treatment Center
 Solutions Center
 Someplace Safe
 South Asian Network (SAN)
 South Carolina Coalition Against Domestic Violence and Sexual Assault
 South Dakota Coalition Ending Domestic & Sexual Violence
 South Jersey NOW—Alice Paul Chapter
 South Peninsula Haven House
 South Suburban Family Shelter
 South Suburban Family Shelter
 Southern Arizona Center Against Sexual Assault
 Southern New Mexico Human Development, INC
 Southwest Counseling Center
 SpeakOut Georgia LBGT Anti-Violence
 Squirrel Hill NOW
 St Vincent's Hospital
 St. Agnes Hospital Domestic Violence Program
 STAND! for Families Free of Violence
 Starting Point: Services for Victims of Domestic & Sexual Violence
 Stonewall Democratic Club
 Streamwood Police Department
 Strong Hearted Native Women's Coalition, Inc.
 Sun City Democratic Club
 Sun City/West Valley NOW
 Support Center at Burch House
 Support in Abusive Family Emergencies, Inc. (S.A.F.E.)
 Susan B. Anthony Project, Inc.
 Susquehanna County Victim Services
 Tacoma Women of Vision NGO
 Tahirih Justice Center
 Taos SANE at Holy Cross Hospital
 Tennessee Citizen Action
 Tennessee Coalition to End Domestic and Sexual Violence
 TESSA of Colorado Springs
 Tewa Women United
 Texas Council on Family Violence
 Texas Muslim Women's Foundation
 The Break Away Group
 The Bridge to Hope
 The Center for Prevention of Abuse
 The Center for Sexual Assault Crisis Counseling and Education
 The Center for Sexual Pleasure and Health
 The Center for Women and Families
 The Center for Women and Families of Eastern Fairfield County
 The Center for Women in Transition
 The Domestic Violence Shelter, Inc. Richland County, Ohio
 The Family Center
 The Family Place
 The Family Place, Dallas TX
 The Good Shepherd Shelter
 The Haven of RCS
 The Hispanic Interest Coalition of Alabama (HICA)
 The Latina Safehouse
 The Mary Byron Project
 The Network/La Red
 The People's Press Project
 The SAAFE Center
 The Second Step
 The Sex Abuse Treatment Center
 The Sexual Assault Prevention Program
 The Sexual Assault Response Network of Central Ohio
 The Underground Railroad, Inc.
 The Women's Center, Inc.
 Three Rivers Defense Transitions
 Travis County Attorney's Office
 Tri-County Council on Domestic Violence and Sexual Assault, Inc.
 Tri-County Mental Health and Counseling
 Trinity Episcopal Church
 Tri-Valley Haven
 Tu Casa, Inc.
 Tulsa Immigrant Resource Network, University of Tulsa College of Law
 Turning Point
 Turning Point for Women and Families
 Turning Point, Inc.
 TX Association Against Sexual Assault
 Unchained At Last
 Underground Railroad (URR)
 UNIDOS Against Domestic Violence
 United Action for Idaho
 United Migrant Opportunity Services
 United Services, Inc.
 Uniting Three Fires Against Violence
 Univ. of Tulsa College of Law
 University of Louisville PEACC Program
 University of Miami School of Law Human Rights Clinic
 UNO Immigration Ministry
 UofM-Dearborn Student Philanthropy Council
 Upper Ohio Valley Sexual Assault Help Center
 Utah Assistive Technology Foundation
 Utah Domestic Violence Council
 Utah Women's Lobby
 Valencia Counseling Service Inc.
 Valley Crisis Center
 Vera House, Inc.
 Vermillion County Rape Crisis Center
 Vermont Center for Independent Living
 Vermont Council on Domestic Violence
 Vermont Legal Aid, Inc.
 Vermont Network Against Domestic and Sexual Violence
 Victim Resource Center of the Finger Lakes, Inc.
 Victim Services Inc.
 Victim Services South Georgia Judicial Circuit
 Victims Information Bureau of Suffolk
 Victims Resource Center
 Victim-Witness Assistance Services
 Violence Free Coalition
 Violence Intervention Program
 Violence Intervention Project, Inc.
 Violence Prevention Center of Southeastern IL
 Violence Prevention Center of Southwestern Illinois
 Virginia Anti-Violence Project
 Virginia NOW
 Virginia Sexual and Domestic Violence Action Alliance
 VOA Home Free
 VOA Oregon—Home Free
 VOICE Sexual Assault Services

Voices Against Violence
 Voices Against Violence/Laurie's House
 VOICES DV Stephenson County
 Voices of Hope
 Volunteer at first step Detroit
 Volunteer Attorneys for Rural Nevadans
 Volunteer Lawyers Network
 VSF & F, LLC
 WA State National Organization for Women
 Washington Coalition of Sexual Assault Programs
 Washington Community Action Network
 Washington State Coalition Against Domestic Violence
 Wayne County Chapter, National Organization for Women
 Wayne State University
 West Ohio Annual Conference Team on Domestic Violence & Human Trafficking
 West Valley City Victim Services
 West Virginia Citizen Action Group
 West Virginia Coalition Against Domestic Violence
 West Virginia Foundation for Rape Information and Services
 Wild Iris Women's Service in Bishop, Inc.
 William Kellibrew Foundation
 WIN
 WINDOW Victim Services
 WINGS Program, Inc.
 WIRC-CAA Victim Services
 WIRC-CAA Victim Services
 Wisconsin Coalition Against Domestic Violence
 Wisconsin Coalition Against Sexual Assault
 Wisconsin Coalition of Independent Living Centers
 Wisconsin Community Fund
 Wisconsin NOW
 WOMAN, Inc.
 WOMAN'S PLACE
 Womanspace, Inc.
 Women Against Abuse
 Women and Children's Horizons
 Women and Families Center
 Women Helping Women Lanai
 Women In Need
 WOMEN IN SAFE HOME, INC
 Women In Transition
 Women of Color and Allies Essex County NOW Chapter
 Women Services Inc.
 Women's Aid in Crisis
 Women's Aid Service, Inc.
 Women's and Children's Crisis Shelter, Inc.
 Women's Business Development Center
 Women's Center of Greater Danbury, Inc.
 Women's Center of Jacksonville
 Women's Center-High Desert, Inc.
 Women's Coalition of St. Croix
 Women's Crisis Center
 Women's Crisis Support-Defensa de Mujeres
 Women's Information Network
 Women's Law Project
 Women's Medical Center of Rhode Island
 Women's Resource Center
 Women's Resource Center for the Grand Traverse Area
 Women's Resources of Monroe County, Inc.
 Women's Services
 Women's Services Inc
 Women's Shelter of South Texas
 WOMEN'S WAY
 WomenSafe
 WordsMatter.Episcopal Expansive Language Project
 WV Coalition Against Domestic Violence
 WV NOW
 Wyckoff Heights Medical Center—Violence Intervention and Treatment Program
 Wyoming Coalition Against Domestic Violence and Sexual Assault

Yavapai Family Advocacy Center
 Your Community Connection Family Crisis Center
 Youth Development Clinic
 YWCA Adirondack Foothills
 YWCA Alaska
 YWCA Bellingham
 YWCA Bergen County
 YWCA Binghamton & Broome County
 YWCA Bradford
 YWCA Brooklyn
 YWCA Central Carolinas
 YWCA Central New Jersey
 YWCA Central Virginia
 YWCA Charleston WV
 YWCA City of New York
 YWCA Clark County
 YWCA Cortland
 YWCA Darien-Norwalk
 YWCA Dayton
 YWCA Dutchess County
 YWCA DVPC
 YWCA Eastern Union County
 YWCA Elgin
 YWCA Elmira & The Twin Tiers
 YWCA Evanston North Shore
 YWCA Fort Worth & Tarrant County
 YWCA Genesee County
 YWCA GLA
 YWCA Glendale, CA
 YWCA Greater Baltimore
 YWCA Greater Cincinnati
 YWCA Greater Flint
 YWCA Greater Harrisburg
 YWCA Greater Milwaukee
 YWCA Green Bay
 YWCA Greenwich
 YWCA Hamilton
 YWCA Hartford Region
 YWCA Jamestown
 YWCA Kalamazoo
 YWCA Kankakee
 YWCA Kauai
 YWCA Kitsap County
 YWCA Lancaster
 YWCA Madison
 YWCA McLean County
 YWCA MDI
 YWCA Metropolitan Chicago
 YWCA Missoula
 YWCA Mohawk Valley
 YWCA Nashville & Middle Tennessee
 YWCA National Capital Area
 YWCA New Britain
 YWCA New York City
 YWCA Niagara
 YWCA Northcentral PA/Wise Options
 YWCA O'ahu
 YWCA Oklahoma City
 YWCA Orange County
 YWCA Palm Beach County
 YWCA Pierce County
 YWCA Princeton
 YWCA Queens
 YWCA Rochester & Monroe County
 YWCA Rock County
 YWCA Rockford
 YWCA Salt Lake City
 YWCA San Diego County
 YWCA Sauk Valley
 YWCA Schenectady
 YWCA Seattle/King/Snohomish
 YWCA Southeast Wisconsin
 YWCA Spokane
 YWCA St. Joseph (MO)
 YWCA Syracuse & Onondaga County
 YWCA Tonawandas
 YWCA Trenton
 YWCA Troy-Cohoes
 YWCA Tulsa
 YWCA Ulster County
 YWCA Victims' Resource Center
 YWCA Walla Walla
 YWCA West Central Michigan

YWCA Western MA
 YWCA Western New York
 YWCA Wheeling
 YWCA White Plains/Westchester
 YWCA Yakima
 YWCA Yonkers
 YWCA York
 YWCA Youngstown
 YWCA/SARP
 Zacharias Sexual Abuse Center

TRIBAL ORGANIZATIONS

Samish Indian Nation
 Alaska Federation of Natives
 Sealaska Heritage Institute
 Advocacy Resource Center
 American Indian Task Force on DV/SA & Vulnerable Populations, Inc.
 Fort Belknap Indian Community
 Great Plains Tribal Chairman's Association
 Hoopa Valley Tribe
 Kene Me-Wu, American Indian DV/SA Program
 Muscogee (Creek) Nation
 Pechanga Indian Reservation
 Pueblo of Tesuque
 Samish Indian Nation
 Sault Sainte Marie Tribe of Chippewa Indians
 Sault tribe Advocacy Resource Center
 Susanville Indian Rancheria
 Save Wiyabi Project
 Uniting Three Fires Against Violence

Mrs. McMORRIS RODGERS. I reserve the balance of my time.

Mr. CONYERS. I yield 1½ minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Today, Madam Speaker, I rise in opposition to this hyperpartisan and inhumane House substitute version of the Violence Against Women Reauthorization Act of 2013. This version is inhumane and cynical because it removes certain classes of individuals from the protections of the act as guaranteed by the Senate version.

This inhumane House version removes all references to gender identity and sexual orientation, ignoring evidence that domestic and sexual violence also affects LGBT victims at equal or greater levels than the rest of the population.

It also limits protections for Native American women and omits some protections for immigrant women. Why would we want to exclude these populations from coverage? Vote "no" on the House substitute.

Mrs. McMORRIS RODGERS. I continue to reserve.

Mr. CONYERS. Madam Speaker, I am pleased to yield the balance of my time to the gentlewoman from California (Ms. CHU), a distinguished member of the Judiciary Committee, to close the debate on our side.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1½ minutes.

Ms. CHU. I rise to oppose the House amendment. For nearly 20 years, Congress worked on a bipartisan basis to expand and improve the Violence Against Women Act. On three separate

occasions, we found common purpose in protecting survivors of domestic violence. Today, we will try again.

The Senate bill protects immigrant, LGBT, and Native American victims. The amendment takes this all away.

Right now, an immigrant woman who fears deportation could be terrorized by a violent stalker. She would have no choice but to continue to live every day in fear. The Senate bill fixes this by giving this immigrant woman a legal means by which to save her life. This amendment would deny that protection.

The point of this law is to protect the vulnerable, not to cherry-pick who matters. It's time to return to bipartisanship and protect victims. It's time for the House to pass the Senate VAWA bill as is. We must oppose this amendment.

Mrs. McMORRIS RODGERS. Madam Speaker, I yield the balance of my time to the gentleman from South Carolina (Mr. GOWDY) to close, a distinguished member of the Judiciary Committee.

Mr. GOWDY. Liz Chesterman was an honors graduate from Hollins University in Virginia. Then she got her Ph.D. in molecular biology. Then she became a patent agent with the largest law firm in South Carolina. And she still wasn't done. At night, she would sit in the kitchen and study for the LSAT. She was going to go to law school. She wanted to be a doctor and a lawyer. But her greatest accomplishment was her character. She was smart, hard-working, a source of joy and inspiration in the lives of everyone who worked with her and knew her.

And with just a little bit of luck, Madam Speaker, Liz Chesterman could be speaking to you from the floor of the House of Representatives. With just a little bit of luck, she would be representing South Carolina in Congress. But she's not in the House of Representatives, Madam Speaker. She's in a cemetery in Fort Wayne, Indiana. Her husband couldn't stand her success, so he abused her. She tried to escape, and she almost made it. She made it to the back door, where he met her with a shovel, and he broke every single bone in her face. And then he nearly decapitated her, leaving her in a pool of blood in the kitchen where she used to study for the LSAT.

I run into her mom from time to time, Madam Speaker, in South Carolina. She comes back for a victims right service. She's just like Liz, warm and compassionate. And she always asks: What can I do to help? Imagine that, a mother who lost a daughter in such a horrific way wants to help.

And that got me wondering, well, maybe we should be asking what we can do to help because we really can help. We can provide women a safe harbor. We can provide the means to leave abusive relationships. We can provide women the counseling that they need.

We can accelerate the prosecution of sexual assault cases so women don't have to wait and wonder and worry about whether or not they're going to be abused again before the case gets to trial. We can do all of that; but, I think, Madam Speaker, we can do more.

□ 1110

When my daughter was little, she would ask me to look under her bed for monsters, and I did. But as our little girls grow into women, we realize the monsters are not under the bed. The monsters are in the bed and in the den and in the kitchen and on the college campuses and walking the halls of the high schools and on the computer and on the phone. And for some women, especially today, the monster is this broken political system that we have, a broken political system which manufactures reasons to oppose otherwise good bills just to deny one side a victory.

The House version protects every single American, period, but it will not get a single Democrat vote because it is our version. Welcome to our broken political system. I never ask a victim if she is a Republican or a Democrat. I never ask a police officer if he or she is a Republican or a Democrat. I never ask a counselor if she is a Republican or a Democrat. I never ask the parents of a victim if they are a Republican or a Democrat because there are some things that ought to be bigger than politics, and protecting people who cannot protect themselves ought to be one of them.

And I had hoped that the House bill would allow us, Madam Speaker, to join arms and walk on a common journey of protecting people who are innocent and cannot protect themselves. And I had hoped, Madam Speaker, that this fractured body could possibly be healed by something that ought to be nonpartisan, like protecting women against violence. And I had hoped, Madam Speaker, that just for 1 day, we will stop scoring political points against each other and try to score political points for other people. And I had hoped, Madam Speaker, that just for 1 day this body could speak with one clear, strong voice for all the women who are too tired and too scared and too hurt and too dead to speak for themselves. I had hoped that today would be the day.

Maybe next time, Madam Speaker, maybe next time.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of this comprehensive Violence Against Women Act reauthorization that passed the Senate by an overwhelming 78–22 bipartisan majority. Today is a victory for America's women—and for the possibility of bipartisanship on important matters before the U.S. Congress.

This reauthorization strengthens the Violence Against Women Act by protecting all vic-

tims of domestic violence, sexual assault, stalking, and human trafficking. It authorizes vital funding for law enforcement to investigate and prosecute these abuses, and it includes provisions to make college campuses safer and to reduce the current rape kit backlog.

Madam Speaker, the Senate version of the Violence Against Women Act is endorsed by over 1300 organizations nationwide and was supported by every Democrat, every woman senator, and a majority of Senate Republicans. We should enact it without any further delay.

I urge a "yes" vote.

Mr. LOWENTHAL. Madam Speaker, I stand here today to urge my colleagues to bring the Senate-version of the Violence Against Women Act—a bill that would provide critical services to all victims of domestic abuse—to the House floor.

We are faced with two versions of this bill—a GOP House bill that waters down protections and a Senate bill that provides equal protections.

As for the altered House version, which clearly rejects the equal protections outlined in the Senate version . . . it is unfair, unjust, and unacceptable.

The House substitute removes all references to "gender identity" and "sexual orientation," despite clear evidence revealing that domestic and sexual violence affects LGBT victims at equal or greater levels than the rest of the population.

Rather than give tribes the authority they need to protect Indian women, the House substitute limits tribes to charging an abuser with misdemeanors punishable by no more than one year in prison, even if the abuser has committed rape, a vicious assault, or another serious violent crime.

Unlike the Senate bill, the House bill jeopardizes domestic abuse survivors by including a provision that would allow immigration judges to use unreliable evidence to deport persons who have been convicted of domestic violence charges.

I urge the rejection of the GOP House bill and the reauthorization of the Senate version of VAWA. The Senate version will make sure our LGBT brothers and sisters receive appropriate care when they are victimized; it will assure that immigrants, striving proudly toward citizenship, will not have to hide behind their abusers in fear of deportation; and, we can make sure that the three out of five American Indian women who will experience domestic violence in their lifetime can have the peace of mind to know that their abusers will not be given a way out of prosecution.

Equal protection should never be open to political gamesmanship. Equal protection is simply the right thing to do.

Mr. HASTINGS of Washington. Madam Speaker, during my service in Congress representing Central Washington, I have always voted to renew the Violence Against Women Act. As a husband, a father, and a grandfather, I strongly believe that providing protection for all women against domestic violence is a duty and a priority. Yet I am deeply dismayed by the manner in which the current reauthorization of this legislation (S. 47), which has long been a simple grant program, has been hijacked in order to pursue unrelated political agendas in very harsh politicized terms.

To be blunt, the bill is simply unconstitutional.

The Indian tribal provisions of S. 47 are the first time in the history of our country that Congress will give tribes criminal jurisdiction over non-Indians. The provisions, found in sections 904 and 905, declare that a tribe's power of self-government includes the "inherent" power of that tribe to exercise jurisdiction over all persons, including non-Indians.

As I've said, these provisions are unconstitutional and contradict over two centuries of law.

There are three fundamental principles underlying how Congress may deal with Indian tribes. First, the Indian Commerce Clause, supplemented by the treaty making powers in the Constitution, give Congress what the Supreme Court has said is "plenary" power over Indian affairs. Second, tribes are defined by the Indian status of their members. Third, when tribes were brought under the jurisdiction of the United States through act, treaties, and Executive Orders, they have been recognized for the purpose of self-government over their internal affairs and members. Congress may recognize, or terminate, tribes.

With these principles in mind, it is clear that the Indian tribal provisions of the Senate bill are unconstitutional. The measures put a non-Indian American citizen—on American soil—under the criminal jurisdiction of a political entity to which the individual, because of his race, may not consent. It violates the founding principle of this Republic, which is a government only at the consent of the governed.

The bill overturns all precedents set by Congress and the Supreme Court through its extension of a unique, self-governing power over internal affairs of a race of people, into a territorial government over everyone. The Supreme Court has long held that because tribes are not parties to the Constitution, the Constitution, including the Bill of Rights, do not apply to tribes.

In tribal court, an individual only has something called the Indian Civil Rights Act. This provides a set of similar—but not identical—rights as the Bill of Rights. They may be amended or repealed by mere Act of Congress. Even if the rights were meaningful, however, the Supreme Court in 1978 said these statutory rights are unenforceable in federal court.

Does S. 47 provide a defendant with the right to appeal a tribal judgment and conviction in federal court? No, it does not.

Section 904 of S. 47 openly allows discrimination against an individual based on race, sex, age, or if he's an Indian, who he's related to. Where the person's an American citizen, can be expelled from their home and may not have any right to appeal a claim in an impartial federal court.

As a result, enactment of Section 904 will be the first time that Congress has purposefully removed a U.S. citizen's constitutional rights while on American soil so that a political entity defined according to ethnic ancestry may arrest, try, and punish the citizen.

If these arguments do not sound familiar to all, it will be to those who have studied the pertinent case law and Supreme Court precedent from the 18th century to present.

Beginning in modern times with *Oliphant v. Suquamish Indian Tribe*, the Supreme Court

held that tribes lack inherent jurisdiction over non-Indians. Congress cannot recognize and affirm an inherent—that is to say a pre-existing and continuing—power in a tribe when the Supreme Court ruled the tribe never had it.

There's *Duro v. Reina*, in which the High Court held that Indian tribes lack jurisdiction over non-member Indians.

In the 19th century, the Supreme Court in *United States v. Kagama* declared there are only two sovereigns in the geographical limits of the United States, and tribes are not one of them.

Case law, statutes, treaties, and historic dealings with Indian tribes support the sole purpose of federal Indian law and policy: to permit a racially defined group of people who were here first to continue their unique way of life according to their own customs, without interference from others.

This is an honorable and morally correct policy, one which I respect and uphold. This is why I cosponsored legislation to exempt tribes from a federal law permitting compulsory union work places on the reservation, and supported exempting tribes from the Department of the Interior's onerous hydraulic fracturing rule, a rule that could devastate the economies of historically impoverished tribes.

For further clarification, let us examine the work of the distinguished former Democrat Chairman of the Subcommittee on Indian Affairs, the late Lloyd Meeds of Washington.

Chairman Meeds wrote that tribal powers "have over and again been labeled self-government and not sovereignty. It is one thing for the Congress to permit tribal Indians to govern themselves and not be subject to Federal constitutional limitations and general Federal supervision. It is quite another thing for Congress to permit Indian tribes to function as general governmental entities not subject to Federal constitutional limitations or general Federal supervisions." (Separate Dissenting Views of Congressman Lloyd Meeds, D-Washington, Vice Chairman of the American Indian Policy Review Commission, Final Report, p. 579.)

"[T]he American people have not surrendered to Indians the power of general government; Indians are given only a power of self-government. They have the power to regulate only their members and the property of their members. They have some governmental powers because and to the extent that such powers are appropriate to the Federal policy of allowing Indian peoples to control their own affairs. But there is no Federal policy of allowing Indian peoples to control the liberty and property of non-members. Tribal powers of self-government are limited by their purpose." (Ibid, p. 585).

Our Nation has appropriately recognized Indian tribes' right of self-government. Tribal self-government over Indians and their internal affairs is important and should be respected. Yet self-government does not and should not permit Indian tribal actions to trump the Constitution or violate individual rights of non-Indians.

With the precedent being set under S. 47, tribes will return to Congress for more, expanded power over non-Indians. There would be no reason to deny granting such power, especially if the Constitution continues to be viewed as an obstacle to addressing crime.

It is important to be clear about the scope of a tribe's criminal jurisdiction granted under S. 47. It affects non-Indians who live, work, or travel on 56 million acres of U.S. soil that happen to be called Indian Country. In other words, the bill makes 56 million acres of land in our nation "Constitution-Free Zones" where Due Process and Equal Protection rights—as interpreted and enforced in U.S. courts—do not exist.

What are these areas? There is a misconception that Indian Country is just tribal trust land. In fact, the term Indian Country has a precise meaning under Title 18 of the U.S. Code.

Indian Country includes not just land under tribal jurisdiction, but all private lands and rights-of-way within the limits of every Indian reservation under non-Indian jurisdiction. Homes, farms, schools, businesses. Interstate highways, state roads, and secondary roads. All private, non-Indian lands in Indian Country under the Senate bill are Constitution-Free Zones.

There are incorporated non-Indian cities and towns in many reservations and Indian Country, like Wapato and Toppenish on the Yakama Reservation in my district. Take the Puyallup Indian Reservation in Washington state encompassing parts of Tacoma and Fife. With one of the busiest highways in the nation, Interstate 5, crossing the reservation, the ancient reservation is inhabited primarily by non-Indians living and working and going to school on mostly non-Indian land under the civil and criminal jurisdiction of the State. Under the Senate bill, this region is Indian Country on which the tribe may exercise criminal jurisdiction with no Due Process and Equal Protection rights guaranteed to the people living there.

Under a land claim settlement, taxpayers paid \$162 million to the tribe in exchange for the tribe ceding most authority over its reservation. However, the "notwithstanding any other provision of law" language in the Senate bill trumps and overrides the land claim agreement.

Take the Coachella Valley in the State of California, with a number of checker-boarded Indian reservations containing non-Indian populations. Tribes in this Valley will get criminal jurisdiction over residents in towns and cities such as Palm Springs for offenses described in Section 904 of the Senate bill. In tribal court, the residents of the Coachella Valley will not have their Due Process and Equal Protection rights.

Take the Oneida Reservation in New York that encompasses about 300,000 acres, 99 percent of which is non-Indian land with non-Indian towns and farms. Under the Senate bill, the tribe will have full powers to arrest, prosecute, and jail residents of Madison and Oneida counties for the offenses described in this bill, with no Due Process or Equal Protection rights guaranteed by the Constitution.

The validity of sections 904 and 905 of S. 47 will eventually come before the Supreme Court. When this happens, it won't be a question of whether these provisions are struck down, but how many other tribal powers will be rolled back, and how many domestic violence offenders will be set free because of the misguided legislation before us.

Some will say that critics of the Senate bill are interested only in the rights of criminal defendants. Then answer these questions: If Congress can justify stripping a citizen of their constitutional rights when accused of a crime, why can't it be justified for other classes of crime, like theft, felony assault, and murder? Why limit the suspension of the Constitution to Indian Country as defined under this bill? Why not create new Indian reservations so there are more Constitution-Free Zones where the Bill of Rights is not an impediment to law and order?

While the House Substitute would delegate criminal jurisdiction to an Indian tribe over non-Indians, it at least guarantees that enforceable constitutional protections are built in so that it might pass muster in Court.

The timing of the consideration of S. 47 is interesting. While proponents say that people have nothing to fear in tribal court, there is at least one tribe in the State of Oklahoma embroiled in litigation over its denial of tribal citizenship to the descendants of the African slaves the tribe's 19th-century members owned. There are also entire families of Indians in California dis-enrolled by their tribe in a dispute over large cash per capita dividends from the tribe's casino, who cannot get a federal court to review their Equal Protection claims.

These cases are merely the latest example of several tribes wielding sovereign immunity to escape any liability for alleged harm caused by possibly depriving individuals—including their own members and ex-members—their constitutional rights.

On the one hand, Indian tribes want criminal jurisdiction over individuals like the Freedmen of the Five Civilized Tribes or the dis-enrolled Pechangas. On the other hand, they want to forbid these individuals from participating in the tribes' government.

S. 47 makes more U.S. citizens like the disenfranchised Indians in California and the Freedmen of the Five Civilized Tribes. It gives tribes the power to put people in jail while denying them a voice in the making of the laws that govern them.

The tribal jurisdictional provisions must be rejected.

Because of the historic policy change the House is poised to make today, it is necessary to elaborate on why the tribal provisions of S. 47 are unconstitutional and contrary to all precedent, if not common sense, in the United States' administration of federal Indian relations.

INHERENT SOVEREIGNTY

For moral and public policy reasons, Congress rightfully recognizes Indian tribes as possessing powers of self-government over their internal affairs and members. Not being parties to the Constitution, Congress has tolerated—perhaps far too long—the power of a tribe to deprive its members' civil rights guaranteed in our country's supreme law. Because of this, Congress has enacted hundreds of laws since 1789 to protect Indians' unique status encroachment by states. At the same time, Congress has never—until today—allowed a tribe to claim power over a non-Indian.

The scope and nature of a tribe's jurisdiction was delineated in *Kagama*: "Indians are within the geographical limits of the United States.

The soil and the people within these limits are under the political control of the Government of the United States or of the States of the Union. There exist within the broad domain of sovereignty but these two." (*United States v. Kagama*, 118 U.S. 375, 379 (1886)).

Tribal self-government is therefore not a general government power equivalent to that of a state, but a federal policy governed by Congress for the promotion of Indian self-determination and to preserve and advance their way of life.

TRIBAL JURISDICTION OVER INDIVIDUALS

The reason why the tribal provisions of S. 47 should, I believe, be struck down is best described by the Supreme Court.

"The effort by Indian tribal courts to exercise criminal jurisdiction over non-Indians, however, is a relatively new phenomenon. And where the effort has been made in the past, it has been held that the jurisdiction did not exist." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978).

"A tribe's additional authority comes from the consent of its members, and so, in the criminal sphere, membership marks the bounds of tribal authority." (*Duro v. Reina*, 495 U.S. 676 (1990)).

"Retained criminal jurisdiction [of tribes] over members is accepted by our precedents and justified by the voluntary character of tribal membership and the concomitant right of participation in a tribal government, the authority of which rests on consent . . . With respect to such internal laws and usages, the tribes are left with broad freedom not enjoyed by any other governmental authority in this country . . . This is all the more reason to reject an extension of tribal authority over those who have not given the consent of the governed that provides a fundamental basis for power within our constitutional system." (*Ibid*).

Proponents of Section 904 of S. 47 argue that tribal jurisdiction over non-Indians who cannot participate in tribal government is reasonable because it covers only a narrow class of domestic violence crimes, and it includes measures designed to protect a defendant's rights. These do nothing, however, to address the fact this scheme violates the Constitution. As pointed out in dissenting views filed in the Senate last year on these Indian tribal provisions (S. 1925 in the 112th Congress), "While the present bill's jurisdiction is limited to domestic-violence offenses, once such an extension of jurisdiction were established, there would be no principled reason not to extend it to other offenses as well."

In seeking to repeal *Oliphant*, advocates of the Senate language repeatedly rejected offers to increase law enforcement resources in Indian Country, including law enforcement personnel, funding, training, certification, cross-deputizing, and other tools for tribes, U.S. Attorneys, and State law enforcement agencies to arrest and prosecute men who harm Indian women in Indian Country. When the Supreme Court strikes down this bill, how will Indian women be protected given the rejection of law enforcement resources?

This begs a question: since there has been a pressing need to address terrible domestic violence across Indian Country for many years, why did no Member of Congress or U.S. President propose to reverse *Oliphant* for

33 years? The first such proposal came in 2011, right after the House Democrats lost their majority in a landslide to Republicans, and a year before a presidential election where a political message often called the "War on Women" was developed?

Is the proposed reversal of *Oliphant* a serious attempt to help Indian women who have been victimized? If it were, then Congress would not have let 35 years go by without proposing a jurisdictional change, including spans of time when advocates were in control of the White House and the Congress.

It is abundantly clear the unconstitutional *Oliphant* reversal is not aimed at helping vulnerable Indian women. It is a political means to an ideological end, one that will ultimately backfire when it is struck down by the High Court, leaving Indian women unprotected because the advocates had rejected offers of increased federal and tribal law enforcement resources in Indian Country.

UNITED STATES V. LARA

Advocates for inherent tribal power over non-Indians argue the Senate bill is permissible under the *United States v. Lara*. This reflects a common misunderstanding of *Lara*.

This case concerned an Act of Congress to reverse *Duro v. Reina*. In the so-called *Duro* "fix", Congress gave tribes jurisdiction over non-member Indians (i.e. Indian individuals not members of the tribes exercising jurisdiction over them). In *Lara*, the question before the Court was whether Billy Jo Lara, an Indian man convicted by both a tribal court and a federal court for the same crime, had been twice put in jeopardy. Resolving this hinged on another question, the only one the Court considered: did the tribe's jurisdiction over *Lara* (authorized by the *Duro* "fix") result from the recognition of "inherent authority" or from a federal delegation of power?

A majority of the Court held that the *Duro* "fix" law stemmed from an Act of Congress to recognize the inherent power of the tribe, not to delegate a federal power. As a result, *Lara* was not put twice in jeopardy because the tribe that convicted him did so as a separate sovereign, not as an agent of the federal government.

Contrary to what tribal advocates have been arguing, the Supreme Court did not find the tribe's jurisdiction over *Lara* to be constitutional. Why? Because the Court declared it was not facing "a question dealing with potential constitutional efforts to legislate far more radical changes in tribal status." (Majority opinion, *U.S. v. Lara*) The Court was not considering "the question whether the Constitution's Due Process or Equal Protection Clauses prohibit tribes from prosecuting a nonmember citizen of the United States" (*Ibid*).

The reason why was because, as Anthony Kennedy's separate concurring opinion stresses, "The proper occasion to test the legitimacy of the tribe's authority, that is, whether Congress had the power to do what it sought to do, was in the first, tribal proceeding. There, however, *Lara* made no objection to the tribe's authority to try him." (Kennedy concurring opinion). In other words, Billy Jo Lara waived any right to challenge the constitutionality of the tribe's criminal jurisdiction over him, a non-member Indian. The Court

was reviewing only whether the federal government put him twice in jeopardy.

Kennedy goes out of his way to cast doubt on the constitutionality of Congress recognizing tribal jurisdiction over non-Indians and over non-member Indians. “[I]t should not be doubted that what Congress has attempted to do is subject American citizens to the authority of an extraconstitutional sovereign to which they had not previously been subject.” (Kennedy concurring opinion).

Those who say the Supreme Court holding in *Lara* have probably not read it. Perhaps fittingly, Justice Kennedy was the lone dissent in the Ninth Circuit Court of Appeals decision in *Oliphant*, a dissent ultimately vindicated by the U.S. Supreme Court that Kennedy would years later join.

In conclusion, S. 47 denies basic rights, is unconstitutional and will be tied up in court challenges for years.

Mr. MARKEY. Madam Speaker, I rise today in strong support of S. 47, the Senate's bipartisan, comprehensive reauthorization of the Violence Against Women Act that passed 78–22.

I look forward to the House passing this crucial bill later today and sending it to the President.

The House Republicans delay in bringing this bill forward is inexcusable. It should have been the law of the land last year.

Why did they delay it? In no small part because of their concern over recognizing tribal authority to protect Native American victims of domestic violence, even though Native women are victimized at a rate that is more than twice the national average.

I stand with the National Congress of American Indians, the oldest and largest tribal organization in the country, in opposing the Republican substitute amendment and supporting the Senate version. It is well past time that Congress recognizes the inherent power of tribal nations to protect their own and hold criminal offenders, regardless of race, accountable.

Indeed, I stand with all women of this country to say “no more.” No more delay in reauthorizing this bill. No more escape for those who attack women. No more violence against women.

Mr. BENTIVOLIO. Madam Speaker, legislation that is passed here needs to be more than just a title that sounds good in the press. I understand that when most in this country hear the “Violence Against Women Act,” they think, “of course I don't support violence against women. This must be a great bill.” When I was a high school teacher I used to tell my English students that you can't judge a book by its cover. Well, maybe we should learn here in Congress that you can't judge a bill by its title.

The gruesome and oftentimes cruel experience of domestic violence should not happen to anyone. It shouldn't matter what race or ethnicity you are. It shouldn't matter your religion, your sexual orientation, age, immigration status or economic standing. And it shouldn't matter your gender. No one should feel unsafe at home.

Unfortunately, this bill doesn't do that. This bill segregates people into groups, making gendered designations that assume a feminization of victimhood. We live in a fallen

world in which all kinds of people are capable of horrid, violent behavior, every victim of domestic violence should receive protection and support regardless of their circumstances. I wish this bill simply dealt with domestic violence instead of gender stereotypes.

Furthermore, the Tenth Amendment exists and we can't ignore it. Each State already has criminal statutes targeting domestic violence. If more laws are needed, there is no reason why each state can't pass stronger laws. I understand that there are cases where Washington can help, that's why I support the SAFE Act, which will end the needless backlog of rape kits, leaving too many sexual predators still at large. I wish we were voting on that today and I hope we can do so as soon as possible.

Laws should be passed that don't place people into groups. My constituents sent me to Washington to vote for sound policy, not for titles that just sound good in the media. For these reasons, I cannot support this bill.

Mr. FALCOMA. Madam Speaker, I rise today in support of S. 47, the Violence Against Women Reauthorization Act of 2013. I urge my colleagues to pass this bill which aims to protect all Americans from domestic and sexual abuse.

I thank Speaker BOEHNER for bringing S. 47 to the House floor for a vote. This bill passed in the Senate earlier this month by a vote of 78–22. Altogether, 23 Republican senators voted for this bill, including every Republican woman senator. Madam Speaker, this bill, introduced by Senator PATRICK LEAHY, a Democrat, and Senator MIKE CRAPO, a Republican, is not only bipartisan, but it is also a comprehensive and inclusive solution to the domestic and sexual violence plaguing American society.

While I fully support reauthorization of this law which, since 1994, has been an essential tool to protect victims of domestic and sexual violence, I do, however, have major concerns with the GOP substitute to this bill. Unlike S. 47, the substitute offers a lesser form of protection for Indian women abused on tribal land.

The House version requires that Native American tribes seek certification from the U.S. Department of Justice before they are able to prosecute non-Indian offenders on tribal land. Madam Speaker, this doesn't make any sense. A sovereign tribe should not have to willingly hand over part of their sovereignty to prosecute these offenders. Ultimately, the House version falls short of protecting Native American women.

However, today the House has an opportunity to pass S. 47 which is supported by those it aims to protect, including the Native American community. S. 47 offers comprehensive protection for all of our people, not just some.

Madam Speaker, unfortunately, domestic and sexual crimes have been on the rise in the U.S., including my district of American Samoa. And like many cases in the States, almost always, the perpetrator is a family member or close neighbor.

Furthermore, these crimes often go unreported due to fear of authorities or shame. It is the fear to come forward that allows abusers to continue their abuse. But when laws are in place to offer full support and protection for

victims, we can ensure that more and more of these victims will come forth and their abusers are brought to justice.

Through this inclusive legislation, S. 47, we take one step forward to reinforce support even for the most marginalized communities. Today the House has the opportunity to pass this bill to protect all people, whether they are from the inner city or a tribal reservation, whether they are immigrants who would otherwise be afraid to come forward, or whether they are part of the LGBT community.

Madam Speaker, I urge my colleagues to vote no on the House amendment and to pass S. 47, a bill to protect all people, because that, Madam Speaker, is what America is all about.

Mr. HOLT. Madam Speaker, I am pleased to be support this very good bill. I only wish it had been allowed on the House floor a year ago for a vote.

For the first time in years, the Congress is poised to pass a VAWA reauthorization that is worthy of the name. Finally, we will be providing real protections for a number of vulnerable populations among America's women.

Of course, this bill almost didn't make it to the House floor. The House majority was going to simply sit on S. 47 and offer their own VAWA substitute. After a massive public shaming, the majority backed down. They are still offering their own so-called substitute—which is a sham—but we will also have the chance to vote on the Senate bill, which is the true VAWA reauthorization.

This bill provides tangible, enforceable protections for LGBT, Native American and immigrant victims of sexual assault and domestic violence. The bill will help ensure the availability of services to all victims of domestic and dating violence, no matter their sexual orientation or gender identity. S. 47 also provides authority to Native American tribes to prosecute non-Indian perpetrators for a narrow set of crimes related to domestic, dating violence and violations of protecting orders. The Senate bill also adds stalking to the list of crimes for which victims can receive protection through the U-Visa program. Finally, S. 47 also includes authorizations for programs preventing human trafficking, sexual assault on college campuses, as well as additional resources to address rape kit backlogs.

Madam Speaker, this day has been entirely too long in coming, but I am pleased that it is finally here and I urge my colleagues to join me in supporting this bill and sending it to President Obama for his signature.

Mr. GRIJALVA. Madam Speaker, I rise today to express my support for the Senate-approved Violence Against Women Act reauthorization bill known as S. 47 and to explain my concerns about its counterpart in the House.

Since it was first authorized in 1994, VAWA has supported countless victims of domestic violence, stalking, dating violence and sexual assault. VAWA-funded programs have provided housing and legal services to survivors across the country. The law has provided police and nonprofit organizations the resources they need to investigate more cases and prosecute those responsible. Over time, VAWA has progressively protected more Americans, including seniors and Americans with disabilities.

VAWA has meant tangible successes in the fight against domestic and other forms of violence. Reporting of these incidents has increased by 51 percent since 1994, when we first passed the law.

S. 47 builds on these successes by adding protections for immigrants, Native Americans, and LGBT Americans. Under this measure, Native Americans will be able to effectively address sexual violence in their own communities. U-Visa holders will receive new legal protections against stalking. LGBT Americans will be added to the measure's non-discrimination clause. More funding will be given to college campus programs that combat human trafficking and sexual assault.

I applaud my colleagues in the Senate for passing this strong measure 78 to 22 with bipartisan support.

Unfortunately, my colleagues introduced a weaker and unacceptable House version of S. 47 last week. It removes the necessary protections for Native Americans, immigrants, and LGBT Americans and weakens the Trafficking Victims Protection Act and the SAFER Act.

As lawmakers, we must cement protections for every American harmed by sexual violence—regardless of race, sexual orientation, or country of origin.

As discussions of VAWA conclude this week, I urge my colleagues to support the Senate bill, and to accept no substitute for a strong, inclusive final product.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the Violence Against Women Act (VAWA) has historically provided a vast network of support for victims of domestic violence, dating violence, sexual assault, and stalking since its initial passage in 1994. As the House considers the reauthorization of these critical protections, Members of Congress will have to choose between two vastly disparate futures for the women of our Nation.

In one future, the House extends these important protections for all Americans by approving the Senate-passed reauthorization of VAWA, S. 47. This bipartisan bill not only extends the protections afforded to women under previous reauthorizations, but also expands those protections to LGBT individuals, Native Americans, and immigrants. In this future, abusive partners and perpetrators of violence are swiftly brought to justice as Congress builds upon the successes of VAWA, and incorporates new and innovative approaches to combating violence against women.

However, in a harshly dissimilar future that could be realized through the passage of the House substitute bill, only select groups of battered and abused women are protected from violence or sexual assault. In this dismal scenario, college students, Native Americans, LGBT individuals, and others are left to fend for themselves against their attackers. In this future, perpetrators may remain confident that the strain on limited law enforcement resources will prevent them from being prosecuted for these gross violations of the law. This is not the future that I would want to envision for these victims of violence.

Madam Speaker, the Senate-passed version of the VAWA reauthorization is the result of extensive deliberation and consultation with real victims of violence, law enforcement personnel, and outside organizations that spe-

cialize in combating domestic violence and abuse. This Congress must vote to pass S. 47 immediately if we are to stand behind the women of this Nation, and send a strong message that these acts will not be tolerated. Every victim of domestic violence in America deserves equal protection under the law, and the House substitute to VAWA does not acknowledge the pervasiveness and severity of the violence that women must face each and every day.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise in support of the Senate version of the Violence Against Women Act. According to the US Department of Justice, in 2007 intimate partners committed 14 percent of all the homicides in the United States.

In 2007, of all the deaths caused by Intimate Partner Violence, 70 percent were females and 30% were males.

In 2008, females age 12 or older experienced about 552,000 nonfatal violent victimizations by an intimate partner.

From 1994 to 2010, about 4 in 5 victims of intimate partner violence were female.

All those numbers are all real. And so are the tragedies behind them. The body count is indisputable. The pain—the suffering—the loss—are hard to bear even in our imaginings.

And the damaging effect on the children that witnessed such acts of violence—lingers into future generations—spreading its toxic effects.

Grim facts like these are why the Violence Against Women Act was originally passed: Women were dying—disproportionately—from intimate partner violence. Women were the ones being beaten. Women were the ones being raped. And the ordinary efforts of law enforcement at the time—were simply not able to keep them safe.

More needed to be done to stop the plague of violence. And that is why the Violence Against Women Act was passed with strong bipartisan support. And was re-authorized—again—with strong bipartisan support.

And yet somehow—in this sad new world of partisan politics and endless rancor—the simple reauthorization of the Violence Against Women Act has become a political football. A way—not to save lives—or keep women and children safe—but to score points—to win a game.

But this is not about politics—this is about the single most fundamental task that we require of our government—keep its citizens safe from violent assault.

That is what the Violence Against Women Act is about—keeping people safe—people who are at clearly demonstrable risk.

And in America—we have long stood by the principle that the protections of the law are not meant just for some—not just for those who may be in greater favor or hold greater sway. But the law should be there to keep all people safe. Period.

And yet—our Republican colleagues have seen fit to weaken the Violence Against Women Act and strip from the Senate version of the bill—new protections for populations that we know beyond dispute have been victimized by intimate partner violence—and are in need of protection.

We know that long standing prejudices put these populations at risk. We know that with-

out the specific protection of the law—they will continue to suffer. And yet these protections have been stripped.

And we know beyond question—there are estimates that hundreds of thousands of rape kits are sitting on shelves un-tested—and that each and everyone of those rape kits may hold the information that will solve a violent crime—and bring some closure to a traumatized victim.

And yet our Republican colleagues weakened the bill and ripped from the VAWA a provision which I sponsored, that would help state and local governments conduct audits of those rape kits with no new spending.

The SAFER Act (H.R. 354) would also have provided a measure of open government and public accountability, by requiring audit grantees to issue regular public reports that detail the progress they have made in clearing the rape kit backlog.

Additionally, it would have allowed the National Institute of Justice to publish a set of non-binding protocols and practices to provide guidance in cases that include DNA evidence. And yet the Republicans chose to weaken the bill and take that out.

We also know that recent studies have shown that 1 in 5 women will be sexually assaulted during her college years.

That grim statistic is made even worse by the fact that a study of sexual assaults on campuses, showed that even though victims' may be profoundly traumatized, the students deemed 'responsible' for the sexual assaults typically faced little in the way of real consequences.

How then, could Republican's in the House also strip from the Senate version of the Violence Against Women Act, The Campus Save Act (H.R. 812), another provision I offered that would increase the obligations of colleges to keep students safe and informed about policies on sexual assault?

To keep your daughters safer, the bill would also have required colleges to collect and disclose information about sexual assault; and to update and expand existing domestic violence, dating violence, and stalking services on their campuses. And yet Republicans chose again—to weaken the bill—and to take that out.

To turn a blind eye to such a fundamental obligation of government—to simply keep its citizens safe from sexual assault—is to throw up your hands and surrender to a level of savagery that is unworthy of a great nation.

LET'S RENEW VAWA TODAY

(By Carolyn Maloney)

Today, Congress has an historic opportunity to reauthorize the Violence Against Women Act (VAWA). It has been more than 500 days since VAWA expired and women have gone without critically important protections. Despite the fact that last year the Senate voted on a large bipartisan basis to renew VAWA, the House Republican leadership blocked a vote on that bill and instead pursued a highly partisan plan that actually narrowed VAWA's protections.

Last week, the Senate again passed a bipartisan bill (S. 47) to reauthorize VAWA and today my colleagues and I in the House may finally get the vote we have been waiting for. The Senate bill renews and expands VAWA's protections and also includes several new provisions I have been pushing for years to

help rape victims, reduce violence on college campuses and assist human trafficking victims.

The facts are indisputable and they are grim. Women are far more likely than men to be the victims of domestic violence. Women are the ones being beaten. Women are the ones being raped. Without VAWA, the federal government is extremely limited in what it can do help combat this plague of violence.

I was proud to be an original cosponsor of the Violence Against Women Act when Congress passed it in 1994, and was proud to support the previous renewals in 2000 and 2005. These bills always enjoyed large, bipartisan support.

Yet somehow in this sad new world of partisan politics and endless rancor, even the Violence Against Women Act has become a political football. But this is not about politics. It is about the single most fundamental task that we require of our government—to keep its citizens safe from violent assault.

In America, we have long stood by the principle that the protections of the law are not meant just for some. The law should be there to keep all people safe. That is why I support the Senate bill's expansion of VAWA to protect vulnerable populations such as Native American victims, LGBT victims, and immigrant victims.

We know that long standing prejudices put these populations at risk. We know that without the specific protection of the law, they will continue to suffer. We cannot let these protections fall by the wayside.

I'm also incredibly proud that the Senate's VAWA bill includes two bipartisan bills I authored that will help keep women safe and do not cost any new money—The SAFER Act (H.R. 354), which I introduced with Rep. Ted Poe, and the Campus SaVE Act (H.R. 812).

According to some estimates, hundreds of thousands of untested rape kits are sitting on lab shelves across the country. Each and every one of these rape kits may hold the information to solve a violent crime and bring some closure to a traumatized victim. By creating a new grant mechanism to conduct audits of unprocessed kits so that the backlog can be tracked and reallocating funding already approved under the Debbie Smith Act so that more money is spent processing untested rape kits, the SAFER Act will help eliminate this backlog—and apprehend more rapists.

My other bill included in the Senate's VAWA version, the Campus SaVE Act, will increase the obligations of colleges to keep students safe and informed about sexual assault policies. Recent studies have shown that 1 in 5 women will be sexually assaulted during their college years. To keep our daughters safer, the bill requires colleges to collect and disclose information about sexual assault, and to update and expand domestic violence, dating violence, and stalking services on their campuses.

The Senate bill also reauthorizes the Trafficking Victims Protection Reauthorization Act, providing programs and services to help victims of human trafficking rebuild their lives. For years I have fought to end human trafficking in America and around the globe and I commend the Senate for including this amendment to end this modern day slavery.

When the House considers the Violence Against Women Act later today I will urge my colleagues to pass the Senate bill with the same overwhelming bipartisan support it received in the other chamber. We cannot turn a blind eye to such a fundamental obligation of government, keeping its citizens

safe. With today's vote on VAWA, the House has an opportunity to renew our nation's commitment to do everything we can to protect our sisters, daughters, nieces, mothers, and grandmothers from violence. I hope we take it.

Mr. BLUMENAUER. Madam Speaker, the satisfaction I have that we've finally renewed the Violence Against Women Act is tempered by how hard it was to get the acceptance of two critically important provisions. Why should there be any question about respect for Native Americans' sovereignty in their own territory to protect their own female citizens? Arguments to the contrary are bogus and demeaning.

It was also critical that protection be extended to people regardless of their sexual orientation.

This victory is a small sign of the shifts in the House where Democrats are united in supporting core values and a minority number of Republicans, increasing in number, are willing to buck their leadership and the Tea Party majority. It would be nice if this could carry forward to other critical issues of the day.

Mr. PASCRELL. Madam Speaker, while I'm glad that we will have the opportunity to vote on Senate passed version of the Violence Against Women Act today, I can't believe that we have to stand here playing partisan political games with legislation meant to protect the most vulnerable among us.

Since the Violence Against Women Act first passed in 1994, it has had strong bipartisan support. Instead of passing the bipartisan Senate bill, a bill that received 77 bipartisan votes, including the vote of every woman Senator, the majority has decided instead to turn women's safety and security into another partisan political fight by offering their substitute. The statistics tell the chilling story. According to the CDC 2010 National Intimate Partner and Sexual Violence Survey, on average 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States. In New Jersey alone, there were 70,311 domestic violence offenses reported by the police in 2011.

The Violence Against Women Act has made great strides when it comes criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States. It shouldn't matter if a woman is an immigrant, or a member of the LGBT community, or a Native American. All women deserve the protections provided by VAWA.

Instead of strengthening the Senate language, the Majority's substitute waters down or completely erases provisions that would make sure that victims are not denied services because they are gay or transgender. It also fails to fully protect the confidentiality of immigrant women.

I reject that partisan approach. I urge my colleagues to vote no on the Republican substitute, and yes on the Senate bill.

Let's show the American people that despite our differences, bipartisanship is possible, and Congress can in fact get some common sense things done. We need legislation that lives up to its name, and lives up to the promises we have made to all women in this nation.

Ms. CLARKE. Madam Speaker, today, I rise in support of the Senate passed bill, S. 47, the Violence Against Women Reauthorization Act of 2013 also known as "VAWA."

This bipartisan bill expands the authority of the Federal Government, the States, law enforcement, and service providers to prevent domestic violence, dating violence, sexual assaults and stalking.

In 2012, the New York City Police Department responded to two hundred sixty three thousand two hundred seven (263,207) domestic violence incidents; this averages to over 720 incidents per day.

Yet, there are countless more people that are victims of domestic violence that did not call the police. Estimates range from one to three million victims per year, who have experienced violence by a current or former spouse, boyfriend, or girlfriend.

These stats are more than numbers—they represent our sons and daughters; our mothers and fathers; our friends and neighbors.

Victims of all races, genders, sexual orientation and nationality are equally vulnerable to violence by an intimate partner.

The Senate bill includes provisions that will allow every victim of domestic violence to receive protection. The bill specifically includes language that makes it clear that members of the LGBT community should be afforded protection under the reauthorized VAWA.

It also extends the protection of domestic violence laws to undocumented immigrants. Undocumented immigrants are often one of the most vulnerable populations due to their fear of deportation and due to the fact that they were denied access to many of the programs funded by VAWA.

Often undocumented immigrants and members of the LGBT community suffered—and died—in silence as a result of domestic violence. So, I applaud the Senate for recognizing that the status quo simply just won't do!

And I ask my colleagues to vote in support of this long overdue reauthorization.

Mr. CONNOLLY. Madam Speaker, I am pleased to see the Republican Leadership in the House has decided to relent on its ideological objections to renewing the landmark protections and support services for women who are victims of violence or domestic abuse.

Until just days ago, it appeared the House was again preparing to stand in the way of reauthorizing the Violence Against Women Act, which was supported by a majority of Republican Senators when the bill passed that chamber on a stronger, more bipartisan vote than it did in the 112th Congress. I am proud to cosponsor the House companion, which now has 200 cosponsors.

Far too many of us have been touched by domestic violence in one way or another. Maybe it was a mother, a sister, a college roommate, or co-worker, who was forced to suffer in silence following an attack. Domestic violence is a real and troubling problem in our communities, and the need for these protections continues to grow. In my district, Turning Points, the only domestic violence intervention program in Prince William County served 6,000 clients last year. In neighboring Fairfax County, there were more than 8,000 cases of domestic violence reported, and we have seen a 40% increase in homelessness due to domestic violence.

This vital legislation will renew our successful partnerships with local nonprofits and law

enforcement agencies. It will improve protections for underserved communities, particularly immigrants and victims of human trafficking. It will expand housing assistance for victims and provide support regardless of sexual orientation.

Since these victim protections were first adopted in a bipartisan fashion 19 years ago, reporting of domestic violence has increased as much as 51 percent as more victims are coming forward. Today's legislation will ensure more women, children and families receive this life-saving assistance so they can finally move from a situation of crisis to one of stability.

Again, I commend my Republican colleagues for compromising on this important legislation. This is yet another example of the tremendous work we can achieve for our constituents when we work together, and I hope we continue in that spirit as we turn to address the devastating cuts of sequestration and the budget for the rest of this fiscal year, which will affect these new victim protections among our many other priorities.

Mr. MORAN. Madam Speaker, I rise today in support of the Senate-passed Violence Against Women Act and in opposition to the watered down version offered by House Republicans that omits key provisions to protect all victims of domestic violence. I am pleased that after nearly a year of delay and unnecessary partisan positioning, a comprehensive, inclusive VAWA is poised to be enacted into law.

This legislation, S. 47, received overwhelming bipartisan support in the Senate, passing by a vote of 78–22, and is supported by law enforcement officials, health care providers, community providers, and millions of domestic violence survivors. Unlike the alternative House Republican version, the Senate bill includes critical provisions to protect vulnerable populations including LGBT individuals, Native Americans, immigrants, and victims of rape.

Specifically, the Senate bill ensures the availability of services to all victims of domestic and dating violence, no matter their sexual orientation or gender identity. The measure also provides authority to Native American tribes to prosecute non-Indian perpetrators of domestic violence-related offenses. Finally, the Senate measure adds stalking to the list of crimes for which victims can receive protection through the U-Visa program. All of the changes are vital and, unfortunately, absent in the House Republican bill.

Twice over the last 20 years, Democrats and Republicans, working together, have been able to reauthorize VAWA to continue and expand protections for all victims of domestic and sexual violence. A recent tragedy involving one of my constituents underscores the importance for this body to continue that bipartisan tradition.

On February 18, 2013, Jenny Lynn Pearson was brutally murdered by her husband of less than a year at her apartment in Reston, Virginia. Jenny was five months pregnant with her unborn son, whom she had named Aiden. A native of Fairfax County, Jenny is described by friends and family as humble and beautiful, a lover of nature and animals, a kind and generous soul. Her life, and that of her unborn son, was snuffed out far before its time.

Unfortunately, this type of severe domestic violence is an all-too-common reality in the United States. Approximately 2.3 million people each year are raped or physically assaulted by a current or former spouse, boyfriend or girlfriend. Three women are killed by a current or former intimate partner each day in America. And the cost of intimate partner violence exceeds \$5.8 billion annually, including \$4.1 billion in direct health care expenses.

While we still have much work to do, VAWA has helped address these startling levels of partner violence. Since it was first enacted in 1994, reporting of domestic violence has increased by as much as 51 percent, while the number of individuals killed by an intimate partner has decreased 34 percent for women and 57 percent for men. Reauthorization of VAWA will ensure that our nation's mothers, sisters, daughters, and friends continue to receive federal resources that can help keep them safe from harm.

Now is the time for the House to remove ideological roadblocks and send to the President a comprehensive VAWA bill that includes protections for all Americans. I encourage all of my colleagues to vote in favor of the Senate-passed Violence Against Women Act.

Mr. ROYCE. Madam Speaker, I rise in support of the Violence Against Women Reauthorization Act. This is important legislation to help protect women and families from domestic violence. I have long championed the rights of crime victims, especially women. So I am glad we are passing this legislation today, and that it will soon become law. This will ensure we continue our efforts to address the issue of violence against women from a variety of angles, including prevention, intervention, and prosecution.

Today I want to address specific aspects of Title XII of this Act, entitled "Trafficking Victims Protection."

Human trafficking is an egregious offense against human dignity that oppresses tens of millions of people around the world, and disproportionately victimizes women and girls. But even those jarring statistics can obscure the depressing reality: the harm of trafficking is probably most clearly seen in the eyes of a girl who is being robbed of her freedom, her youth, and her hope for the unjust benefit of someone else.

As Chairman of the Committee of primary jurisdiction for the original Trafficking Victims Protection Act of 2000 (TVPA) and the three subsequent reauthorization statutes, I am proud of the strong, bipartisan role that the Foreign Affairs Committee and the Congress have played in the global fight against modern-day slavery over the past 13 years.

Title XII of the bill before us today extends and amends those anti-trafficking authorities with language that was not considered under regular order by House committees. I rise to register my concern with certain sections that normally would fall within Foreign Affairs jurisdiction, because I do not want that language to harm the important work already being done by the Department of State, and particularly its Office to Monitor and Combat Trafficking in Persons, known as the "TIP Office."

While our limited resources must be put to their best uses, I don't understand why the Senate has slashed funding for the TIP Office,

in contrast to the funding increases elsewhere in Title XII. That is a mistake. I just hope it is not a mistake that is fatal to the integrity and vitality of anti-trafficking efforts at the Department of State. Within State, the TIP Office has been the Congressionally-authorized anchor that has kept trafficking advocacy and the annual tier rankings from being subordinated to the usual pressures of bilateral diplomacy. That is, the frequent temptation for the State Department to compromise our human trafficking concerns for interests perceived, and often misperceived, as being more important than pressing another country on this crime against humanity. This bill weakens the hand of the TIP Office.

Section 1201 of the bill directs the regional bureaus at the State Department to develop annual, country-specific anti-trafficking goals and objectives in cooperation with the TIP Office. With its deep expertise in implementing and assessing interventions to combat modern slavery, the TIP Office has the lead role on such issues within the Department, and should maintain that lead. Section 1201 should not provide the basis for a mechanism that is independent from the work of the TIP Office, or from the recommendations set forth in the annual Trafficking in Persons Report. Rather, it should be used to increase regional bureau support for those priorities at the country level.

Furthermore, the host government consultations contemplated by section 1201 should focus on implementation of Department-set goals and objectives, rather than become a bilateral negotiation on their initial formulation in a way that might subvert the purpose of section 110 of the original TVPA, which mandates actions against governments that fail to meet minimum standards.

Section 1204(5) of the bill would change the TVPA "minimum standards for the elimination of trafficking" to include consideration of whether a foreign government has entered into effective partnerships or agreements with other governments, civil society or nongovernmental groups, or others, "that have resulted in concrete and measurable outcomes." I regret that the bill is vague about what those outcomes must be. The numbers of traffickers prosecuted and convicted, and the number of trafficking survivors assisted, should be indispensable components of any concrete, measurable outcomes for purposes of this section. At least the language is clear that such outcomes must already have occurred in order to qualify. This section must not be used to allow a government to avoid a Tier 3 designation by signing a new agreement or MOU promising prospective progress, even if that new agreement is with the U.S. Government. Foreign government promises to take action just don't count.

I appreciate the considerable anti-trafficking work of the TIP Office at the Department of State over the past dozen years, under both Republican and Democrat administrations. During that time, the leadership of the United States has helped to fuel the passage of more than 130 anti-trafficking laws around the world, though much work remains to be done. I hope that the elements of Title XII that I have discussed will not undercut those efforts. The Foreign Affairs Committee will be working to assure that.

Ms. JACKSON LEE. Madam Speaker, I rise to support H.R. 11, the reauthorization of the Violence Against Women Act.

Over the last 18 years, VAWA has provided life-saving assistance to hundreds of thousands of women, men, and children. Originally passed by Congress in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994, this landmark, bipartisan legislation was enacted in response to the prevalence of domestic and sexual violence and the significant impact that such violence has on the lives of women.

Just last month a co-ed at the venerable University of Virginia, my alma mater was convicted of murdering his girlfriend. This hits close to home. As well as Yvette Cade, who had acid poured over her face by an irate ex-husband. As well as the murder of Annie Le at Harvard University. And unfortunately, I could go on and on. These women were white, black, and Asian, living in different cities under different circumstances. They had one common denominator: victims of abject and perverse violence. Lives destroyed because of men-at-large.

With each reauthorization, VAWA has been improved in meaningful ways to reflect a growing understanding of how best to meet the varied and changing needs of survivors.

VAWA is working, while rates of domestic violence have dropped by over 50 percent in the past 18 years, there remains a lot of work to be done still have a lot of work ahead of us.

In December, the Centers for Disease Control and Prevention (CDC) released the first National Intimate Partner and Sexual Violence Survey (NISVS), which found:

1 in 5 women have been raped in their lifetime and 1 in 4 women have been the victim of severe physical violence by a partner;

Over 80% of women who were victimized experienced significant short-term and long-term impacts related to the violence and were more likely to experience Post-Traumatic Stress Disorder and long-term chronic diseases such as asthma and diabetes.

Every nine seconds a woman in the United States is assaulted or beaten by stalkers or her partner.

Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners, often after a long, escalating pattern of battering.

In 2009, 111 women were killed by their former or current husband, intimate partner or boyfriend in the State of Texas.

DOMESTIC VIOLENCE IS THE LEADING CAUSE OF INJURY FOR WOMEN IN AMERICA

According to a study, there are more victims of domestic violence than victims of rape, mugging and automobile accidents combined. VAWA was designed to address these gruesome statistics.

VAWA established the National Domestic Violence Hotline, which receives over 22,000 calls each month. VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel each year.

This landmark legislation sent the message that violence against women is a crime and will not be tolerated.

States are taking violence against women more seriously and all states now have stalking laws, criminal sanctions for violation of civil

protection orders, and reforms that make date or spousal rape as serious of a crime as stranger rape.

H.R. 11

The bipartisan Violence Against Women Reauthorization Act of 2013 passed the Senate with overwhelming bipartisan support. 78 out of 22 U.S. Senators supported this important bipartisan legislation.

The VAWA Reauthorization bill significantly strengthens the ability of the Federal Government, the States, law enforcement, and service providers to combat domestic violence, dating violence, sexual assault, and stalking. As with the previous reauthorizations of VAWA in 2000 and 2005, this bill responds to the realities and needs reported by those who work with victims every day to make VAWA work better for all victims.

The Republican leadership announced they will bring their version of the Violence Against Women Act (VAWA) reauthorization to the House Floor. As opposed to the bipartisan Senate bill, the House Republican version of VAWA omits protections for the LGBT, Native women, and immigrant communities. It also excludes provisions that combat sex trafficking, and that would have helped law enforcement address the backlog in DNA evidence kits. The GOP version is being brought to the House Floor in the complete absence of committee action and without the consultation of House Democrats.

As my colleague, Congressman JOHN CONYERS stated "The House Republican version of VAWA is evidence that the Majority continues to pick and choose which victims of domestic violence are deserving of protection. The Senate has passed a strong bipartisan bill that contains critical protections for all victims of domestic violence, but House Republicans are reverting back to partisan politics by pushing through a bill that will not pass the Senate. We should be seeking ways to expand and improve upon the Historic Violence Against Women Act, not limit its ability to protect innocent victims."

Unfortunately, the House Republican bill refuses to acknowledge the needs of all victims of domestic violence, human trafficking and stalking. There are too many women waiting on vital domestic violence services. It is time for House Republicans to end this charade and allow a vote on the comprehensive VAWA that passed the Senate earlier this month.

WHY REPUBLICANS OPPOSE THE BILL ("CONTROVERSIAL" NEW PROVISIONS)

PROTECTIONS FOR LGBT SURVIVORS

The Senate bipartisan reauthorization of VAWA ensures that ALL victims of domestic violence receive aid, including LGBT survivors.

LGBT people are often victims of Domestic Violence:

A 2010 Centers for Disease Control and Prevention study found that lesbian, gay, bisexual and transgendered victims report intimate partner violence, sexual violence, and stalking at levels equal to or higher than the general population.

The report also found that bisexual women report higher incidences of rape, physical violence, and stalking than their lesbian and heterosexual counterparts.

Recent studies show that LGBT victims face discrimination when accessing services. For

example, 45% of LGBT victims were turned away when they sought help from a domestic violence shelter, according to a 2010 survey, and nearly 55% were denied protection orders.

Service providers have gathered numerous stories of LGBT victims denied assistance or services because of their sexual orientation or gender identity.

The Senate Bill ensures non-discrimination, and allows for a wider variety of groups to apply for VAWA funding:

The legislation clarifies that organizations seeking to provide specific services to gay and lesbian victims may receive funds under the largest VAWA grant—the STOP formula grant program.

No organization will be required to develop services specifically targeting this population, but those organizations that would like to offer such services will be able to access funding. Currently, STOP grant funds are only available to organizations predominantly serving women.

Additionally, the legislation clarifies that gay and lesbian victims are included in the definition of underserved populations. Although the LGBT community experiences domestic violence at the same rate as heterosexual couples, a 2010 study found that many victim services providers lack services specific to LGBT victims and have not received training in how to work with LGBT victims. Specialized services are important for this population because reporting rates and prosecution rates are very low.

This bill does not Mandate that Service Providers Offer Specific LGBT Services.

The legislation does not require service providers to offer specific programs for LGBT victims. It simply seeks to increase the availability of specialized services and to ensure that no victim is turned away based on their sexual orientation or gender identity.

VAWA AND IMMIGRANT WOMEN

H.R. 11 adds the crime of stalking to the offenses for which a U Visa is available. The U Visa was created to encourage immigrant victims of crime to report and help prosecute criminal activity. It is only available to victims of certain crimes, which currently include domestic violence and sexual assault.

H.R. 11 protects the children of applicants for U Visas from "aging out" of the process if they become adults while their parent's application is pending.

H.R. 11 clarifies that VAWA self-petitioners, U Visa petitioners and holders, and T Visa holders (victims of human trafficking) are exempted from the public charge inadmissibility ground that typically precludes a non-citizen from remaining in the country.

H.R. 11 extends the so-called "widow's and widower's fix," approved by Congress in 2009, to add the surviving minor children of a VAWA self-petitioner when the abusive spouse of the petitioner died after the filing of the petition. Other relatives of the petitioner would remain ineligible.

H.R. 11 requires annual reports to Congress regarding outcomes and processing times for VAWA self-petitions, U Visas, and T Visas.

H.R. 11 strengthens the existing International Marriage Broker Regulation Act to provide vital disclosures to foreign fiancés and

fiancées of U.S. citizens regarding the criminal history of the sponsoring citizen and other information foreign fiancé's and fiancée's need to protect themselves from entering abusive marriages. Requires international marriage brokers to collect proof that the foreign fiancé or fiancée is of the age of consent.

H.R. 11 extends the application of the Prison Rape Elimination Act to all immigration detention facilities under the authority of the DHS and HHS.

VAWA EXPANDS PROTECTIONS FOR TRIBAL WOMEN

VAWA Reauthorization provides law enforcement with additional tools to combat domestic and sexual assault in tribal communities.

The bill adds new federal crimes—including a ten-year offense for assaulting a spouse or intimate partner by strangling or suffocating and a five-year offense for assaults resulting in substantial bodily injury—that will enable federal prosecutors to more effectively combat types of assault frequently committed against women in Indian country.

These new crimes allow law enforcement to appropriately address the gradual escalation of seriousness often associated with domestic violence offenses. The bill also clarifies that tribal courts have the authority to issue and enforce tribal protection orders, ensuring that these protection orders can be used effectively to keep women safe.

VAWA Reauthorization closes jurisdictional loopholes to ensure that those who commit domestic violence in Indian country do not escape justice.

The bill addresses a gaping jurisdictional hole by giving tribal courts concurrent jurisdiction over Indian and non-Indian defendants who commit domestic violence offenses against an Indian in Indian country.

Currently, tribal courts do not have jurisdiction over non-Indian defendants who abuse and attack their Indian spouses on Indian lands, even though more than 50% of Native women are married to non-Indians. Prosecution of domestic violence offenses in Indian country often falls through the cracks, since federal and state law enforcement and prosecutors have limited resources and may be located hours away from tribal communities.

CONCLUSION

Madam Speaker, I urge the members of this House to vote in favor of H.R. 11. The Violence Against Women Act provides crucial protections for victims of domestic violence. We cannot wait any longer to reauthorize this crucial legislation that saves the lives of women every day.

The SPEAKER pro tempore. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentlewoman from Washington (Mrs. McMORRIS RODGERS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mrs. McMORRIS RODGERS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 166, nays 257, not voting 8, as follows:

[Roll No. 54]

YEAS—166

Aderholt	Hall	Reichert
Alexander	Harper	Renacci
Amash	Harris	Ribble
Amodei	Hartzler	Rice (SC)
Bachmann	Hensarling	Rigell
Bachus	Herrera Beutler	Roby
Barletta	Holding	Roe (TN)
Barr	Hudson	Rogers (AL)
Barton	Huizenga (MI)	Rogers (KY)
Benishek	Hultgren	Rogers (MI)
Bentivolio	Hunter	Rohrabacher
Bilirakis	Hurt	Rokita
Bishop (UT)	Jenkins	Rooney
Black	Johnson (OH)	Roskam
Blackburn	Jordan	Ross
Bonner	Joyce	Rothfus
Boustany	Kelly	Royce
Brady (TX)	King (IA)	Ryan (WI)
Brooks (AL)	King (NY)	Salmon
Brooks (IN)	Kingston	Scalise
Buchanan	Kinzinger (IL)	Schock
Bucshon	Kline	Scott, Austin
Burgess	Labrador	Sessions
Campbell	LaMalfa	Shimkus
Cantor	Lankford	Shuster
Carter	Latham	Smith (NE)
Cassidy	Latta	Smith (NJ)
Chabot	Lipinski	Smith (TX)
Chaffetz	Long	Southerland
Collins (GA)	Lucas	Stewart
Collins (NY)	Luetkemeyer	Stivers
Conaway	Lummis	Stutzman
Cramer	Marino	Terry
Crawford	Massie	Thompson (PA)
Crenshaw	McCarthy (CA)	Thornberry
Davis, Rodney	McCauley	Tiberi
DesJarlais	McIntyre	Turner
Duffy	McKeon	Upton
Ellmers	McMorris	Wagner
Farenthold	Rodgers	Walberg
Fleischmann	Messer	Walden
Fleming	Mica	Walorski
Flores	Miller (FL)	Weber (TX)
Forbes	Mulvaney	Webster (FL)
Fortenberry	Murphy (PA)	Wenstrup
Fox	Neugebauer	Westmoreland
Franks (AZ)	Nugent	Whitfield
Gibbs	Nunes	Williams
Gingrey (GA)	Nunnelee	Wilson (SC)
Goodlatte	Palazzo	Wittman
Gowdy	Paulsen	Wolf
Graves (GA)	Perry	Womack
Graves (MO)	Pittenger	Woodall
Griffin (AR)	Pitts	Yoder
Griffith (VA)	Posey	Young (IN)
Guthrie	Price (GA)	

NAYS—257

Andrews	Cleaver	Duncan (TN)
Barber	Clyburn	Edwards
Barrow (GA)	Coffman	Ellison
Bass	Cohen	Engel
Beatty	Cole	Enyart
Becerra	Connolly	Eshoo
Bera (CA)	Conyers	Esty
Bishop (GA)	Cook	Farr
Bishop (NY)	Cooper	Fattah
Blumenauer	Costa	Fincher
Bonamici	Cotton	Fitzpatrick
Brady (PA)	Courtney	Foster
Braley (IA)	Crowley	Frankel (FL)
Bridenstine	Cuellar	Frelinghuysen
Broun (GA)	Culberson	Fudge
Brown (FL)	Cummings	Gabbard
Brownley (CA)	Daines	Gallego
Bustos	Davis (CA)	Garamendi
Butterfield	Davis, Danny	Garcia
Calvert	DeFazio	Gardner
Camp	DeGette	Garrett
Capito	Delaney	Gerlach
Capps	DeLauro	Gibson
Capuano	DeBene	Gohmert
Cárdenas	Denham	Gosar
Carney	Dent	Grayson
Carson (IN)	DeSantis	Green, Al
Cartwright	Deutch	Green, Gene
Castor (FL)	Diaz-Balart	Grijalva
Castro (TX)	Dingell	Grimm
Chu	Doggett	Gutierrez
Cicilline	Doyle	Hahn
Clarke	Duckworth	Hanabusa
Clay	Duncan (SC)	Hanna

Hastings (FL)	McCollum	Ryan (OH)
Hastings (WA)	McDermott	Sánchez, Linda
Heck (NV)	McGovern	T.
Heck (WA)	McHenry	Sanchez, Loretta
Higgins	McKinley	Sarbanes
Himes	McNerney	Schakowsky
Holt	Meadows	Schiff
Honda	Meehan	Schneider
Horsford	Meeks	Schrader
Hoyer	Meng	Schwartz
Huelskamp	Michaud	Schweikert
Huffman	Miller (MI)	Scott (VA)
Israel	Miller, George	Scott, David
Issa	Moore	Sensenbrenner
Jackson Lee	Moran	Serrano
Jeffries	Mullin	Sewell (AL)
Johnson (GA)	Murphy (FL)	Shea-Porter
Johnson, E. B.	Nadler	Sherman
Jones	Napolitano	Simpson
Kaptur	Neal	Sinema
Keating	Negrete McLeod	Sires
Kennedy	Noem	Slaughter
Kildee	Nolan	Smith (WA)
Kilmer	O'Rourke	Speier
Kind	Olson	Stockman
Kirkpatrick	Owens	Swalwell (CA)
Kuster	Pallone	Takano
Lamborn	Pascarella	Thompson (CA)
Lance	Pastor (AZ)	Thompson (MS)
Langevin	Payne	Tierney
Larsen (WA)	Pearce	Tipton
Larson (CT)	Pelosi	Titus
Lee (CA)	Perlmutter	Tonko
Levin	Peters (CA)	Tsongas
Lewis	Peters (MI)	Valadao
LoBiondo	Peterson	Van Hollen
Loeb sack	Petri	Vargas
Lofgren	Pingree (ME)	Veasey
Lowenthal	Pocan	Vela
Lowe	Poe (TX)	Velázquez
Lujan Grisham	Polis	Visclosky
(NM)	Pompeo	Walz
Luján, Ben Ray	Price (NC)	Wasserman
(NM)	Quigley	Schultz
Lynch	Radel	Waters
Maffei	Rahall	Watt
Maloney,	Rangel	Waxman
Carolyn	Richmond	Welch
Maloney, Sean	Ros-Lehtinen	Wilson (FL)
Markey	Roybal-Allard	Yarmuth
Matheson	Ruiz	Yoho
Matsui	Runyan	Young (FL)
McCarthy (NY)	Ruppersberger	
McClintock	Rush	

NOT VOTING—8

Coble	Johnson, Sam	Reed
Granger	Marchant	Young (AK)
Hinojosa	Miller, Gary	

□ 1139

Messrs. STOCKMAN, LAMBORN, DIAZ-BALART, and GARDNER changed their vote from "yea" to "nay."

Messrs. ROHRBACHER, BENTIVOLIO, and HALL changed their vote from "nay" to "yea."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 286, noes 138, not voting 7, as follows:

[Roll No. 55]

AYES—286

Alexander Garamendi Moran
 Amodi Garcia Murphy (FL)
 Andrews Gardner Nadler
 Bachus Gerlach Napolitano
 Barber Gibbs Neal
 Barletta Gibson Negrete McLeod
 Barr Grayson Nolan
 Barrow (GA) Green, Al Nugent
 Bass Green, Gene Nunes
 Beatty Grijalva O'Rourke
 Becerra Grimm Owens
 Benishek Gutierrez Pallone
 Bera (CA) Hahn Pascarell
 Bishop (GA) Hanabusa Pastor (AZ)
 Bishop (NY) Hanna Paulsen
 Blumenauer Harper Payne
 Bonamici Hastings (FL) Pearce
 Boustany Heck (NV) Pelosi
 Brady (PA) Heck (WA) Perlmutter
 Braley (IA) Herrera Beutler Peters (CA)
 Brooks (IN) Higgins Peters (MI)
 Brown (FL) Himes Peterson
 Brownley (CA) Holt Pingree (ME)
 Buchanan Honda Poca
 Bucshon Horsford Poe (TX)
 Bustos Hoyer Polis
 Butterfield Huffman Price (NC)
 Calvert Hunter Quigley
 Camp Israel Rahall
 Capito Issa Rangel
 Capps Jackson Lee Reichert
 Capuano Jeffries Renacci
 Cárdenas Jenkins Richmond
 Carney Johnson (GA) Rigell
 Carson (IN) Johnson, E. B. Rogers (MI)
 Cartwright Joyce Rokita
 Castor (FL) Kaptur Ros-Lehtinen
 Castro (TX) Keating Royalbal-Allard
 Chu Kennedy Royce
 Cicilline Kildee Ruiz
 Clarke Kilmer Runyan
 Clay Kind Ruppertsberger
 Cleaver King (NY) Rush
 Clyburn Kinzinger (IL) Ryan (OH)
 Coffman Kirkpatrick Ryan (WI)
 Cohen Kline Sánchez, Linda
 Cole Kuster T.
 Collins (NY) Lance Sanchez, Loretta
 Connolly Langevin Sarbanes
 Conyers Larsen (WA) Schakowsky
 Cook Larson (CT) Schiff
 Cooper Latham Schneider
 Costa Lee (CA) Schock
 Courtney Levin Schrader
 Cramer Lewis Schwartz
 Crenshaw Lipinski Scott (VA)
 Crowley LoBiondo Scott, David
 Cuellar Loeb sack Serrano
 Cummings Lofgren Sewell (AL)
 Daines Lowenthal Shea-Porter
 Davis (CA) Lowey Sherman
 Davis, Danny Lujan Grisham
 Davis, Rodney (NM)
 DeFazio Lujan, Ben Ray
 DeGette (NM)
 Delaney Lynch Sires
 DeLauro Maffei Slaughter
 DelBene Maloney, Smith (WA)
 Denham Carolyn Speier
 Dent Maloney, Sean Stivers
 Deutch Markey Swalwell (CA)
 Diaz-Balart Matheson Takano
 Dingell Matsui Terry
 Doggett McCarthy (CA) Thompson (CA)
 Doyle McCarthy (NY) Thompson (MS)
 Duckworth McCollum Thompson (PA)
 Duffy McDermott Tiberi
 Edwards McGovern Tierney
 Ellison McHenry Tipton
 Engel McIntyre Titus
 Enyart McKeon Tonko
 Eshoo McKinley Tsongas
 Esty McMorris Turner
 Farenthold Rodgers Upton
 Farr McNeerney Valadao
 Fattah Meehan Van Hollen
 Fitzpatrick Meeks Vargas
 Foster Meng Veasey
 Frankel (FL) Messer Vela
 Frelinghuysen Michaud Velázquez
 Fudge Miller (MI) Visclosky
 Gabbard Miller, George Walden
 Gallego Moore Walorski

Walz
 Wasserman
 Schultz
 Waters
 Watt

Waxman
 Webster (FL)
 Welch
 Wilson (FL)
 Yarmuth

Yoder
 Young (FL)
 Young (IN)

NOES—138

Aderholt Graves (MO) Perry
 Amash Griffin (AR) Petri
 Bachmann Griffith (VA) Pittenger
 Barton Guthrie Pitts
 Bentivolio Hall Pompeo
 Billirakis Harris Posey
 Bishop (UT) Hartzler Price (GA)
 Black Hastings (WA) Radel
 Blackburn Hensarling Ribble
 Bonner Holding Rice (SC)
 Brady (TX) Hudson Roby
 Bridenstine Huelskamp Roe (TN)
 Brooks (AL) Huizenga (MI) Rogers (AL)
 Broun (GA) Hultgren Rogers (KY)
 Burgess Hurt Rohrabacher
 Campbell Johnson (OH) Rooney
 Cantor Jones Roskam
 Carter Jordan Ross
 Cassidy Kelly Rothfus
 Pocan Chabot King (IA) Salmon
 Chaffetz Kingston Scalise
 Collins (GA) Labrador Schweikert
 Conaway LaMalfa Scott, Austin
 Cotton Lamborn Sensenbrenner
 Crawford Lankford Sessions
 Culberson Latta Smith (NE)
 DeSantis Long Smith (NJ)
 DesJarlais Lucas Smith (TX)
 Duncan (SC) Luetkemeyer Southerland
 Duncan (TN) Lummis Stewart
 Ellmers Marchant Stockman
 Fincher Marino Stutzman
 Fleischmann Massie Thornberry
 Fleming McCaul Wagner
 Flores McClintock Walberg
 Forbes Meadows Weber (TX)
 Fortenberry Mica Wenstrup
 Foxx Miller (FL) Westmoreland
 Franks (AZ) Mullin Whitfield
 Garrett Mulvaney Williams
 Gingrey (GA) Murphy (PA) Wilson (SC)
 Gohmert Neugebauer Wittman
 Goodlatte Noem Wolf
 Gosar Nunnelee Womack
 Gowdy Olson Woodall
 Graves (GA) Palazzo Yoho

NOT VOTING—7

Coble Johnson, Sam Young (AK)
 Granger Miller, Gary
 Hinojosa Reed

□ 1156

Mr. STEWART changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Madam Speaker, I regret that I was unavoidably detained in my district. Had I been present, I would have voted “nay” on rollcall vote 54 and “aye” on rollcall vote 55.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an

amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 307. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H. RES. 88

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to remove all cosponsors from H. Res. 88.

The SPEAKER pro tempore (Mr. STEWART). Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend the majority leader, Mr. CANTOR, for the purposes of inquiring of the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m. On Friday, the House is not in session.

Mr. Speaker, the House will consider a number of suspensions on Monday and Tuesday, a complete list of which will be announced by the close of business tomorrow. In addition, the House will consider a resolution to fund the government for the remainder of the fiscal year. I expect the resolution to also include bipartisan bills to fund the Departments of Defense and Veterans Affairs, thus providing more flexibility to our military and allowing the Pentagon to engage in new starts, something it would not be allowed to do under the CR.

Mr. Speaker, I would like to highlight two additional items.

On Tuesday, the House passed legislation to establish a nationwide academic competition in the STEM fields. This competition will encourage entrepreneurship and provide a unique opportunity for America's high school and college students in each congressional district to showcase their creative capabilities.

I thank Chairman CANDICE MILLER and Ranking Member BRADY for their hard work in making this bipartisan

program possible, and I look forward to the success of the competition for years to come and of the benefit it will provide our institution.

Lastly, Mr. Speaker, I would like to highlight the Congressional Civil Rights Pilgrimage occurring this Friday through Sunday in Alabama, led by Congressman JOHN LEWIS—a true American hero and champion of civil rights and freedom. A bipartisan delegation of Members will participate in the 3-day journey through Alabama, concluding with the commemoration of the 1965 civil rights march across the Edmund Pettus Bridge in Selma.

Alongside the Democratic whip, I am honored to participate in this pilgrimage and to reflect on the sacrifice that shaped the greater democracy we live in today.

Mr. HOYER. I thank the gentleman for the information. I also thank him for his reference to the march over the Edmund Pettus Bridge from Selma to Montgomery, which we will commemorate. That march occurred on March 7, 1965.

Yesterday, we had the honor of dedicating and accepting a statue in memory of Rosa Louise Parks. Rosa Parks, of course, is known in many respects as the mother of the civil rights movement that led to America's perfecting its Union—to its allowing and making sure that every American, irrespective of race or color or nationality or religion, could be treated equally. It's appropriate that we participate in this march across the Edmund Pettus Bridge to recall this country's commitment in 1965 to the Voting Rights Act, which ensured that every American would have what is intrinsic in the definition of democracy—the right to vote and the right to have one's vote counted.

I look forward to being the honorary cochair—with the majority leader—of this march with a true American hero, who is the chair, the leader, the person who has shown such extraordinary courage, not only on March 7, 1965, but years before that and every year thereafter, including until today.

□ 1210

So I thank the gentleman for calling attention to that march, and I look forward to participating with him in Alabama this weekend.

Now, Mr. Leader, as all of us know, automatic, draconian—in my view, irrational—cuts will occur starting tomorrow as a result of the so-called sequester. I did not see any legislation on the floor for next week which would obviate the happening of that event, the sequester, although I do see that there is some desire, apparently, to make sure that the Defense Department and the Department of Veterans Affairs have the ability to manage those cuts in a way that will be least detrimental.

I would ask the gentleman—there are, of course, 10 other appropriation

bills; there are 10 other major agencies and multiple departments and offices that will have a problem similar to that of the Department of Defense and the Veterans Administration—is the gentleman aware of any efforts that will be made to accommodate the domestic side of the budget?

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding; and I would say, Mr. Speaker, as the gentleman knows, the House has acted twice to offer alternatives to what we agree with is a very wrong way to go about cuts, which is the sequestration measure. But unfortunately, both times the Senate rejected or refused to take up the alternative. I'm aware that the other body is anticipating or at least attempting to vote on an alternative, both of which are predicted to fail in the Senate.

So I would say to the gentleman, Mr. Speaker, that he's right in saying that our intent is to try to provide the flexibility for the Defense Department in terms of its appropriations, as well as the MilCon bill; and we do so because there is bipartisan agreement around those two bills.

I would say to the gentleman that if bipartisan agreement somehow is reached in other bills, I would say to the gentleman we certainly would like to be able to take a look at that. But I believe, Mr. Speaker, it is prudent for us to try to do the things that we can do right now so that we don't have to bear the burden of the wrongheaded way of controlling spending, which is that sequestration.

Mr. HOYER. I thank the gentleman for his comments. Let me only observe that the bills which the gentleman has now discussed for 3 weeks running, on which we've had colloquies, are no longer available in either the Senate or the House. He knows that. They were in the last Congress, and they died in the last Congress. There has been no legislation in the 59 days that we've been here, put on this floor, and only the majority leader can put legislation on the floor, no legislation which would have an alternative to the sequester.

And, in fact, notwithstanding some of the representations that have been made, Mr. Speaker, there was a bill on this floor on July 19, 2011, which was called cut, cap, and balance; 229 Republicans voted for that bill. That bill had as its fallback, if the objectives of the bill were not reached, sequester. That was substantially before—many days before—the President, and through the person of Jack Lew, talked about making that a part of a piece of legislation that we needed so that we did not default on the national debt. And for the first time, not only since I've been serving in the Congress, some 32 years, but for the first time in history, as a result of that action of coming so close to defaulting on the national debt, this

country was downgraded by a single point.

The gentleman talked about the STEM bill that was passed. He voted for it. I voted for it. An overwhelming majority of Democrats and Republicans voted for it to help our economy. That event substantially hurt our economy. Mr. Speaker, the inability to get to agreement on the sequester is hurting the economy. And I will tell my friend that we've offered three times to have a bill considered as an alternative to sequester which cuts spending, raises some additional revenue—and I know the gentleman is going to give me a lecture about raising taxes. I understand that.

But I would urge the gentleman, let a vote happen on this floor. Let the House, as you said in 2010, work its will. That's what the Speaker said he wanted to do. Let us vote on an alternative, not just blindly go down this road of sequester, not blindly go down this road that the gentleman has just agreed with me, and we agree together, I think most of us agree, the sequester is irrational. It should not happen. In fact, it was put in the bill on the theory that surely we wouldn't let it happen. But in 59 days, we've had no bill on this floor. All the gentleman talks about is a bill that is dead and gone and buried that we can't consider, that won't make a difference, that will not in any way ameliorate the sequester. And I regret that, Mr. Leader, because I think we can.

Frankly, next week we can put alternatives on the floor. If you have an alternative, put it on the floor. I may vote against it, but that's what the American people expect. They expect us to try to solve problems, and they sent us here to vote on policy.

Mr. VAN HOLLEN, the ranking Democrat on the Budget Committee, has asked three times, Mr. Leader, to bring an amendment to this floor to provide an alternative to sequester.

It seems strange that when both of us agree that sequester is wrong, irrational, will have adverse effects, and Ben Bernanke says it will substantially hurt the economy, that we don't provide alternatives, and all we talk about is something that we yesterday—actually, 3 or 4 months ago—that is dead and gone. We need to do something now, and we need to come together on a bipartisan basis.

I might say to the leader, we've had four major bills signed into law in this Congress by the President. Every one of those bills was passed in a bipartisan basis with an average of 168 Democrats voting for it, and an average of 124 Republicans voting for it. We saw a perfect example, Mr. Leader, on the floor today of making very good policy. How did we do it? We did it in a bipartisan vote. I suggest to my friend, the majority leader, that we could do that as it relates to the sequester if we would

bring something to the floor, have a vote on it; and in my view in a bipartisan fashion, we could in fact set aside this irrational, negative sequester, and move on to a rational fiscal policy.

I would be glad to yield to my friend if he wants to make a comment on it.

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

First of all, there would not be a bipartisan vote on the Democratic suggestion on how to deal with the sequester. As the gentleman rightfully suggests, that measure will include tax increases. You know, we've heard a lot of talk about balance, that we need to approach the situation in a balanced way. Well, the President has enacted \$149.7 billion worth of tax increases for this fiscal year. Sequestration results in \$85.3 billion worth of spending reductions.

As you can see, Mr. Speaker, the balance is clearly in favor of tax increases, taking people's money and then allowing Washington to decide how to spend it when most people realize the government is never the best one to spend and allocate someone else's dollars, which is why we insist on having a limited government, providing the necessary support and roles that it should, and not continuing to take other people's money and deciding how we spend it.

Now, I'd say to the gentleman, he knows as well as I do that the Senate refuses to take up whatever we send them. They have refused again and again. So we've got a real problem that somehow one House does its work. Twice this House went and passed bills with alternative measures to address sequestration, and a significant portion of both of those bills, one of which I sponsored, were provisions taken out of the President's own budget, not the tax increases, but actually spending reductions that the President says are okay, but yet still the Senate failed to take them up.

□ 1220

So there's a meeting tomorrow at the White House, Mr. Speaker, and I know the gentleman shares the desire to perhaps have that meeting prod the Senate into acting. That's what we need to happen. The House does its work. The House can produce a plan, and has, twice, to replace this sequester.

Now, I'd say to the gentleman, he's concerned about the economy, and so are we, very concerned about the economy. We're concerned about the rating agencies' outlook on our fiscal situation as well, as the gentleman suggests. But, I'd like to remind the gentleman, Mr. Speaker, that the warnings from these rating agencies are not warnings that are wholly addressed by just coming to some deal. Those warnings from the rating agencies are directed at our doing something about the underlying fiscal problem this Fed-

eral Government has, which is the mountains of debt caused by the growth and the unfunded liabilities in our entitlement programs. And, as the gentleman knows, we failed to come to agreement in 2011 as to how to deal with those unfunded liabilities, which is why the sequestration is in place.

We've got to have that deal on the unfunded liabilities because that's what those warnings are about. That's what we should be concerned about, not raising more taxes. Those warnings are not about raising more taxes. It's about getting rid of the out-of-control liabilities that are racked up because of the spending, which is out of control.

Mr. HOYER. I thank the gentleman for his comments.

It doesn't get—we've been here 59 days, in this Congress. Not a single bill has been brought to this floor which will deal with the sequester, not one. As a matter of fact, we've only met 17 of the 59 days this year. So my friend laments the fact that the sequester is going into effect and he talks about bills that, as he didn't deny, they're dead and gone. The Senate can't take them up.

So many folks want us to read the Constitution of the United States. I'm for doing that. It's Article I that gives to the House, as the leader, I'm sure, knows, the responsibility to raise revenues and to pass appropriation bills. It's the House that needs to initiate legislation, and we guard that pretty jealously. We guarded it—we just passed VAWA. There was a lot of discussion about VAWA having—in the last Congress, that passed overwhelmingly, was delayed because, very frankly, they had some money effect in that bill. We said that was subject, therefore, to objections on our side.

We haven't met very often, and when we do meet, the only real bills we pass are passed in a bipartisan fashion, as happened today.

And when we talk about balance—and I get very frustrated. Take somebody else's money. Did you want to take it out of your pocket? Was the Constitution of the United States, which formed a more perfect Union, designed to take the Chinese money or European money and fund our education, our health care research, our highways, our national security? Of course not.

It is our money. Each one of us individually works hard, and we apportion a part of our earnings to the common good, to the common defense, to the common investment in our future, in education, in innovation, in infrastructure. Yes, we do that.

And I will tell my friend, and he well knows this, I get somewhat frustrated when I hear this. When I served in this Congress from 2001 to 2008, when the economic policy that was in effect was all your party's economic policy, and

you cut revenues substantially and you increased spending substantially and we went from surplus to deep deficit, we need to solve that. I agree with the gentleman. We need to solve it, but we need to do it on a bipartisan basis.

That's why I point out the only bills of substance that have been signed by the President, that weren't suspension bills on which we all agree, were bipartisan bills that had an average 124 Republicans voting for them and an average 168 Democrats voting for them. Both parties joined together to solve problems. That's what needs to happen.

And I will tell the gentleman, he can talk about confidence all he wants, talk about why the rating agencies downgraded us. There were a number of reasons. But the greatest reason was—and they articulated it, Standard & Poor's articulated it—they weren't confident that we could solve problems, and we're not doing that.

The gentleman continues to not want a balanced program. Every group, every group that I've seen or read about or talked to people about has said, you cannot get from where we are in the deep debt that was created in the last decade to where we need to be, a balanced fiscal and sustainable plan for America for the years to come, without addressing both the spending side and the revenue side.

The example I use is, we are selling a product, Mr. Leader, that many of us have voted for it, and you want to accommodate on the defense side, which costs \$23, and we are pricing it at \$15. No business in America or in the world could survive with that imbalance. We need to bring that in balance. And you're not going to get to the 15 percent of revenues that we're collecting, or now maybe 16 or 17 percent, simply by savaging either defense or non-defense spending or entitlements.

And so I would certainly hope, Mr. Leader, that we would come together. You and I have talked about this a lot. Every Member goes home and says how bipartisan we're going to be.

On our side, I will tell you, we are prepared. We understand there are going to be things that we have to do that we won't like. On your side there will be things to do that you won't like. That will be a compromise. That's the definition of a compromise. Our country needs it. Americans want it.

I would hope that we could, in the coming days, not only address the sequester, but address the need, over the next 10 years, to get this country back to balance where we were in 2000, where we had a balanced budget, the debt was coming down, and, in fact, some people were concerned that it was coming down too fast.

Mr. CANTOR. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Virginia.

Mr. CANTOR. I appreciate the gentleman's yielding, Mr. Speaker.

The gentleman loves to go back and talk about that period from 2001 to 2008 and the fact that there were too many tax cuts in place and without the control in spending.

Mr. HOYER. Can I just reclaim my time? Because my point, I'll tell the leader, is that we didn't pay for what we bought. We kept buying but we didn't pay.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I was saying that there were too many tax cuts in place. And I agree with the gentleman, Mr. Speaker, not on the fact that there were tax reductions and cuts in place, but the fact there wasn't a control on spending. And that is a problem here, Mr. Speaker.

But, ironically, the gentleman has consistently been in support of and just voted to extend 98 percent of those tax cuts. And so what we're saying right now is we've got to do something about the spending.

You just got \$650 billion in tax increases, Mr. Speaker, over the course of the next 10 years through the fiscal cliff deal. And I, just prior, spoke about the imbalance this year, FY 2013, of the amount of new revenues versus the actual spending that is being projected to be reduced in this sequester.

I agree, let's get back to balance. Let's go ahead and increase the spending reductions. Washington does have that spending problem. The gentleman agrees.

So, again, I think it's unfair to say that there's just no agreement on the fact that we ought to go and reduce tax rates and taxes, because the gentleman supports doing that. So let's talk about balance.

And we've got the highest level of revenues. It's been reported that we have the highest level of revenues coming into the Federal Government this year, ever. And the gentleman does know, as well, the spending is out of proportion in terms of history, in terms of the percentage of GDP. So why can't we focus on that? We've got to get this economy growing.

And the gentleman is correct in saying the government needs to be adequately funded, but we've got to take a look at what we're funding. That's what we're talking about in replacing the sequester is prioritizing. What are the functions of government? And the sequester, it does cut spending, but we'd rather cut it in smarter ways.

□ 1230

Again, I hear the gentleman talked about he would like to be here on the floor passing bills. We would, too. Get the Senate to act. We have a bicameral process here, and the Senate has not acted.

The White House, the President hasn't even sent up his budget, Mr. Speaker. The President has that obligation at law and has not presented his

budget to the House. The Senate refuses to do anything.

And what is the White House doing right now? The President has been going around the country campaigning for the past 2 months scaring people, creating havoc. That's supposed to be leadership? The President says to the Americans that their food is going to go uninspected and that our borders will be less patrolled and unsafe. His Cabinet Secretaries are holding press conferences and conducting TV interviews, making false claims about teacher layoffs.

I just feel that people ought to take a look and say, hey, these sequester spending levels—not the sequester, but the spending levels, and say, in 2009 was food not inspected? Because that's what the claim is, Mr. Speaker, that somehow if we were ever to reduce spending at all, we couldn't have food inspectors. Did we have any border patrol agents in 2009? Of course we did; of course we did. They will be funded at the same levels under the sequester. And that's our point: replacing the sequester with smart cuts.

But the other side, Mr. Speaker, the gentleman and his Caucus, won't join us in doing that, because all we hear again and again is: Raise taxes. And I have said, as the gentleman knows, we can't, in this town, be raising taxes every 3 months. That's just not the way we can get this economy back on track.

Did the FAA shut down in 2009? That's the claim. That's the claim that the President is saying: Shut down the FAA, stop air travel as we know it, or give us higher taxes. That's the false choice that this President and his administration are out there hawking. We can't have that. That's not leadership. Let's come together.

I agree with the gentleman. Let's stop the false choice, stop the games, and let's get it done.

Mr. HOYER. Mr. Speaker, the gentleman said a lot, and I could have a lot of comments on that, but I will say this. As long as the gentleman believes it's only us saying that we need a balanced program, he will oppose it because we are Democrats.

If the gentleman listens to independent advice all over this country, from all sorts of sources, Republicans and Democrats, conservatives and liberals, they will say you need a balanced approach. We need to cut spending. We need to restrain spending and we need to balance the cost of what we provide with the income that we have. Every businessperson, small, medium, and large, understands that concept. We have not followed it, and we did not follow it in the last decade.

I regret the fact that the gentleman doesn't like the President going around the country and telling the truth saying what the consequences may well be. Now, are they going to be on March

1? No. But will they inevitably occur if the sequester stays in place? The answer to that I think is an emphatic, "Yes." I think the President is going around the country saying these are the alternatives.

And saying that the Senate won't act or the President won't act—people did not elect me, I will tell you, to make the President act or to make the Senate act. They didn't think I could do that. What they did think I could do was make STENY HOYER act. And if I were the majority leader, they expected me to have the House act, even if people didn't agree with legislation I put on the floor. They expect us to do our job, not to cop out, with all due respect, to the fact that the President is not doing something or the Senate is not doing something.

We have a responsibility here in this Chamber, the people's House, as representatives of 435 districts, to do our job. And if the other folks don't do their job, we can lament that, we can criticize them, we can inform the American public of that, but we cannot say that's why we are not acting.

So I would hope that next week we would, in fact, act and bring legislation to the floor. And I would be, as the gentleman knows, my friend knows, I'm for a big deal. I'm for getting us to that \$4 trillion that Simpson-Bowles recommended, because I think that would give real confidence to our economy, really grow businesses and put our country on a fiscally sustainable path.

I yield back the balance of my time.

ADJOURNMENT TO MONDAY, MARCH 4, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

PENNSYLVANIA SPECIAL OLYMPICS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize more than 20,000 individuals who represent the Pennsylvania Special Olympics.

The Special Olympics is about people helping people. It's a global movement that has flourished due to the commitment and passion of its local volunteers and the determination of its participants and athletes.

In March of each year, the Pennsylvania Special Olympics hosts more

than 300 athletes and 100 coaches for the State Floor Hockey Tournament. This year's 2-day competition in team and individual skills floor hockey will be held at my alma mater, the Bald Eagle Area High School in Centre County, Pennsylvania, where I will have the opportunity to attend and lend a helping hand on Saturday, March 2.

I would like to commend the Pennsylvania Special Olympics for their years of hard work, from expanding an ever-growing volunteer base to providing more opportunity for athletes to develop physical fitness, courage, and the lifelong relationships that are gained as a result of these games.

I look forward to sharing these experiences with our local community and wish all of our participants the very best in this week's competitions.

SEQUESTRATION

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, the sequester is scheduled to go into effect in less than 24 hours, and I stand today to call out a particularly objectionable concept that this is not taking effect today, that this is going to somehow not affect people today, it's going to roll out over time; and that's just not the case. Because if you're a family who is facing layoffs or furloughs; or if you're an admiral or a general who is trying to figure out how to defend the country and you've got to be spending your time worrying about what jobs you're going to stop and who you're going to lay off; or if you're that scientist, that budding scientist, who is thinking about where are you going to do your science, whether it's here in a country that invests in science or abroad, someplace where it looks like you will get better opportunity, those impacts are happening today.

And that's why, today, we should not adjourn. We should be staying here, working on the sequester, avoiding these cuts. Let's stay at work and get this problem solved.

SEQUESTRATION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President seems to think that the only way for us to replace the arbitrary spending cuts, known as the sequester—the sequester which the President's own operatives came up with—is to enact more tax increases. But should we really be talking about raising taxes when so many examples of government waste abound?

Do we need to spend \$1.2 million to have the National Science Foundation pay people to play video games?

Do we need the EPA to give away over \$100 million in grants to foreign countries like China?

Or what about bankrolling Tax TV? The IRS spends \$4 million of our tax dollars every year to run its very own full-service television studio.

Instead of raising taxes, let's get serious about cutting waste. The House has acted to replace the sequester with commonsense cuts and reforms. It's time to see a serious plan from the President.

□ 1240

IT'S A BEAUTIFUL DAY IN WASHINGTON STATE

(Mr. HECK of Washington asked and was given permission to address the House for 1 minute.)

Mr. HECK of Washington. Mr. Speaker, it's a beautiful day back in my hometown of Olympia, Washington—of course it's raining cats and dogs, but that's what passes for beauty in our corner of the world.

It's a beautiful day at the Nisqually National Wildlife Refuge near Olympia, and it's a beautiful day at Mount Rainier National Park, which you can see from my neighborhood. But Mr. Speaker, if we don't replace sequestration, I'm worried about how many more beautiful days there are ahead.

If we don't replace sequestration, then some of the 7.5 million visitors who are scheduled to visit one of our 13 national parks aren't going to be able to. They have already announced that they are closing the Ohanapecosh Visitors Center at Mount Rainier. All of this because Congress can't—or won't—do its job.

Mr. Speaker, it is a beautiful day in Washington State, but I don't know for how long.

LAKELAND LINDER REGIONAL AIRPORT

(Mr. ROSS asked and was given permission to address the House for 1 minute.)

Mr. ROSS. Mr. Speaker, I rise today to express my strong support for Lakeland Linder Regional Airport.

Unfortunately, with the pending sequester, the Federal Aviation Administration announced that they may close 238 control towers, including the tower at my local airport.

Lakeland Linder Regional Airport hosts the annual 6-day Sun 'n Fun fly-in that celebrates aviation and is the second-largest event of its kind in the world. This Sun 'n Fun fly-in is also the second largest convention in the State of Florida. It provides a \$50 million economic impact to the region each year. The potential closure of the tower is unacceptable.

As we know, President Obama initially proposed the sequester in 2011. I

voted against its creation, and I voted twice to replace its arbitrary cuts. Americans deserve real solutions and genuine accountability. Improper payments by the Federal Government exceeded \$115 billion in 2011. Surely, the President would be willing to address those improper payments before allowing the sequestration cuts to take place.

IMPACTS OF SEQUESTRATION

(Mrs. NEGRETE McLEOD asked and was given permission to address the House for 1 minute.)

Mrs. NEGRETE McLEOD. Mr. Speaker, I rise to bring awareness to the automatic trigger cuts—known as sequestration—and the impact they will have on domestic programs in California.

I thank my colleagues who voted today for a commonsense piece of legislation known as the Violence Against Women Act. This landmark legislation comes on the eve of looming budget cuts that will have devastating impacts on domestic violence preventive programs throughout California, which already operate on tight budgets.

The Obama administration estimates almost \$1 million of funds that provide services to victims of domestic violence in California will be cut, resulting in 3,000 fewer victims being served. Although we have made significant strides towards safeguarding all women by passing this important bill, we must ensure that we continue to strengthen these programs by avoiding this sequester.

IT'S TIME TO GET SERIOUS

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, President Obama's sequester will take effect tomorrow. Because of the President's irresponsibility of cutting just pennies of waste for every dollar Washington spends, the men and women of the 122nd Air National Guard in my district face furloughs. Across the globe, our national security will pay the price for Washington's failures.

How did this happen? It seems that during his Chicago-style campaigning, President Obama forgot that his primary responsibility is to serve as Commander in Chief. Today, instead of working to replace these security cuts with cuts to waste, President Obama and HARRY REID are trying to pass a tax hike in the Senate, a tax hike that the nonpartisan CBO says will increase our deficit for the next 2 years. It seems that instead of solving the problem, President Obama and his allies are only making it worse.

Mr. Speaker, it's time to get serious about the \$3 billion we borrow every day and cut spending in a responsible

way that saves the American Dream and keeps our national security strong.

SEQUESTRATION

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, unless we do something, Friday will be a day that none of us want to see but that very few of us seem to have the courage or conviction to prevent.

Today, we stand here with two options: devastating, meat-cleaver cuts or political courage.

Last week in my district I met with the leadership of the Los Alamitos Joint Forces Training Base. California military cuts of almost \$70 million would put this base at risk.

Who are we talking about? These are our first responders, our firefighters, our citizen soldiers. These are the people that will be affected by sequestration.

If we must choose between cuts or political courage, I choose political courage. We must come together to do what is right.

I ask for a balanced approach to deficit reduction that eliminates sequestration. I support Congressman VAN HOLLEN's bill, H.R. 699, and I ask unanimous consent to bring this bill to the floor.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request unless it has been cleared by the bipartisan floor and committee leaderships.

TRIBAL PROVISIONS IN VAWA

(Mr. SCHWEIKERT asked and was given permission to address the House for 1 minute.)

Mr. SCHWEIKERT. Mr. Speaker, this is one of those moments where you come up here for 1 minute, and I wanted to share a certain frustration, particularly the votes we just had here in the House.

I come from Arizona. We have 22 tribal communities, 21 actual designated reservations. I lived almost my entire life alongside the Salt River Pima-Maricopa Indian community. It's a sophisticated tribe with wonderful outreach into the community. They've come light years in the last 10. They've done amazing things.

We have been working with that community and Congressman COLE's office trying to work on language that would work with them in VAWA, and yet Congressman COLE and Congressman ISSA were not allowed in the process to offer their amendments. That's of great frustration to me because there was months of months of labor and work put into that.

But there was also another irony here. I heard some folks on the right and a lot on the left talking about the self-determination court process within those tribal communities. Okay, great. Are we now ready to have this body step up and help our tribes in Arizona that are sophisticated manage their own finances and their own health care? Because they're asking for that self-determination.

SEQUESTER

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to give voice to the concerns I am hearing from my constituents and my community when it comes to the sequester.

El Pasoans are worried about cuts to public education, canceled flights, delays in processing Social Security and veterans' benefits, and fewer resources for law enforcement.

They are also worried about their jobs. For example, I represent 20,000 workers and their families who are going to be facing furloughs. We are concerned that wait times at our ports of entry will increase to 4 or 5 hours if the sequester happens and furloughs result in 7,000 fewer Customs and Border Protection officers. This undermines those employees and their families and the trade that supports nearly 100,000 jobs in the El Paso region.

Mr. Speaker, let's fix this. Let's vote on legislation that will replace the sequester with responsible cuts and revenues.

I ask unanimous consent to bring up H.R. 699.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

□ 1250

SEQUESTRATION

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Mr. Speaker, I rise today to speak about the impending cuts to the Federal programs that are harmful to our national security, education system, transportation infrastructure, and economy. If we allow the sequester to take effect, Americans will see more teachers laid off in their neighborhood schools, indiscriminate cuts to special education, a loss of 4 million meals for seniors, and debilitating cuts to health care for military families.

The severe and arbitrary cuts caused by sequestration will go into effect tomorrow. Unless we vote on a resolution today, these cuts will deeply hurt the

constituents that I represent in the north Texas Congressional District 33 and also citizens across the Nation.

I was not in Congress when sequestration was passed 2 years ago as part of the Republican cut, cap and balance bill. There's still time to prevent these harmful, across-the-board spending cuts.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester that includes both spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained without appropriate clearance.

VIOLENCE AGAINST WOMEN ACT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to really applaud the House for renewing today the Violence Against Women Act. This will protect our citizens. It's important legislation. I had the privilege of helping to author the original one in 1994 with Patricia Schroeder, LOUISE SLAUGHTER, and JOE BIDEN; and we reauthorized it twice. I'm pleased that it passed today.

I was very pleased that the bill included two bills that I had authored, one the SAFER Act with Congressman POE, in a bipartisan way, that would process the DNA rape kits that are sitting on shelves across this country gathering dust and hopefully put rapists behind bars and protect women from future assaults from these particular rapists; and also the Campus Security Act, which would require campuses to keep statistics on violence on the campus and steps that they're taking to protect their citizens; also the Anti-Trafficking in Persons Act to crack down on sex trafficking.

It's an important bill. I applaud my colleagues for passing it.

SEQUESTERATION

(Mr. GARCIA asked and was given permission to address the House for 1 minute.)

Mr. GARCIA. Mr. Speaker, I rise to share my deep concern with my colleagues of what these dangerous sequestration cuts mean to my community.

I have the honor to represent the suburbs of Miami-Dade County and the Florida Keys. We are a community of middle class families, and my constituents will be hurt if the leadership of this Congress fails to act.

Here are a few examples: south Florida's economy depends on the flow of tourists. It is an engine which fuels us. If sequestration goes into effect, TSA and customs agents will be furloughed, passengers throughout the country will miss their connecting flights, and we

will have fewer tourists and hurt business.

Up to 600 civilians who work in the Florida Keys Naval Base will be furloughed. This means less money for everyday needs in the economy of the Keys. Students on work-study programs at schools like Miami-Dade College and FIU will see their funding cut. The leadership of this Congress owes the American people an explanation of why we have gotten to this point.

There is a better alternative that will create jobs, and that is H.R. 699. I respectfully ask unanimous consent to bring up this balanced budget bill that replaces the sequester with balanced cuts.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained absent appropriate clearance.

APPOINTMENT AS MEMBER OF CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239), and the order of the House of January 3, 2013, of the following individual on the part of the House to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise:

Ms. Heather Wilson, Albuquerque, New Mexico

APPOINTMENT OF MEMBERS TO BRITISH-AMERICAN INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276L, and the order of the House of January 3, 2013, of the following Members on the part of the House to the British-American Interparliamentary Group:

Mr. PETRI, Wisconsin
Mr. CRENSHAW, Florida
Mr. LATTA, Ohio
Mr. ADERHOLT, Alabama
Mr. WHITFIELD, Kentucky

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. SMITH, New Jersey, Co-Chairman

SEQUESTRATION

□ 1300

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 60 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, in this Chamber, we've heard over the last several days numerous speakers who have spoken quite eloquently about the impact of sequestration on their communities and their constituents across this country; and I daresay there are many Americans who have no idea what sequestration is. But they will come to know, Mr. Speaker, exactly what sequestration is when they figure out that of the range of programs and services that impact them and their communities, the Federal Government is taking a step backwards because of Republicans' failure to bring forward a balanced approach to dealing with our budget. In fact, we've just been moving from one crisis to the next crisis.

Today, in this House Chamber, we did something very special. We passed the reauthorization of the Violence Against Women Act, which was first passed in 1994 and had enjoyed bipartisan support up until recently. We ended up passing the Senate version of the Violence Against Women Act which, frankly, we could have done about a year and a half ago but for failure in this House Chamber.

In passing the Violence Against Women Act, we, on the one hand, provided for authorizing funds to support shelters, services, and programs for victims of domestic violence, many of them women, all across this country. And on the other hand, March 1 sequestration looms and, in fact, is happening, and we take away with one hand what we've provided with the other under the Violence Against Women Act that was just reauthorized today by a bipartisan vote with overwhelming support from Democrats. But tomorrow, \$29 million will be cut from the very shelters and programs that we authorized today.

Six million women all across this country face domestic violence, and yet the programs and services that they depend on from the Federal Government will be ripped away in a sledgehammer approach—across-the-board cuts, arbitrary cuts to the budget beginning on March 1.

Workers and families all across this country have truly grown weary of watching this and past Congresses create and kick down the road fiscal disaster after fiscal disaster. Sequestration is going to rattle our very still-recovering economy and take an axe hammer to so many agencies and programs that are struggling to meet their work loads to deliver services for the American people.

Sequestration is estimated to lower the U.S. economic output by \$287 billion.

In the Fourth Congressional District of Maryland that I have the privilege of representing in this Chamber, people are truly preparing for the drastic impact sequestration will have on them, their capacity to pay their bills and to meet their obligations.

These cuts are devastating, and today we're here to talk very specifically about the devastation to women and children across this country, and specifically to women of the impact of sequestration. Whether that is the devastating cuts to the Women, Infants, and Children program that so many low-income women depend on; school nutrition programs in our Nation's schools; K-12 education; cuts to Head Start; cuts to serving children with disabilities; cuts to health care screenings like cancer, cervical cancer and breast cancer screenings that so many women rely on, and this at a time when we just discovered that, in fact, younger women are suffering from greater rates of breast cancer than ever before in our history, here we go slashing and burning a budget.

I don't like to use the term "war on women," but, Mr. Speaker, as a woman, it sure feels like it. Sequestration definitely has that impact.

Joining me today, who I will yield to in just a few moments, is my good friend from New York, CAROLYN MALONEY, who has been quite a leader on a range of women's issues, and she knows clearly the devastating impact of sequestration on women.

Mrs. CAROLYN B. MALONEY of New York. I want to thank my colleague for leading this very important Special Order and to note two women's issues that will be introduced next week.

One is the women's museum. It will cost no extra money and will create a commission to put a women's museum on the Mall. We have it for postage stamps, flights. It should be there for half the population, and it is something, hopefully, we can move forward with in a bipartisan way.

Also, next week, I'm reintroducing the equal rights amendment. We really lag behind in the Western World in not having that important provision in our Constitution. But regrettably, this country has a habit of sweeping women's issues under the rug and ignoring them; and this meat cleaver approach through sequestration will disproportionately hurt women.

Tomorrow, \$85 billion will be cut from our budget, sequestration will go into effect, and economists predict that over 700,000 jobs will be lost.

Chairman Bernanke testified yesterday before the Financial Services Committee that the sequester could make it harder to reduce the deficit, not easier. The whole purpose of sequestration

is to reduce the deficit. But as he pointed out in his testimony—and I will quote him directly—he said that it would have “adverse effects on jobs and incomes,” and “a slower recovery would lead to less actual deficit reduction.” So here we are hearing from the head of the Federal Reserve and many economists that sequestration will literally hurt the deficit, hurt our economy, and hurt jobs.

Why can't we agree on a measured, balanced approach that targets certain areas such as tax loopholes? Why in the world are we giving tax deductions to companies that move jobs overseas? We should be giving tax incentives to people who create jobs in America, not those who move their companies and their jobs overseas. And why are we giving up to 40 percent subsidies to very profitable oil companies that are making profits? Why are we doing that when we are going to be turning around?

Because of sequestration, we'll be cutting teachers, which is the very investment that we need for the future. Teaching is one of the professions that is disproportionately headed by women. So disproportionately these cuts are not only going to hurt the future of our country, but women teachers and male teachers in our country.

I am particularly concerned in one area that my friend mentioned, and that's research. This country has invested in research, and it is one of the areas that has moved us out of our recessions with innovative ideas. But there are across-the-board cuts in research. NIH may face as much as 40 percent cuts. That's the National Institutes of Health.

Right now, 1 in 7 women contracts breast cancer. Because of the research in our great country, lives are being saved. There are 2 percent more lives saved each year because of new breakthroughs in breast cancer treatment. I venture to say there is not a person in this body or America who doesn't have a sister, a mother, a grandmother, or a friend who has not suffered from breast cancer. Yet the treatments, the research, the medical facilities that are there to help women confront this disease will be cut back in the sequestration.

Men also are contracting breast cancer. It is a disease that men are suffering from, and also prostate cancer, but the breakthrough in cures every year to save lives are going to be cut.

This past week, I had a meeting with some of the teaching hospitals in the district that I am privileged to represent, and they had a survivor there. His life had literally been saved with a new breakthrough in treatment and technology that they had developed while at Cornell. He testified that the doctors there with their new research had literally saved his life.

It is this lifesaving, cutting-edge research that we will be cutting away,

along with many other important areas. Why are we passing the Violence Against Women Act and then turning around and cutting it dramatically with sequestration?

So I join my good friend from the great State of Maryland in really protesting sequestration. The approach doesn't work. Even Chairman Bernanke says it's wrong, wrong-headed, and will not help us reduce the deficit. And it particularly is disastrous to programs, research, and health care that impact women.

With that, I thank the gentlelady for organizing this Special Order.

Ms. EDWARDS. I want to thank the gentlewoman from New York. Thank you so much for your leadership.

You know both as a woman and a woman legislator what this impact is going to be to your communities in New York, and I know what they will be to mine in Maryland.

Sometimes, Mr. Speaker, we throw out these numbers, and most Americans have no idea what these numbers mean in real terms. From March 1, until the end of this fiscal year, we'll have to cut \$85 billion with a wide range of impacts across this country. Women are going to be disproportionately impacted by these. And there is no other word, Mr. Speaker, for these absolutely senseless cuts.

It is as though as legislators we are brain dead when it comes to making decisions that impact people's lives. These deep cuts are going to slash vital investments in job training, in public health, in public safety and education and small business. We know that so many women are juggling multiple responsibilities. They are juggling the responsibilities of their homes and their families; the responsibilities of a job or running a business; the responsibilities of being active in their community and making sure that there's a quality of life for themselves and their children.

They're also doing this and operating at the absolute margin. It's really unfair and completely lacking in compassion to place this additional burden of sequestration on their already burdened households. Even worse, low-income women and women of color who are toiling in the fragile economy at the lowest-wage jobs are going to be hit the hardest by sequestration.

I want to highlight these cuts and the resulting fiscal instability that is in addition to the fact that we are already falling farther behind other Western World nations in providing employment protections, pay equity, sick leave, promoting child care services. These are all the things that particularly women have use of as caregivers.

□ 1310

Is this really the way, Mr. Speaker, that we see ourselves as leaders of the free world? I don't think so.

With that, I would like to yield to my good friend and colleague from Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE. Let me thank the gentlelady from Maryland and thank her for her leadership. This is a very important statement today because I was on the floor earlier this morning and said that we should not go home, that we should stay here. I'll say it again: We should not go home. We should stay here.

With all of the chatter of disagreement and accusations and blame games, what should be the message to the American people is, in fact, that we are committed to finding some form of common ground. Now, common ground is enormously challenging when there is no give from our Republican friends.

I do want to applaud the Congresswoman today in that the Violence Against Women Act was passed because of Democrats' championing the right direction so that immigrant women, so that the LGBT community and so that Native Americans could be specifically covered, which, as a lawyer, is what the law is all about. Fuzzy legislation cannot work, but when you specifically designate in law the protection of these groups, then you have brought about a change. I say that only because I want to thank our Republican friends who voted for that ultimate Senate bill that was passed in a bipartisan way in the Senate and now in the House.

That should be an example of what we can do with regard to this dastardly act that is going to occur tomorrow—the sequester—which most Americans don't even understand. So I am delighted to join and to be able to be part of this Special Order, led by the gentlelady from Maryland, on explaining how vulnerable women can be impacted.

We did a good act today. Vulnerable women have been in the eye of the storm since this legislation was not reauthorized, and women's centers and shelters all over America were feeling the ax of the non-funding of the STOP grant, but today we made a difference. I want to make a difference in stopping the onslaught against women and children that the sequester will bring about, and I am going to use as an example the impact on a State like mine—the State of Texas—that has a diverse, if you will, congressional delegation, with more Republicans than Democrats. Frankly, the people of the State of Texas are not interested in what party we are; they simply want to find out why we can't come to the floor and vote to block the sequester and find common ground.

So, to my State of Texas, let me tell you what you will be facing, and why I want to say, stay and work, stay and work, and find some kind of common ground. In the alternative, all of us are willing to be called back this weekend. We're willing to be called back Friday night and Saturday morning. I want

that to be on the record. We're willing to get back in a short order of time to come here and solve this problem.

Specifically, I have worked extensively with our teachers and schools and school districts:

\$67.8 million for funding for primary and secondary education, putting 950 teachers' and aides' jobs at risk, meaning that they may ultimately be terminated. Those jobs are at risk in the State of Texas. 172,000 fewer students can be served in approximately 280 schools. That's not just in Houston; that's throughout Republican and Democratic districts in the State of Texas. That is shameful. Texas will lose approximately \$50 million in funds for about 620 students and aides to help children with disabilities;

Work study jobs will impact our college students. 4,720 fewer low-income students will be able to have those jobs, and, of course, it will eliminate the opportunity to finance the cost of college to around 1,450 students, who will not get work study jobs;

Head Start. Many of my Head Start leaders advocated and asked me, as I was in Austin this past week, to stop the elimination of their funding. I will be meeting with those from AVANCE next week, approximately 4,800 students in Texas, on the reducing of access to critical early education;

Law enforcement. Part of the Violence Against Women Act specifically speaks to the question of helping the crime victims. When I had a gun briefing in Texas, I made sure that the victims of gun violence were in the room. What we'll be stopping is \$1.1 million in what we call Justice Assistance Grants, which specifically deal with our crime victims;

This is an example of what will happen in America if you're looking for jobs and if you want assistance from the Federal Government. It's interesting how people make light that the Federal Government does nothing. My friends, the Federal Government is you. It is the tax dollars used wisely to ensure that it is a bridge, a complement, a collaborator with State government. So you will be losing in the State of Texas, for those of you who are searching for jobs—and you do it every day—some \$2.2 million if this goes through.

Child care. Up to 2,300 disadvantaged and vulnerable children may lose their access to child care. That impacts women who go out every day, one possibly to look for a job but, more importantly, to go out to go to work. I hate the thought that 9,000 children will have a lack of access to vaccines. That's a mother's responsibility, that's a parent's responsibility to ensure her children are getting vaccines, and the public health system will collapse because of the lack of resources;

\$1.1 million will be lost, in particular, for HIV tests, which is devastating

among the African American community, particularly women. We have encouraged them now to get tested. We've tried to remove the stigma. When they go up to the door of the public health entity to get tested, you're going to tell me that there are a million less dollars and that the door will be closed? On the STOP Violence Against Women's program, which we'd now reauthorize, I'm sad to say that Texas could lose \$543,000 and that 2,100 more victims will not have this.

Let me come to a close and look at it generically across America as I cite what Congresswoman EDWARDS just cited about small businesses, and I would indicate that, on a nationwide impact, two-thirds of all new jobs we know have come from small businesses. As I listened to the news this morning about a woman-owned business that does work with the Defense Department, she was being interviewed, and she said, about 5 days from now, she'll literally be shut down. So what we're talking about is losing \$900 million across the Nation in helping small businesses. That is a travesty.

When we travel internationally, one thing we sort of look at is the question of food safety, and what we pride ourselves on here in the United States is that which stops disease and that which stops contamination. Well, my friends, 2,100 food inspectors for the Nation, who deal with helping to ensure the kind of safe food for our women and children, will be shut down. That means that billions in food production will be shut down. I heard a plant manufacturer, or a food manufacturer—a packaging company—say that it literally cannot do anything without a food inspector saying "yes."

Let me indicate something that is very close to my heart, and that is those who are needing mental health services. Do you realize, with the sequester, Congresswoman, that 373,000 mentally ill adults and seriously emotionally disturbed children will lose public services for their needs? That is a travesty, and asks the question: Why are we going home? Why don't we stay here and find the compromise that we did for the Violence Against Women Act?

Let me close on our work in dealing with homeland security. I am the ranking member on the Homeland Security Subcommittee on Border and Maritime Security. We have responsibilities with ranking member THOMPSON and our chairperson, who has noted in our hearings as recently as this week that we would lose some 2,750 Customs and Border Protection officers, CBP. Those are the individuals who allow goods to travel, to meet individuals at airports; and we would lose 5,000 Border Patrol officers at our borders, where we're talking about the question of border security.

Are we talking out of two sides of our mouths? Here we're making the argu-

ment that we want border security, and we're willing to allow 5,000 Border Patrol agents—willy-nilly—to just go away? We're allowing difficulties with the FAA and, as well, with TSA officers of whom some have critiqued. I serve on the Transportation Security Subcommittee. These officers every day face the trials and tribulations of ensuring safety on our airlines and airplanes, and we are telling them that we don't care about security? Right now, we've got a sequester and you're out, and we don't know how long the lines are. Frankly, the statement is being made by my Republican friends and leadership that they simply don't care.

We have an opportunity to work together. We can work with the Senate. We can work with the White House. We can understand the underpinnings of this whole debate, and that is: revenue and cuts. Why do I want revenue? Because I want for the money not to run out when the victims of Hurricane Sandy are desperate. That's why I want revenue.

□ 1320

I want the Head Start programs to be funded, and I want our military in a balanced way to be funded. So I support the utilization of the Buffett rule that has been offered by the Senate, and aspects of many other proposals. They are out there, we can do it, and we can do it with the kind of grace and mercy and understanding of the needs of the American people, and protecting the middle class. And, as Congresswoman EDWARDS stated, we can do that with an eye on women, to make sure that women, many of whom are heads of households, do not face these devastating cuts that would literally shut them down, their small businesses, Head Start, teachers for their children's schools, to ensure that there is funding for the Violence Against Women Act.

I want to say thank you to Congresswoman EDWARDS for allowing us to have an opportunity to share our concerns today. I am pained by what we are saying today, but I am extending a hand of friendship to my friends on the other side of the aisle. Leadership can call us back. We are ready to be called back. We can huddle somewhere else. We can find a way to get consensus by email so that when we come back next week, we have an immediate vote because we have been willing to do so.

I'll close by saying I'm supporting Mr. CONYERS, who has offered an alternative that will be coming forward next week that ends the sequestration. I believe that is the way to go to allow us more time for debate and collaboration. I hope others will join us in supporting this legislation we're introducing today. I thank him for his leadership on that. I think that speaks to the fact that all Members, Congresswoman EDWARDS, are following the

leadership of this Special Order, which is to protect women from this devastating impact of sequester. Thank you so very much for the opportunity to speak today.

Ms. EDWARDS. I want to thank the gentlelady, and especially to thank her for, Mr. Speaker, pointing out to us that in virtually everything that impacts our lives as Americans, and particularly impacts women, there is a devastating impact of sequestration on a whole range of things that, you know, most of us get up every day and don't even think about. But we will think about them beginning on March 1 because the services won't be there.

The gentlelady pointed out, as she was speaking and as others have as well, the devastating impacts to education. Just a few weeks ago, many of the people in this body, Republicans and Democrats, stood on their feet and cheered the President of the United States when he talked about the need to invest in early education, in Head Start, in making sure that our young people get started early in school so that they are prepared through their education years to take on the challenges of the 21st century. And yet here we are, just a couple of weeks after that great moment of a bipartisan show of support, ripping apart the very programs that the President talked about that are so important, Mr. Speaker, to the development of our children.

I would note that in my great State of Maryland, and Maryland has now been named the State with the number one schools in the Nation for the fifth year in a row. Well, we've been able to achieve those great heights in Maryland because of the commitment of our governor, because of the commitment of our legislators, and because of the commitment of the Federal Government, especially to some of our most vulnerable schools.

To our students who depend on investing in Head Start, to our students who are in some of our most vulnerable communities served by our title 1 schools, to the idea that we're going to educate all of our young people, even those with disabilities, so that they can achieve their greatest ability, and in Maryland we're going to see in fact very devastating cuts to the number one school system in the country—\$5 million ripped out of Head Start; \$14 million ripped out of our title 1 schools; \$9 million, almost \$10 million, taken out of funding our young people with disabilities, and that's a total of almost 300 jobs that will be lost as a result of these cuts. And that's in my small State of Maryland.

You know, we've heard from Members representing New York and Texas. Well, they're going to suffer even more devastating cuts. I would note, for example, in Texas, Texas will lose \$51 million from education for children

with disabilities. Texas will lose \$67 million from their title 1 schools. And Head Start will lose to a tune of \$30 million from Head Start. This is devastating for women and children, for their families.

But it doesn't end there, Mr. Speaker. Would that it would, but it doesn't end there. Sequestration, as I said, has a devastating impact and a disproportionate impact on women and children.

I would note that about 600,000 children and pregnant women are going to lose access to food and health care and nutrition education, including supplemental nutrition programs that are the difference between having a meal or a healthy meal, or not. The difference for a mother who, even as she is working every day, has the ability to make sure that there is a good meal on the table for her children. Six hundred thousand children and pregnant women will lose those benefits.

Let's look at child care. There's not a one of us, Mr. Speaker, who hasn't had children and had the need of child care. Now if you are a wealthy woman or if you have a high income, your needs may be very different. But for most of us who get up and go to work every day, we really do need child care assistance. About 30,000 children across the country who are in low-income families are going to lose essential Federal funding for child care services. That's about \$121.5 million, Mr. Speaker.

Let's just look at the Centers for Disease Control. Twenty-five thousand low-income women—and this is according to thinkprogress.org so I'm not making it up. Americans across the country can go to thinkprogress.org, and what they can find is the same information that I'm sharing with you today. At the Centers for Disease Control, 25,000 low-income women who rely on the Centers for Disease Control for their breast cancer and cervical cancer screenings are just going to be lost. So there we will have a ripple effect through the health care system as these women, potentially with cancers that are curable, will not have those diagnosed in time.

In Army military construction of family housing where we have so many more female recruits who are in need of housing, they're going to lose about \$424 million. How on one hand can we say that we support and honor those who serve and who are in uniform, but at the same time take away the kinds of things that would be supportive for our military families.

In the area of global health care—I mean, after all, these cuts apply not just to those of us in the United States but to the support that we provide for vulnerable communities around the world. There are 1.6 million women around the globe who rely on family planning services, and guess what? They're going to be turned away, too, Mr. Speaker.

We could go on and on, as we have. But the reality is that beginning on March 1, beginning tomorrow, America's women and children will see cuts to things that they had no idea about, and those cuts will be, in fact, devastating. And what are we doing here in this Chamber? We're going home for the weekend. Where else in America do you stop working, Mr. Speaker, after 3½ days, a couple of journal votes saying we approve of the business of the day, a couple of adjournment votes, a vote to rename a space center, and then devastating cuts to health care, to Head Start, to education, to food inspection, to all of the things that impact so many of our families. If it weren't true, if it weren't reality, it would seem like it was just a bad B movie, Mr. Speaker.

□ 1330

We can go through so many other impacts to our children, 70,000 children, Mr. Speaker, who are going to be cut from Head Start and Early Head Start programs. Sixty percent of these program recipients, 60 percent of those 70,000 children, are children of color.

And so I guess we're saying, Mr. Speaker, that we don't care about our Nation's children. We don't care that they go hungry. We don't care that they're not receiving adequate child care. We don't care that they're not getting the education that they need. Mr. Speaker, these across-the-board, arbitrary, senseless cuts just say to the rest of America, we don't care.

And you know what? I would love it if the blame were equally shared across the board, but the reality is that Republicans control this Chamber, and this Chamber could be gavelled in tomorrow morning, straight up, and stop this sequestration. That's what could happen, and that is what would make a difference to America's women and children.

You know, I would look to, Mr. Speaker, women and girls across this country and just share with them that no matter what their age, no matter, really, what their income, whether they're young children in school readiness programs or they're older women who rely on senior nutrition programs, things like Meals on Wheels, that these cuts will have an impact on them.

We've already talked, Mr. Speaker, about devastating impacts to education. Can you believe that 7,400 special education teachers, their aides and other staff servicing our vulnerable kids with disabilities are going to be laid off, 7,400 educators who will be laid off because we haven't provided the resources for them to serve our children with disabilities? It's pretty shameful, Mr. Speaker.

I'm thinking about the landmark Affordable Care Act, ObamaCare. You know, we did something very special, actually, in this Chamber when we

passed ObamaCare. But the reality is that, because of these looming cuts, these cuts that will take place just hours, hours from now, Mr. Speaker, they're going to jeopardize critical health care services, prevention initiatives, medical research to help women lead healthier lives. These sequestration cuts will affect millions of women.

Four million dollars is going to be cut from the Safe Motherhood Initiative. Who knew that the Congress doesn't like motherhood? And so \$4 million in cuts, Mr. Speaker, to the Safe Motherhood Initiative.

And what does that do? It helps prevent pregnancy-related deaths. In this great Nation, the leader of the free world, we still have pregnancy-related deaths, and the way that we've chosen to deal with that is through the Safe Motherhood Initiative. But, beginning on March 1, these devastating cuts will have an impact on that program.

In addition, 5 million fewer low-income families will be able to receive prenatal health care. And we know, those of us who've had children, know the importance of getting prenatal health care, know the importance of a successful pregnancy that goes to term. We know the importance of prenatal health care because it becomes a determinant of overall health care as that child is born. And yet, with these devastating cuts, these across-the-board cuts, these arbitrary cuts, these senseless cuts, 5 million fewer low-income families will receive prenatal health care. And this is particularly concerning, Mr. Speaker, and very serious, because two to three women die each year, each day, in fact, from complications as a result of pregnancy.

I don't know if you're aware of this, Mr. Speaker, but the fact is that the United States has an infant mortality rate that is twice as high as the rate of other wealthy nations. We're not a leader when it comes to prenatal health care. It is why we need the Motherhood Initiative.

Eight million dollars in cuts are going to go, Mr. Speaker, to breast and cervical cancer screening. That means that there will be 31,000 fewer cancer screenings for low-income women.

Now, I suppose we could just write these low-income women off the books. But you know what happens, Mr. Speaker? When they're diagnosed with cervical cancer or with breast cancer, they show up in the emergency room and they require even greater treatment, or worse, it becomes a mortality risk because they lose their lives, not because the cancer was not curable, but they lose their lives because the cancer was not diagnosed.

And yet here we are, Mr. Speaker, ready to exact \$8 million in cuts that will prevent low-income women from receiving cervical cancer screenings and breast cancer screenings. That's not what a leader nation does, Mr. Speaker.

Now, we can recall very recently the very fierce battles to protect Title X family planning and reproductive health services. I will just remind the Speaker that sequester would cut \$24 million from these lifesaving programs. That's right; \$24 million that would be ripped out of Title X family planning and reproductive health services, lifesaving programs that provide care to low-income, uninsured and underinsured women, men, children, and families—\$24 million. Our Nation really can't afford this.

And let's talk about research. The National Institutes of Health could lose as much as \$1.5 billion in medical research funding. And that means there will be fewer research projects for treatments and cures for diseases like cancer, like diabetes, like Alzheimer's, like all of these diseases where we're right on the cusp of the kind of research that will make a tremendous difference, Mr. Speaker, in the lives of so many, and particularly a tremendous difference in the lives of women. But, oh, no, National Institutes of Health, on the chopping block March 1, losing up to \$1.5 billion for medical research funding.

Women, Infants, and Children programs, something that's particularly important to me and to people in my community, to women and children in my community, \$353 million, remind you, to begin, Mr. Speaker, on March 1; \$353 million cut from the Women, Infants, and Children program.

And I'll tell you, Mr. Speaker, if you go to any State in this country, talk to your Governors. It doesn't matter whether you talk to a Republican Governor or to a Democratic Governor. Those Governors will tell you that the investment and the payoff for making investments in Women, Infants, and Children programs is enormous, that it results in great benefit, not just for the quality of lives of the women, infants, and children who are served by the WIC programs, but, really, to communities, enabling them, people, women, to go out and get an education, to get on their feet, to take care of their children.

These are really lifeline programs, and they're highly effective. And yet there's no sense to these cuts, and so we will end up cutting the most ineffective programs in the same way that we cut the most effective ones. That's what sequester means.

Let's look at unemployment benefits. Here we are, Mr. Speaker, really recovering from the devastation of the economy of the last 5 years, unemployment going down, but still the need for so many in this country for unemployment benefits. Now, I don't know, Mr. Speaker, about other people, but any of us who've ever received an unemployment check because of the misfortune of losing a job, it's not a big check, Mr. Speaker. And yet, even that small

check, which is a fraction of what your income might have been were you working, even that check will face devastating cuts, and particularly to the long-term unemployed, to people who are out of work and who've been searching for a new job for at least 6 months, not because they don't want to work, Mr. Speaker, but because the economy is recovering and because work is hard to find.

□ 1340

And yet we rip apart 10 percent of their weekly jobless benefits if this sequester goes into effect. Maybe the 1 percent or the 2 percent out there can get away with not having 10 percent of their income. But the families that I know, the communities I come from, a 10 percent cut in an income is the difference between paying your electric bill and your water bill and your rent or your mortgage. A 10 percent cut. No one can afford that. And yet that's exactly what happens beginning on March 1 with this senseless sequester.

Child care assistance is going to be cut by \$121 million. Child care. What great nation doesn't ensure child care for its nation's children so that moms and dads can go out and work and not have to worry about the care that their children are receiving? Worse yet, not have to worry about leaving young ones unattended because the choice is between going to work and staying at home because there's not quality child care available. Child care assistance cuts 30,000 children across this country who would lose essential Federal funding for child care.

And we've talked about the Violence Against Women Act. But I want to get specific because I spent a lot of years before I came into Congress working on these issues of violence against women, on domestic violence, on sexual assault, on stalking, trying to make sure that the Federal Government meets its responsibilities for women. I've worked on a hotline. I've been in a shelter. I know what it means to provide those services. I know that when a woman calls and she's being abused and she's seeking help, that that phone call needs to be answered.

And yet, Mr. Speaker, we've passed the Violence Against Women Act and we're running the risk that because of these cuts in this sequester—because of these senseless cuts—that phone call from that woman in the middle of the night calling a shelter or a program or a hotline, that call won't be answered.

Who's going to take responsibility when that abuse results in the death of a woman or her children because we've not done the right thing in this Congress? That's what's at stake. And that is real and it is harm, Mr. Speaker, to this Nation's women. And so we passed the Violence Against Women Act, but you can be sure that what we gave with one hand, we took away with the other

hand beginning on March 1 because of these devastating cuts to domestic violence shelters and programs and hotline services, to the law enforcement officials who need to be trained about issues of domestic violence so that they don't endanger themselves and so that they provide the kind of law enforcement assistance that's needed in every community across this country.

Mr. Speaker, you sit on that hotline and know that you can't pick up a call because the other phone is going unanswered. Because the other phone is going unanswered because the Congress hasn't done what we need to do to protect women and children and their families.

The Department of Justice estimates that the cuts to the Violence Against Women Act is going to mean that 35,927—and I want you to hear, Mr. Speaker, every single one of them—35,927 victims will be prevented from gaining access to shelter and to legal assistance and to services for themselves and for their children, every single one of them vulnerable because Republicans in this Congress, Mr. Speaker, have not done their job. The cuts are going to mean that domestic violence training is going to be eliminated for 34,000 police officers, prosecutors, judges, and victim advocates. This really is shameful, Mr. Speaker.

And for women who work and who own small businesses, the sequester is going to be a handicap as well. And we know that women work. Some of us work not because we want to. We work because we have to because we're partners in our families with our spouses, with our partners taking care of our families, taking care of our children, because we're women living on our own, because we're women as caregivers to other members of our family. That's why we work. We create businesses; and, thankfully, we've had the support of the Federal Government for women-owned small businesses, a really fast-growing sector.

But these contracts are in jeopardy, Mr. Speaker. In fact, contracts that have been won by women-owned businesses dropped 5.5 percent in fiscal year 2011; and the damage that they are facing now, the harm our vulnerable women-owned businesses are facing is even more devastating. The gender gap may reflect stiffer competition over a shrinking pool of contract revenue, but it may get worse for women as women face difficulty in winning a greater share of contracts in an era of these devastating spending cuts.

And that's according to Bloomberg. It's not made up by this Congresswoman from Maryland. It is what is happening in our economy, Mr. Speaker. Thousands of public sector jobs are going to be lost. That's on top of jobs that have already been lost, Mr. Speaker. And since women are 50 percent more likely than men to be employed

in the public sector, just like education, these jobs are going to be cut and lost needlessly.

Mr. Speaker, I would like to think that my colleagues in this Congress have the ability to exercise common sense and rationality; but these cuts don't reflect common sense at all. In fact, they don't reflect much thought, in my view. When you say across the board, that would be like in your own family budget, when you know you have to tighten up the budget, rather than looking at where you're doing your spending and going with a scalpel to cut that wasteful spending—in my household, I would probably cut the coffee expenditures—but we're not doing that. We say we cut coffee just like we cut the mortgage. We cut coffee just like we cut the groceries. We cut coffee just like we cut buying school clothing.

But this is what is happening with the Federal budget. We're taking an ax or hammer to the entire budget. We're not looking at every single line and making strategic and thoughtful and important choices about what needs to stay and what needs to go. That's the danger here. And for women, the impact is really substantial.

Mr. Speaker, I'm going to close now, but I wish I were closing and saying I'll see you tomorrow. But, unfortunately, we won't be seeing each other tomorrow, Mr. Speaker, because when you gavel out this evening, Mr. Speaker, what you will know is that we've said sequester is going to go into effect. So what? Sequester is going to go into effect and we'll just come back next week and name a couple more build-ings. But we won't deal with the real issues that are facing America's families, that are facing America's women.

And as I said before, I'm not particularly fond of the term, Mr. Speaker, "war on women." But as a woman, when I know that there's a threat of not getting a cervical exam or a breast exam, when I know that as a woman there's a threat of not receiving family planning services, when I know as a woman that my children won't be able to go to a Head Start program or that if I have a child with a disability that that child won't receive the kind of education that he needs to get his or her fullest potential, when I know as a caregiver that a senior woman won't get Meals on Wheels, when I know that the important research that could lead to a cure for Alzheimer's isn't going to happen, Mr. Speaker, it may not be a war on women, but it feels like as women we are on the front line and we are taking all of the heavy-duty fire coming in.

And so I would urge you, Mr. Speaker, and I would urge my Republican colleagues to do as my colleague from Texas said: get back to work. Come back to work and let's do the business of the American people. Let's take up a

truly fair and balanced approach to our Nation's fiscal problems. Let's make certain that we preserve and protect a social safety net for so many of our vulnerable families.

□ 1350

Let's make certain that we make the investments we need to make in education, in research and development, in small business so that we really can grow our economy, so that we, Mr. Speaker, together can create growth, but create growth by making great investments.

So, Mr. Speaker, I will close by just saying to you that I want to work with our colleagues on the other side of the aisle, but it does take two to tango. Unless we do that, women in this country are going to face the devastating impact of these budget cuts that go into effect on March 1.

With that, I yield back the balance of my time.

VIOLENT MEDIA ROLE IN MASS SHOOTINGS

The SPEAKER pro tempore (Mr. STOCKMAN). Under the Speaker's announced policy of January 3, 2013, the gentleman from Virginia (Mr. WOLF) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOLF. Today, I rise as the father of five and the grandfather of 16—many of whom are of the age to play video games—to express my deep concerns about the lack of discussion on mental health issues and violent media and the role they play in mass shootings.

As we continue to seek ways to end mass violence, in addition to gun safety, we must address the impacts of mental illness and, of equal importance, violent video games, movies, and TV.

I have supported legislation that would keep guns from getting into the wrong hands. I voted for the Brady Bill in 1993, safety lock requirements, and provisions that help police conduct effective background checks. My father was a Philadelphia policeman.

As chairman of the House Appropriations subcommittee that funds the Justice Department, I have increased funding for the national background check system to keep firearms out of the hands of the mentally ill and violent criminals. In fact, my bill provided more than double the funding requested by both the President's and the Senate's budget plan.

In January, I wrote to ask Attorney General Holder to use existing funds to immediately improve the Nation's background check system. In addition, I asked the Obama administration to create a national center for campus public safety, which has strong support from lawmakers on both sides of the aisle and the Virginia Tech Family Outreach Foundation, a group of families and victims of the shooting at Virginia Tech. In fact, the idea for my bill

to create the national center for campus public safety came from the Virginia Tech families and lead cosponsor, Congressman BOBBY SCOTT from the State of Virginia. I'm expecting a response from the Justice Department soon. The shooter in the Virginia Tech massacre lived in my congressional district, and a number of the victims were from my district. I have met with their families, and I understand they are hurting.

Dealing with mental illness has to be part of the solution. I have long advocated for measures that prevent health insurers from placing discriminatory restrictions on mental health and addiction treatments. I continue to remain hopeful that the nearly 20 million Americans who suffer from mental illness receive the treatment they need.

Mr. Speaker, though, I was disappointed that President Obama did not seize the opportunity to address, in depth, the role of mental health and media violence as factors of mass violence during his State of the Union address. To only focus on guns, on just one piece of a very large and complicated puzzle, is simply irresponsible.

The President said that the victims of mass shootings, including Congresswoman Gabby Giffords, the college students at Virginia Tech, the children at Sandy Hook, the high school students at Columbine, and the movie-goers in Aurora, all deserve a vote for gun control proposals. How can he, in good conscience, call for that but not acknowledge the fact that each one of these shooters in these events was mentally disturbed? How could he not acknowledge the role that violent media played in some of their lives?

The President is failing the American people and the families of the victims by remaining frustratingly silent on these crucial issues and ignoring the other central factors related to mass violence of this kind.

As I mentioned, in a number of tragic shootings, there has been a pattern of the shooters playing or even imitating violent video games.

Let's begin with Anders Breivik, the Norwegian who shot 69 people at a youth camp in 2011. *Forbes Magazine* reported that Anders used the video game "Call of Duty: Modern Warfare 2" as a simulator to help him practice shooting people. Anders said:

I just bought "Modern Warfare 2," the game. It is probably the best military simulator out there, and it's one of the hottest games this year.

He goes on to say:

I see "Modern Warfare 2" more as a part of my training-simulation than anything else. You can more or less completely simulate actual operations.

And who can forget that day at Columbine High School when Eric Harris and Dylan Klebold murdered 13 classmates and wounded 23 others before turning the guns on themselves? The

Simon Wiesenthal Center, which tracks Internet hate groups, found in its archives a copy of the Harris' Web site with a version of the first-person shooter video game "Doom" that he had customized. In Harris' version, there are two shooters, each with extra weapons and unlimited ammunition, and the other people in the game cannot fight back.

For a class project, Harris and Klebold made a videotape that was similar to their customized version of "Doom." In the video, Harris and Klebold dress in trench coats, carry guns, and kill school athletes. They acted out their videotape performance in real life less than a year later.

An investigator at the Wiesenthal Center said Harris and Klebold were "playing out their game in God mode."

In another videotape, Harris referred to a sawed-off shotgun as "Arlene," a favorite character in the "Doom" video game. Harris said, "It's gonna be like (expletive) Doom."

And now we have a report this month from the *Hartford Courant* that says that Sandy Hook shooter Adam Lanza may have been imitating violent video games as well. The *Courant* reports:

During a search of the Lanza home after the deadly school shootings, police found thousands of dollars' worth of graphically violent video games.

The paper goes on to say:

And detectives working the scene of the massacre are exploring whether Adam Lanza might have been emulating the shooting range or a video game scenario as he moved from room to room at Sandy Hook, spewing bullets, law enforcement sources have told the *Courant*.

Then he goes on to say, Mr. Speaker:

Before he killed his mother and set off for Sandy Hook Elementary, Adam Lanza destroyed the hard drive on his computer, which probably kept some of the records of the games he played and who he played with. He also may have destroyed any chance to see if he had a manifesto or had written down anything indicating that he planned the shootings or why he chose the elementary school.

Let me repeat, Adam Lanza may have been emulating a video game shooter or scenario as he went room to room at Sandy Hook. What parent cannot see this problem?

This week, I had the opportunity to meet with a few elementary school principals from my congressional district. During the course of our discussion, the issue of media violence, particularly violent video games, came up. One principal said that when children misbehave in school and he asks them why, they will frequently say that they saw it in a video game. Another principal with him said the problem with video games is that, when young children are playing violent ones where they shoot or kill other characters, there are no repercussions or punishment, and usually the characters will even come back to life. This gives chil-

dren and adolescents whose brains are still developing no sense of reality. He also said that video games desensitize kids to violence.

How can we continue to ignore what common sense is telling us? Just take one look at the movie trailers and how violent they are. Some of the video games on the market today like "Call of Duty" and "Halo" all give points for killing another character. Players are rewarded for shooting people. The level of violence in "Grand Theft Auto" is astonishing.

□ 1400

Players drive around, shoot people, including police officers, pick up prostitutes, and then kill them. There is a racial element to it also.

Soon after the Newtown shooting, I asked the National Science Foundation to pull together experts from across the country to look at the impact of all three contributors to mass violence. These experts include Dr. Brad Bushman from Ohio State University, along with several other scholars from top-tier universities across the Nation, including Johns Hopkins; Georgetown; Columbia University; University of Pennsylvania; Penn State; Carnegie Mellon; and the University of California, Berkeley. And we will have the list at the end of this statement. Earlier this month, the NSF released a report compiled by these experts whose names, as I said, will appear at the end of the statement.

It draws on reliable evidence and a number of theories to explain youth violence that have emerged from decades of research, including research supported by the National Science Foundation, the National Institutes of Health, the National Research Council, and other Federal agencies.

According to the report, violent video games increase aggressive thoughts, angry feelings, psychological arousal and aggressive behavior, and decrease helping behavior and feelings of empathy for others. The report compiled by these experts shows that rating systems have not kept up with the increasingly violent content of popular media, and there is no standard rating system in the U.S. across varying media platforms.

Dr. Bushman, who holds the Margaret Hall and Robert Randal Rinehart chair at Ohio State University and is widely respected in his field, offers a solution to this issue. There could be a universal rating system on all media, with universal symbols that are easy for parents to understand. The Pan European Game Information system, for example, has five age-based ratings: 3-plus, 7-plus, 12-plus, 16-plus, and 18-plus; and six well-recognizable symbols for potentially objectionable material: violence, sex, drugs, discrimination, fear, and gambling.

The current rating system is confusing to parents. For example, there is

R for movies, TV-MA for TV, and FV for fantasy violence in video games.

Another possible idea, which is something that I have long advocated for, is to put warning labels on violent video games. The report also quotes:

More research is also needed on what types of individuals are most strongly affected by violent video games. Many of the spree shooters have been described as "social outcasts." Are such individuals more likely to behave aggressively after playing a violent video game? Are such individuals more likely to play violent games alone?

A copy of the National Science Foundation report can be found on my Web site at www.wolf.house.gov. Let me say that again, because parents might want to look at this, and hopefully the Members of the body on both sides will look at it, and hopefully members of the administration will look at it. A copy will appear at www.wolf.house.gov. And these are the views of these experts.

I am not naive enough to think that video game violence is the only issue here. We need to have an honest discussion about media violence, TV, movies, and video games. We need to have an honest discussion about mental health. And we need to have an honest discussion about guns.

It is easy for the President to go after the NRA. He doesn't support the NRA, and the NRA doesn't support him. But will the President of the United States ever, ever ask the entertainment industry to get involved or will he continue to be silent?

While media violence is not the only factor of mass violence, it is one of the easiest factors to change and it needs to be addressed, in addition to looking at access to firearms and mental health.

Don't we owe it to all the victims who have been killed to look at everything?

With that, Mr. Speaker, I yield back the balance of my time.

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Daniel B. Neill, Ph.D., Associate Professor of Information Systems; Director, Event and Pattern Detection Laboratory, H.J. Heinz III College, Carnegie Mellon University

Daniel W. Webster, ScD, MPH, Professor and Director, Johns Hopkins Center for Gun Policy and Research

Nina G. Jablonski, Ph.D., Distinguished Professor of Anthropology, Pennsylvania State University

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until Monday, March 4, 2013, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

558. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0051; FV12-966-1 IR] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

559. A letter from the Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stockpiling Act as amended (50 U.S.C. 98 et seq.) for FY 2012; to the Committee on Armed Services.

560. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Hospital Mortgage Insurance Program—Refinancing Hospital Loans [Docket No.: FR-5334-F-02] (RIN: 2502-A174) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

561. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Dubai Aerospace Enterprise (DAE) Limited of Dubai, United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

562. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Greenup, Illinois) [MB Docket No.: 12-225] (RM-11668) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

563. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's

final rule — Addition of South Sudan to the Restricted Destinations List [NRC-2012-0278] (RIN: 3150-AJ21) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

564. A letter from the Principle Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, Sleeping Bear Dunes National Lakeshore, Bicycling [NPS-SLBE-12083] [PPMWSLBES0-PPMPSPD1Z.YM0000] (RIN: 1024-AE11) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

565. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report to Congress on the Refugee Resettlement Program for the period October 1, 2008 through September 30, 2009 as required by section 413(a) of the Immigration and Nationality Act, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WILSON of South Carolina (for himself, Mr. GRIFFITH of Virginia, Mr. JONES, and Mrs. LUMMIS):

H.R. 879. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Ms. SLAUGHTER, Ms. NORTON, Mr. SCOTT of Virginia, Mr. CAPUANO, Ms. PIN-GREE of Maine, Mr. MCGOVERN, Mr. CONYERS, Mr. HUFFMAN, Mr. GRIJALVA, Mr. WELCH, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Ms. EDWARDS, Mr. SARBANES, Mr. MICHAUD, Ms. BROWN of Florida, Mr. ELLISON, Ms. CHU, Ms. DELAURO, and Mr. BLUMENAUER):

H.R. 880. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. BOUSTANY, and Mr. ISSA):

H.R. 881. A bill to limit the use of cluster munitions; to the Committee on Armed Services.

By Mr. CHAFFETZ (for himself and Ms. SPEIER):

H.R. 882. A bill to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ (for himself, Mr. LATTA, and Mr. LABRADOR):

H.R. 883. A bill to amend title 38, United States Code, to permit certain veterans who were discharged or released from the Armed Forces by reason of service-connected disability to transfer benefits under the Post-9/

11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ:

H.R. 884. A bill to require Members of Congress to disclose delinquent tax liability and to require an ethics inquiry into, and the garnishment of the wages of, a Member with Federal tax liability; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. CASTRO of Texas, Mr. GALLEG0, Mr. CUELLAR, and Mr. SMITH of Texas):

H.R. 885. A bill to expand the boundary of San Antonio Missions National Historical Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Natural Resources.

By Mr. GERLACH (for himself and Mr. KIND):

H.R. 886. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. POMPEO (for himself, Mr. CHABOT, Mr. MCCLINTOCK, Mr. LAMBORN, Mr. WESTMORELAND, Mr. AMASH, Mr. SCALISE, Mr. KLINE, and Mr. BENTIVOLIO):

H.R. 887. A bill to terminate the Economic Development Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO (for himself, Mr. MATHESON, Mr. LONG, and Mr. LATTA):

H.R. 888. A bill to amend section 112(r) of the Clean Air Act (relating to prevention of accidental releases); to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself, Ms. ESHOO, Ms. MATSUI, and Mr. HONDA):

H.R. 889. A bill to combat trade barriers that threaten the maintenance of an open Internet, that mandate unique technology standards as a condition of market access and related measures, and to promote online free expression and the free flow of information; to the Committee on Ways and Means, and in addition to the Committees on Foreign Affairs, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. KLINE, Mr. SCALISE, and Mr. SOUTHERLAND):

H.R. 890. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana:

H.R. 891. A bill to establish a grant program in the Bureau of Consumer Financial Protection to fund the establishment of centers of excellence to support research, devel-

opment and planning, implementation, and evaluation of effective programs in financial literacy education for young people and families ages 8 through 24 years old, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself and Mr. KIND):

H.R. 892. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN):

H.R. 893. A bill to provide for the imposition of sanctions with respect to foreign persons who transfer to or acquire from Iran, North Korea, or Syria certain goods, services, or technology that contribute to the proliferation activities of Iran, North Korea, or Syria, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, the Judiciary, Science, Space, and Technology, Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio (for himself, Mr. STIVERS, Ms. TITUS, and Mr. ROE of Tennessee):

H.R. 894. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. SERRANO, Mr. NADLER, Ms. LEE of California, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. RANGEL, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Ms. HAHN, Ms. SEWELL of Alabama, Mr. RUSH, Ms. CLARKE, Mr. JOHNSON of Georgia, Ms. LINDA T. SANCHEZ of California, Mr. BLUMENAUER, Mr. COHEN, Mr. ELLISON, Mr. HONDA, Mr. LEWIS, Mr. CLAY, Mrs. BEATTY, and Mr. CUMMINGS):

H.R. 895. A bill to provide for an effective HIV/AIDS program in Federal prisons; to the Committee on the Judiciary.

By Mr. ENGEL:

H.R. 896. A bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives; to the Committee on Energy and Commerce.

By Ms. HAHN (for herself and Mr. RUNYAN):

H.R. 897. A bill to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. LIPINSKI):

H.R. 898. A bill to authorize appropriations for fiscal years 2014 through 2017 for the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on For-

eign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself, Mr. LANKFORD, Ms. LORETTA SANCHEZ of California, Mr. PETERSON, and Mr. MCINTYRE):

H.R. 899. A bill to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Ms. JACKSON LEE, Ms. WILSON of Florida, and Mr. GRAYSON):

H.R. 900. A bill to eliminate the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, and for other purposes; to the Committee on the Budget.

By Ms. JENKINS:

H.R. 901. A bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself, Mr. PIERLUISI, Ms. HANABUSA, Mr. SMITH of New Jersey, and Ms. DELAURO):

H.R. 902. A bill to authorize certain Department of Veterans Affairs major medical facility leases, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOUSTANY (for himself, Mr. TIBERI, Mr. BARROW of Georgia, and Mrs. BLACK):

H.R. 903. A bill to amend the Internal Revenue Code of 1986 to repeal the employer health insurance mandate; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself and Ms. ROS-LEHTINEN):

H.R. 904. A bill to establish a common fund to pay claims to the Americans held hostage in Iran, and to members of their families, who are identified as class members in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY:

H.R. 905. A bill to amend the Internal Revenue Code of 1986 to make the research credit permanent and to increase the alternative simplified research credit; to the Committee on Ways and Means.

By Mr. CARTER (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. POE of Texas, Mr. BLUMENAUER, and Mr. SMITH of New Jersey):

H.R. 906. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for improvements under the Edward Byrne Memorial Justice Assistance

Grant Program to reduce racial and ethnic disparities in the criminal justice system and to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. CONNOLLY (for himself and Mr. MORAN):

H.R. 907. A bill to authorize project development for projects to extend Metrorail service in Northern Virginia, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DELBENE (for herself and Mr. LARSEN of Washington):

H.R. 908. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest; to the Committee on Natural Resources.

By Mr. FINCHER:

H.R. 909. A bill to amend title IV of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

By Mr. FLEMING:

H.R. 910. A bill to reauthorize the Sikes Act; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 911. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Ms. HANABUSA (for herself, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. SABLAN, and Ms. GABBARD):

H.R. 912. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida (for himself and Mr. DIAZ-BALART):

H.R. 913. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Transportation and Infrastructure.

By Mr. HUELSKAMP (for himself, Mr. KING of Iowa, Mr. WALBERG, Mrs. HARTZLER, Mr. LAMALFA, Mr. JORDAN, and Mr. GOHMERT):

H.R. 914. A bill to amend title 10, United States Code, to require that implementation of the repeal of the former Department of Defense policy concerning homosexual behavior in the Armed Forces not infringe upon the free exercise of religion by and the rights of conscience of members of the Armed Forces, including chaplains, and for other purposes; to the Committee on Armed Services.

By Mr. KENNEDY (for himself, Mr. FARR, Mr. GARAMENDI, Mr. HONDA, and Mr. PETRI):

H.R. 915. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. BISHOP of Utah):

H.R. 916. A bill to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. CHAFFETZ, Ms. LOFGREN, and Mr. DEUTCH):

H.R. 917. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Ms. MCCOLLUM, Ms. NORTON, Mr. CONNOLLY, Ms. MOORE, Mr. HASTINGS of Florida, Mr. HONDA, Mr. GARAMENDI, and Mr. FARR):

H.R. 918. A bill to provide for the issuance of a semipostal to benefit the Peace Corps; to the Committee on Oversight and Government Reform, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBESACK:

H.R. 919. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. McMORRIS RODGERS (for herself, Ms. CASTOR of Florida, Mr. GUTHRIE, Mr. WELCH, Mr. CASSIDY, and Mr. BRALEY of Iowa):

H.R. 920. A bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICHAUD:

H.R. 921. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services; to the Committee on Veterans' Affairs.

By Mr. MICHAUD (for himself, Ms. PINGREE of Maine, Mr. WELCH, Ms. SHEAPORTER, and Mr. OWENS):

H.R. 922. A bill to amend title 40, United States Code, to extend the authorization of the Northern Border Regional Commission, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 923. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for

direct-to-consumer advertisements of prescription drugs; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. LOBIONDO, and Mr. CARNEY):

H.R. 924. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Ways and Means.

By Mr. PERRY (for himself, Ms. MENG, Mr. CASTRO of Texas, Mr. COLLINS of Georgia, Mr. COOK, Mr. ENGEL, Mr. MCCOUL, Mr. MEEKS, Mr. RADEL, Mr. ROYCE, Mr. SALMON, Mr. VARGAS, and Mr. YOHO):

H.R. 925. A bill to amend the Diplomatic Security Act to revise the provisions relating to personnel recommendations of the Accountability Review Board under such Act; to the Committee on Foreign Affairs.

By Mr. PETRI (for himself, Mr. DUNCAN of Tennessee, Mr. JONES, and Mr. GRIMM):

H.R. 926. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain return information related to identity theft, and for other purposes; to the Committee on Ways and Means.

By Mr. POSEY (for himself, Ms. WATERS, Mr. WESTMORELAND, and Mr. JONES):

H.R. 927. A bill to permit certain current loans that would otherwise be treated as non-accrual loans as accrual loans, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. FARR, Ms. LEE of California, Mr. GEORGE MILLER of California, and Ms. PINGREE of Maine):

H.R. 928. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 929. A bill to provide Federal contracting preferences for, and a reduction in the rate of income tax imposed on, Patriot corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHOCK (for himself, Mr. CLAY, Mr. MEEKS, Mr. QUIGLEY, Mr. KINZINGER of Illinois, Mr. RODNEY DAVIS of Illinois, Mr. CARSON of Indiana, and Mr. THOMPSON of Mississippi):

H.R. 930. A bill to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHRADER:

H.R. 931. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Ms. ROS-LEHTINEN, Ms. LEE

of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, and Ms. LINDA T. SANCHEZ of California):

H.R. 932. A bill to amend the Immigration and Nationality Act to protect the well-being of soldiers and their families, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. CLAY, Mr. COFFMAN, Mr. COHEN, Mr. COTTON, Mr. DIAZ-BALART, Mr. FALCOMA, Mr. HIGGINS, Mr. MCCLINTOCK, Mr. ROHRBACHER, Ms. ROS-LEHTINEN, Mr. DAVID SCOTT of Georgia, Mr. SHERMAN, and Mr. WESTMORELAND):

H. Res. 89. A resolution condemning the attack on Iranian dissidents living at Camp Hurriya, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCGOVERN (for himself, Ms. FUDGE, Ms. DELAUNO, Mr. GEORGE MILLER of California, and Mr. DEUTCH):

H. Res. 90. A resolution expressing the sense of the House of Representatives that the Committee on Agriculture should not propose any reduction in the availability or amount of benefits provided under the supplemental nutrition assistance program (SNAP) in effect under the Food and Nutrition Act of 2008, and that the House of Representatives should reject any proposed legislation that includes any provisions that reduce the availability or amount of benefits provided under SNAP; to the Committee on Agriculture.

By Mr. CARSON of Indiana (for himself, Mr. BURGESS, Mr. CARTWRIGHT, Mr. CASSIDY, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. CROWLEY, Mr. HOLT, Mr. LANCE, Ms. LEE of California, Mr. LEVIN, Ms. NORTON, Ms. SPEIER, and Ms. WASSERMAN SCHULTZ):

H. Res. 91. A resolution expressing support for designation of February 28, 2013, as Rare Disease Day; to the Committee on Energy and Commerce.

By Mr. RODNEY DAVIS of Illinois (for himself and Mrs. DAVIS of California):

H. Res. 92. A resolution encouraging people in the United States to recognize March 1, 2013, as Read Across America Day; to the Committee on Education and the Workforce.

By Mr. LEWIS (for himself and Ms. MOORE):

H. Res. 93. A resolution expressing support for designation of the month of February 2013 as "National Teen Dating Violence Awareness and Prevention Month"; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H. Res. 94. A resolution expressing the sense of the House of Representatives regarding women's health and economic security; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

2. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 86 expressing strong opposition to the United States Supreme Court ruling in *Citizens United v. Federal Election Commission*; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WILSON of South Carolina:

H.R. 879.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution

By Mr. DEFAZIO:

H.R. 880.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MCGOVERN:

H.R. 881.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (to provide for the common Defense and general Welfare); Article I, Section 8, Clause 14 (to make Rules for the government and regulation of the land and naval Forces); and Article I, Section 8, Clause 18 (to make laws necessary and proper . . . in the Government of the United States or in any Department or Officer thereof).

By Mr. CHAFFETZ:

H.R. 882.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2 of Section 8 of Article I, To borrow Money on the credit of the United States;

Clause 18 of Section 8 of Article I, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 883.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I, To make Rules for the Government and Regulation of the land and naval Forces;

Clause 18 of Section 8 of Article I, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 884.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18 of Section 8 of Article I, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this

Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. DOGGETT:

H.R. 885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. GERLACH:

H.R. 886.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. POMPEO:

H.R. 887.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. POMPEO:

H.R. 888.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. LOFGREN:

H.R. 889.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. CAMP:

H.R. 890.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. CARSON of Indiana:

H.R. 891.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I of the Constitution.

By Mr. REICHERT:

H.R. 892.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution

By Ms. ROS-LEHTINEN:

H.R. 893.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. JOHNSON of Ohio:

H.R. 894.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. WATERS:

H.R. 895.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution,

Article I, Section 8, Clause 18 of the U.S. Constitution, and

Amendment VIII to the U.S. Constitution.

By Mr. ENGEL:

H.R. 896.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1

By Ms. HAHN:

H.R. 897.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. SMITH of New Jersey:

H.R. 898.

Congress has the power to enact this legislation pursuant to the following:

article 1, section 8 of the Constitution

By Ms. FOXX:

H.R. 899.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CONYERS:

H.R. 900.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. JENKINS:

H.R. 901.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BOUSTANY:

H.R. 902.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 903.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. BRALEY of Iowa:

H.R. 904.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:

H.R. 905.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution

By Mr. CARTER:

H.R. 906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CONNOLLY:

H.R. 907.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. DELBENE:

H.R. 908.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution:

The Congress shall have power to make all laws which shall be necessary and proper for

carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FINCHER:

H.R. 909.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. FLEMING:

H.R. 910.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. GOSAR:

H.R. 911.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3.

"The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. HANABUSA:

H.R. 912.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3: "The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. HASTINGS of Florida:

H.R. 913.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but not limited to Clause 3 of Section 8 of Article 1.

By Mr. HUELSKAMP:

H.R. 914.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 14, which grants Congress the power to "make Rules for the Government and Regulation of land and naval Forces,"; Article 1, Section 8, Clause 16, which grants Congress the power to "provide for the organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States"; and the "free exercise" clause of the First Amendment to the Constitution, which ensures the right to freely exercise one's religion.

By Mr. KENNEDY:

H.R. 915.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8; Article IV, Section 3.

By Mr. KIND:

H.R. 916.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. KING of Iowa:

H.R. 917.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to constitute tribunals inferior to the Supreme Court under Article I, Section 8, of the United States Constitution.

By Ms. LEE of California:

H.R. 918.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LOEBSACK:

H.R. 919.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Mrs. MCMORRIS RODGERS:

H.R. 920.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. MICHAUD:

H.R. 921.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MICHAUD:

H.R. 922.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NADLER:

H.R. 923.

Congress has the power to enact this legislation pursuant to the following:

Art. I, sec. 8, cl.1.

Art. I, sec. 8, cl.3.

Art. I, sec. 8, cl.18.

By Mr. PASCRELL:

H.R. 924.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PERRY:

H.R. 925.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. PETRI:

H.R. 926.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 which, in part, states: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, . . . and the Sixteenth Amendment which states: The Congress shall have power

to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. POSEY:

H.R. 927.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. SCHAKOWSKY:

H.R. 928.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SCHAKOWSKY:

H.R. 929.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SCHOCK:

H.R. 930.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the United States Constitution.

By Mr. SCHRADER:

H.R. 931.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 932.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. MEEHAN, Mr. WENSTRUP, Mr. JORDAN, Mr. GRIMM, Ms. JENKINS, Mr. Tipton, and Mr. YOUNG of Florida.

H.R. 50: Mr. MCNERNEY, Mr. VEASEY, and Mr. POCAN.

H.R. 106: Mr. YOUNG of Florida and Mr. Tipton.

H.R. 125: Mr. MCGOVERN.

H.R. 129: Mr. CONYERS, Mr. BRADY of Pennsylvania, and Mrs. CHRISTENSEN.

H.R. 137: Mr. SHERMAN.

H.R. 141: Mr. SHERMAN.

H.R. 151: Mr. WITTMAN.

H.R. 163: Mr. DINGELL.

H.R. 164: Mr. LUETKEMEYER, Mr. LABRADOR, and Mr. WALDEN.

H.R. 176: Mr. WOMACK, Mr. CRAWFORD, Mr. KING of Iowa, Mr. NEUGEBAUER, Mr. AUSTIN SCOTT of Georgia, Mr. FINCHER, Mr. ROE of Tennessee, Mr. KINGSTON, Mr. WESTMORELAND, Mr. HARRIS, Mr. ROSKAM, Mr. BOUTSTANY, Mr. COTTON, and Mr. NUGENT.

H.R. 185: Mr. BRADY of Texas, Mr. CULBERSON, Mr. SMITH of Texas, Mr. CUELLAR, Mr. DOGGETT, Mr. GOHMERT, Mr. HENSARLING, Mr. BARTON, Mr. AL GREEN of Texas, Mr. MCCAUL, Mr. CONAWAY, Mr. THORNBERRY, Mr. WEBER of Texas, Mr. FLORES, Mr. NEUGEBAUER, Mr. MARCHANT, Mr. WILLIAMS, Mr. FARENTHOLD, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARTER, and Mr. STOCKMAN.

H.R. 232: Mr. THOMPSON of Mississippi.

H.R. 239: Mr. LONG.

H.R. 258: Mr. TONKO, Mr. LoBIONDO, Mr. PAULSEN, Mr. HALL, Mr. LABRADOR, and Mr. REED.

H.R. 278: Mr. SWALWELL of California.

H.R. 301: Ms. CHU.

H.R. 330: Mr. WITTMAN and Mr. GRIFFIN of Arkansas.

H.R. 331: Mr. HONDA, Mr. HUNTER, and Mr. PETERS of California.

H.R. 335: Mr. PETRI and Mr. LUETKEMEYER.

H.R. 341: Ms. NORTON.

H.R. 354: Mr. ANDREWS and Mr. GINGREY of Georgia.

H.R. 366: Mr. YOHO and Mr. SMITH of Texas.

H.R. 416: Mr. RADEL.

H.R. 432: Mr. HECK of Nevada.

H.R. 446: Mr. ANDREWS.

H.R. 454: Mr. DOYLE.

H.R. 482: Mr. CICILLINE.

H.R. 485: Mr. FALEOMAVAEGA.

H.R. 506: Ms. SHEA-PORTER.

H.R. 507: Mr. SCHWEIKERT.

H.R. 517: Mr. LANGEVIN.

H.R. 519: Mr. VEASEY, Mr. AL GREEN of Texas, Mr. YARMUTH, Mr. WELCH, Mr. CÁRDENAS, Mr. BISHOP of New York, Ms. CASTOR of Florida, and Mr. VARGAS.

H.R. 523: Mr. COLLINS of Georgia and Mr. SMITH of Texas.

H.R. 530: Ms. MENG.

H.R. 531: Mr. DEUTCH.

H.R. 532: Mr. QUIGLEY, Mr. MCNERNEY, and Ms. VELÁZQUEZ.

H.R. 544: Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. STEWART, and Mr. STOCKMAN.

H.R. 558: Mr. ANDREWS, Mr. PETRI, Mr. CARTWRIGHT, Mrs. MILLER of Michigan, Mr. JOHNSON of Ohio, Mr. COLLINS of New York, and Mr. MCINTYRE.

H.R. 563: Mr. PRICE of North Carolina.

H.R. 568: Mr. MEADOWS.

H.R. 569: Mr. WALZ.

H.R. 570: Mr. WALZ.

H.R. 578: Mr. GRAVES of Georgia.

H.R. 582: Mr. STOCKMAN, Mr. BILIRAKIS, and Mr. LUETKEMEYER.

H.R. 595: Mrs. BEATTY, Mr. THOMPSON of Mississippi, Mr. DANNY K. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. DAVID SCOTT of Georgia, Mr. CLAY, Mr. RICHMOND, Ms. MOORE, Mr. RANGEL, Ms. SEWELL of Alabama, Mr. FATTAH, Mr. HORSFORD, and Ms. JACKSON LEE.

H.R. 597: Mr. MORAN.

H.R. 609: Ms. ESHOO.

H.R. 612: Mr. PETERSON.

H.R. 621: Mr. ROSS and Mr. MCCAUL.

H.R. 627: Mr. MCINTYRE, Mr. PEARCE, Mrs. CAPITO, Mr. NOLAN, Mr. BLUMENAUER, Mr. PETRI, Mr. SHIMKUS, Mr. KELLY, Mr. BARLETTA, Mr. MARINO, Mr. GUTHRIE, Mr. HALL, Mr. SENSENBRENNER, Mr. KINZINGER of Illinois, Mr. THOMPSON of Pennsylvania, and Mr. BUCSHON.

H.R. 628: Ms. BONAMICI, Mr. LEVIN, Ms. MENG, and Ms. TSONGAS.

H.R. 630: Mr. ANDREWS, Mr. MARKEY, Mr. HIGGINS, Mr. VISCLOSKEY, Ms. LOFGREN, Ms. BROWNLEY of California, Mr. MAFFEI, Mr. ELLISON, and Mr. MCNERNEY.

H.R. 637: Mr. JORDAN and Mr. LONG.

H.R. 654: Mr. SMITH of Nebraska.

H.R. 671: Mr. JONES.

H.R. 673: Mr. OLSON.

H.R. 688: Mr. BENTIVOLIO and Mrs. MILLER of Michigan.

H.R. 693: Mr. ANDREWS.

H.R. 728: Mr. SWALWELL of California.

H.R. 745: Ms. CASTOR of Florida, Mr. BEN RAY LUJÁN of New Mexico, and Mr. LOWENTHAL.

H.R. 749: Ms. HANABUSA, Mr. SENSENBRENNER, Mr. GRAVES of Georgia, Mr. SCHOCK, and Mr. ROSS.

H.R. 755: Mr. RAHALL, Mr. GOHMERT, Mr. MATHESON, Mr. SCOTT of Virginia, Mr. MCGOVERN, Mr. BUCHANAN, Mr. CONNOLLY, Mr. BISHOP of Utah, Mr. HIMES, Mr. LAMBORN, Mrs. NOEM, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. MULLIN, and Mr. LOEBSACK.

H.R. 760: Mr. JONES, Mr. PEARCE, Mr. LAMALFA, Mr. DESANTIS, Mr. STEWART, Mr. YOHO, Mrs. LUMMIS, Mr. GARRETT, and Mr. STUTZMAN.

H.R. 761: Mr. COFFMAN, Mr. AUSTIN SCOTT of Georgia, Mr. MCCLINTOCK, Mr. FINCHER, Mr. GRAVES of Georgia, Mrs. LUMMIS, Mr. SOUTHERLAND, Mr. SCHOCK, and Mr. FLORES.

H.R. 763: Mr. COFFMAN and Mr. ROSS.

H.R. 786: Mr. PASCARELL.

H.R. 792: Mr. ROSS.

H.R. 807: Mr. HALL, Mr. RIBBLE, Mr. CHABOT, Mr. CONAWAY, Mr. FLORES, Mrs. WAGNER, Mr. WILSON of South Carolina, Mr. POMPEO, Mr. WALBERG, Mr. BROOKS of Alabama, and Mr. FLEISCHMANN.

H.R. 811: Ms. MENG.

H.R. 812: Mrs. CAPPS, Ms. CASTOR of Florida, Mr. RANGEL, Mr. YARMUTH, and Mr. MCNERNEY.

H.R. 816: Mr. PETERSON and Mr. CONAWAY.

H.R. 824: Mr. BARTON, Mr. HUELSKAMP, Mr. PRICE of Georgia, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. CHABOT, Mr. FLEMING, Mr. YODER, Mr. LAMALFA, and Mr. DUNCAN of South Carolina.

H.R. 828: Mr. CHABOT, Mr. KING of Iowa, Mr. MEADOWS, Mr. LONG, and Mr. GRAVES of Georgia.

H.R. 841: Mr. DEFazio, Mr. BLUMENAUER, and Ms. BONAMICI.

H.R. 847: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCHIFF, Mrs. CAROLYN B. MALONEY of New York, Mr. SMITH of Washington, Mr. PIERLUISI, Mr. COFFMAN, Ms. SCHWARTZ, Ms. PINGREE of Maine, Ms. LEE of California, Mr. COOPER, Mr. CICILLINE, Mr. HANNA, Ms. MCCOLLUM, Ms. NORTON, Mr. BLUMENAUER, Mr. HIMES, Mr. LEVIN, Mr. HASTINGS of Florida, Mr. BRALEY of Iowa, Mrs. DAVIS of California, Mr. BUCHANAN, Mr. LANGEVIN, Mr. CONNOLLY, Mr. WAXMAN, Mr. GRIMM, Mr. CUMMINGS, Mr. MEEHAN, Mr. LEWIS, Ms. LORETTA SANCHEZ of California, Mr. ELLISON, Ms. TSONGAS, Mr. CONYERS, Mr. LARSON of Connecticut, Mr. GRIJALVA, Mr. DEUTCH, Mr. SARBANES, Mr. CAMPBELL, Mr. HOLT, Mr. COHEN, Mr. MCGOVERN, and Mr. RUNYAN.

H.R. 849: Mr. VEASEY.

H.R. 850: Mr. BILIRAKIS and Mr. KING of New York.

H.R. 852: Mr. ELLISON.

H.R. 855: Mr. MCNERNEY and Mr. RYAN of Ohio.

H. J. Res. 24: Mr. GIBSON.

H. J. Res. 31: Mr. LYNCH.

H. Res. 30: Mr. NOLAN, Mrs. BEATTY, and Mr. HORSFORD.

H. Res. 36: Mr. HALL, Mr. DESJARLAIS, Mr. BISHOP of Utah, Mr. FLEMING, Mr. LAMALFA, and Mr. MULLIN.

H. Res. 51: Ms. NORTON.

H. Res. 69: Mr. BUCHANAN.

H. Res. 71: Mrs. NAPOLITANO, Mr. POCAN, Mr. BILIRAKIS, Mr. BRIDENSTINE, Mr. MULLIN, Mr. LIPINSKI, and Mr. CARNEY.

H. Res. 75: Mr. HUIZENGA of Michigan and Mr. LoBIONDO.

H. Res. 80: Mr. RUSH.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 88: Mr. MCCLINTOCK, Mr. WESTMORELAND, Mr. ROHRABACHER, Mr. COFFMAN, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. COHEN, Mr. DIAZ-BALART, Mr. SHERMAN, Mr. HIGGINS, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, and Mr. COTTON.

PETITIONS, ETC.

Under clause 3 of rule XII,

5. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution No. 2013-28124 urging the Congress to ban the sale and possession of semi-automatic assault weapons and high capacity ammunition devices and magazines; which was referred to the Committee on the Judiciary.

SENATE—Thursday, February 28, 2013

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

You, O God, are a shield for America. Because of Your mercy and power, we lift our heads with optimism. When we cry aloud to You during our moments of exasperation, You answer us from Your holy mountain.

As we anticipate an across-the-board set of budget cuts becoming law in our land, we still expect to see Your goodness prevail. We remain unafraid of what the future holds because You have promised to never leave or forsake us. Rise up, O God, and save us from ourselves. Pour Your wisdom upon our lawmakers so that they will do Your will.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, February 28, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be

in morning business for 1 hour. The Republicans will control the first half, the majority the final half. Following morning business, the Senate will resume consideration of the American Family Economic Protection Act.

At a time to be determined today, there will be two cloture votes on the motions to proceed to S. 388 and S. 16, which are the Democratic and Republican sequestration bills. Senators will be notified when the votes are scheduled. I will work that out with Senator MCCONNELL.

FAREWELL TO RICK DEBOBES

Mr. REID. Mr. President, today the Senate says goodbye to a valued and accomplished staff member, Rick DeBobes, who is retiring after 10 years as staff director for Senator LEVIN in the Armed Services Committee.

Rick came to the Senate more than two decades ago, after a distinguished 26-year career as a judge advocate in the U.S. Navy. He spent his entire Capitol Hill career with the same committee—that committee being the Armed Services Committee—a rare occurrence in the Senate. He worked first for Chairman Sam Nunn and then Chairman CARL LEVIN.

For the last decade, Rick has led the committee's oversight of two of our longest running wars ever—Iraq and Afghanistan—working to reward the dedication of military personnel and their families.

Under Chairman LEVIN's guiding hand, he has also filled the staff of the Armed Services Committee with the next generation of national security professionals.

Rick's expertise, integrity, and commitment to public service will be missed by Democrats, Republicans, and our country. On behalf of the Senate community, I thank him for his service and wish him well in his retirement.

THE SEQUESTER

Mr. REID. Mr. President, Rick's departure from the Senate Armed Services Committee comes during a trying time for our Nation's military, as deep across-the-board spending cuts are set to strike hundreds of thousands of civilian employees at the Defense Department who will be furloughed in the coming weeks and months. Families and businesses across the country are also bracing for the pain of deep cuts in programs that keep our food safe, our water clean, and our borders secure.

But it is not too late to avert these damaging cuts, and cuts for which the

overwhelming majority of Republicans in both the House and Senate voted—174 in the House, 28 here in the Senate. We believe we have a balanced plan to remove the threat of the sequester, fully paid for.

Our proposal would reduce the deficit by making smart spending cuts, and it would also close wasteful tax loopholes allowing companies that outsource jobs to China or India to claim tax deductions for doing so.

Our plan would stop wasteful subsidies to farmers, some of whom don't even farm anymore. That is right, there are some farmers who grew rice decades ago, who still get payments from the Federal Government for rice they do not grow. Chairman STABENOW has led the effort to make sure that won't happen anymore, and that is part of our legislation.

Our bill would also ask the wealthiest among us—those making, for example, \$5 million a year—to pay a minimum of 30 percent in taxes. I don't think that is too outrageous. It is called the Buffet rule because that multibillionaire said he should pay as much in taxes as his secretary, which he doesn't. So this legislation would make it more fair in that regard.

Almost 60 percent of Republicans around the country favor this balanced approach, revenue from the richest of the rich and continuing with governmental cuts. This proposition would ask millionaires and billionaires and wealthy corporations to contribute a tiny fraction more, as I have already indicated.

And everybody agrees—Republicans around the country and about 80 percent of the American people agree—it is the right thing to do. Almost 60 percent of Republicans around the country agree it is the right thing to do. The only Republicans in America who don't agree are those who serve in Congress.

Republicans in Congress are going after our proposal because it goes after their special interests. Now, after days of infighting, Senate Republicans have announced their plan. But instead of replacing the pain of sequester with something smarter and more responsible, their plan would embrace these devastating cuts while abandoning any of the responsibility that goes along with them.

One of the Senators in our caucus we had on Tuesday said the Republican plan we thought was coming—and it did—would be like being told you have to have three fingers cut off, and their proposal is to send this to the President and have him decide which finger is going to go first.

Republicans call the plan “flexibility.” Let’s call it what it is: It is a punt. They are punting. As President Obama said yesterday, it would simply raise the question: “Do I end funding that helps disabled children or poor children? Do I close this naval shipyard or that one?”

The Republican plan is not a solution. And even members of the Senate Republican Caucus have questioned the wisdom of this proposal, and they have said so publicly. Why would the Republicans, part of the legislative branch of government, cede more power to the White House?

The Republicans should give Congress true flexibility—the flexibility to cut wasteful subsidies, the flexibility to close unnecessary tax loopholes, and the flexibility to ask the richest of the rich to contribute a little bit more. Instead, they have become completely inflexible, insisting we risk hundreds of thousands of American jobs as well as programs that strengthen families and small businesses across the Nation.

I am sorry to say that should come as no surprise. As usual, the Republicans have put the demands of special interests and protection of the richest of the rich—people making up to \$5 million a year and not being asked to contribute 30 percent of what they make—over the needs of the American people, especially the middle class.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Republican whip.

THE SEQUESTER

Mr. CORNYN. Mr. President, here we are again, on the eve of this administration’s latest manufactured crisis. Tomorrow, as we all know—anybody who has been paying attention knows—the sequester will go into effect. And if we believe the majority leader, the President, and his Cabinet, this will be devastating for our economy and for our country. But I wish to suggest that the majority leader, the President, and his Cabinet put down the beltway Koolaid, because they are predicting a disaster that will not occur.

Let’s put the responsibility for this where it lies. The sequester was the President’s idea in the first place. As much as he and his press secretary and staff try to deny it, the fact is, as he wrote in his recent book, Bob Woodward has made the point that they told him it was their idea. The White House proposed it to Congress and the President signed it into law on August 2, 2011.

In the year and a half since the Budget Control Act became the law of the land, the President has done virtually nothing—nothing—about it. He has ignored it. He suggested during the Presidential campaign that the sequester would not happen, and it was as if he tried to simply wish it away. Certainly we know one thing, and that is neither the President nor his Cabinet nor the Defense Department nor any part of his administration has done anything to plan for it—no planning whatsoever—which, of course, makes the implementation more challenging, to be sure.

At times, the President has pretended the sequester didn’t even exist, even though he signed it into law, such as when the Department of Labor notified government contractors they didn’t have to abide by another Federal law called the WARN Act, which requires them to notify their employees of potential layoffs that could result from sequestration. The timing, it seems, was inconvenient. Those notices would have gone out roughly around November 1, just 5 days before the last election.

To be sure, there is bipartisan consensus the sequester is ham-fisted. These across-the-board cuts don’t amount to smart budgeting. But what would we expect after nearly 4 years of no budgeting? And what I mean by that, as this chart reflects, is that it has been 1,401 days since the Senate, under Democrat control, has passed a budget. This is a shameful record and one that needs to be rectified as soon as possible.

We are now told the President himself has missed his statutory deadline for sending his proposed budget for the year over to Congress. That deadline was February 4. And now they are saying we may not get it until after we have had to act ourselves on a budget. So they are predicting it will be roughly 7 weeks late.

Well, no one could argue with a straight face—contrary to the doom and gloom and the apocalyptic predictions—that 2.4-percent cuts from our anticipated \$3.6 trillion annual spending amounts to devastation or the end of Western civilization or whatever sort of apocalyptic terms you want to use. So let’s look at what 2.4 percent in cuts would mean to the average American family.

If you use 100 gallons of gasoline to run your car every month and you had to cut that back by 2.4 percent, that

means you would be able to use 97.6 gallons of gas.

If you have a \$250-a-month grocery budget, you would need to find \$6 in savings. And on a monthly utility bill of, let’s say, \$175, you would have to trim it down by \$4.20.

These are the kinds of cuts the American people have had to make for themselves during the recession of 2008 and due to slow growth and high unemployment since then. Yet President Obama is either unwilling or unable to propose similar cuts to replace the sequester.

If he doesn’t like it, well, let’s have his proposal for how he would fix it since he signed it into law. Instead, what we get is a proposal that we will vote on this afternoon from our friends across the aisle that would just raise more taxes after one of the largest tax increases in American history as a result of the fiscal cliff negotiations just in late December.

So the President is content to push through more spending to grow the size of government, notwithstanding the fact that the Federal Government is now spending more money than it ever has as a percentage of our economy. And we have \$16.5 trillion in debt. We have important programs such as Medicare and Social Security that are unsustainable—unless Congress and the President act on a bipartisan basis.

This is not a mystery. This is not something that Republicans know that Democrats don’t know; we all know it; and the President knows it because his own bipartisan fiscal commission told him in December 2010.

According to the Congressional Budget Office, the White House-backed bill offered by our Senate Democratic friends to replace the sequester would actually raise the deficit this year by tens of billions of dollars. Now, you may be wondering about that, thinking that the sequester was supposed to cut spending. But, actually, the proposal made by our friends across the aisle would raise the deficit this year by tens of billions of dollars—not exactly what I would call progress. It is absolutely ludicrous, especially when we consider that even with the sequester spending by the Federal Government will still be higher this year than it was last year.

Let me repeat that in case people weren’t listening. Even with the spending cuts mandated by the sequestration, \$85 billion in cuts, this administration will still have more money to spend this year than last year. It is hard to see how that would wreak devastation. Yet last year we didn’t see planes falling out of the sky, we didn’t see empty supermarket shelves for lack of safe food, nor did we see the national parks shutting their front gates. We didn’t see any of the doomsday scenarios the President and his Cabinet are now warning about after 1½ years of doing nothing.

Of course, the President talks endlessly, it seems, of the need for a so-called balanced approach. Well, he got his pound of flesh. He got his \$600 billion in additional tax revenue from the American people. So where is the balance to that? When all he and his party proposes is more taxes and more spending, that is not balance.

Now is the time to cut spending. That is the only way forward, and that is the only way to begin—with one small step—to return our country to sound fiscal footing.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SEQUESTRATION

Mr. MCCONNELL. Mr. President, earlier this year, the Democrats who run Washington promised America things would be different under a reelected President Obama. Instead of politics, they would focus on policy. Instead of leaving everything until the last minute, they would get the people's work done ahead of time for a change—and through the regular order. Well, those promises didn't last very long.

Later this afternoon, less than 24 hours before the President's sequester proposal takes effect, we will vote on a Senate Democrat plan that does more to perpetuate the culture of irresponsibility around here than it does to fix the culture of spending that Washington Democrats claim to be concerned about.

Point of fact: Not only would their legislation fail to fix the spending problem facing our country, it would actually add billions more to the deficit. In other words, it isn't a plan at all. It is a gimmick.

Top Democrats already concede it will never garner enough votes to pass the very legislative body they control, much less the House. But let's be very clear: For the President and for his allies, that is really the whole point. They want it to fail so they can go around the country blaming Republicans for a sequester the President himself proposed. In fact, they are so concerned about preventing anything from actually passing the Congress they have limited the ability of Senators on both sides to debate the issue openly and to offer different ideas.

For instance, Senators AYOTTE and PAUL have introduced bills that deserve our consideration. And there are others too. Senator COLLINS has been working on a proposal, and Senator WHITEHOUSE has a plan that would replace the sequester with a series of huge tax hikes. I don't support that approach, but his legislation at least merits a vote.

Republicans will get just one chance to offer a bill, and I will discuss that legislation a little later in my remarks. But if the President's sequester is going to be as horrible as Washington Democrats have proposed, shouldn't we spend more than just a few hours debating it? Is this really the best Senate Democrats can do?

As for the President, he too has yet to put forward a serious plan that could pass either the House or the Democrat-controlled Senate, and he has refused to engage in substantive discussions with congressional leaders. Now, this week, he finally invited Speaker BOEHNER and me to discuss the sequester; that is, tomorrow, the day it takes effect. In short, instead of changing as they promised, Washington Democrats are just turning back to the same old campaign-first strategy they have employed literally now for years.

Now, after thwarting every bipartisan attempt to avert the sequester, the President is ready to make it bite as hard as possible—all to send a simple message to the public: Do you want to control Washington spending, America? Fine. Let me show you how much I can make it hurt. That is the President's strategy: Let me show you how much I can make it hurt.

Instead of directing his Cabinet Secretaries to trim waste in their departments, he is going after first responders and teachers and almost any other sympathetic constituency you can think of. He will arbitrarily close parks and monuments too, all to force Americans to accept higher taxes.

He will claim his hands are tied. He will say he has no choice but to release criminals into the streets and withhold vaccinations from poor children. Somehow it will be everybody's fault but his. Nonsense.

Look, our country has a spending problem—a pretty massive one. Most of us in the Chamber at least acknowledge that fact. But we can either address the problem in a smart way or we can do it in the way he has proposed. That is what the Toomey-Inhofe legislation we will vote on this afternoon is all about. It is about giving agency heads greater flexibility to ensure the sequester cuts are implemented in a smarter way.

Some have raised concerns that this would give the administration too much power; that the President would just use the authority to punish his critics. I certainly understand those concerns. But the goal here is twofold: One, to make sure the American people get the same amount of spending cuts that were promised to them in 2011; and, two, to guarantee some accountability on the President's part so those cuts are administered in a more intelligent way.

You would think the President would welcome a proposal such as ours. Given his complaints and those of his Cabinet

Secretaries about their hands being tied on cuts, you would think he would be banging on our doors demanding flexibility. But now—get this—he is complaining that having extra authority might mean he would actually have to choose which programs to preserve and which ones to cut; that he would have to prioritize spending within the Federal Government.

Well, with due respect, Mr. President, I think a lot of people who voted for you think that is your job, to make those tough decisions—especially tough decisions to implement the plan you, yourself, proposed and insisted upon. Surely, you can find a little more than 2 percent to cut from the Federal budget, and surely you can do it without raining down a phony Armageddon on American families. They had to find ways to cope with the 2 percent less in their paychecks just last month after the payroll tax went back up. Why in the world can't Washington?

Look, the American people will simply not accept replacing spending cuts agreed to by both parties with tax hikes, and I plan to make all of this clear to the President when I meet with him tomorrow. He already got hundreds of billions of dollars in new revenue earlier this year when the tax law expired. Now it is time for the balanced part of the equation, and that means keeping our promise to reduce spending.

So the time for games is over. No more protecting waste and broken promises at the expense of those who actually need government help. The American people were promised more spending control, and Republicans are going to help them see that promise is fulfilled in the smartest way possible.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise today to talk about a disappointing milestone that we passed yesterday.

Yesterday was the 1,400th day since the Senate passed a Federal budget—1,400 days. So I guess today is the first day moving toward 1,500 days, but yesterday was the 1,400th day.

It has been said—and I know I have said it on this floor—that failing to plan is planning to fail. If you don't have any idea where you are going, you are not likely to get where you would like to be.

When it comes to our budgetary future, the strategy of the majority has been just not to deal with it.

Last summer Vice President JOE BIDEN challenged and said: Show me your budget and I will tell you what you value. Why the Vice President would have said that I really don't know. The President's budget that has arrived late and has been dead on arrival, apparently, every time it has arrived in the last 4 years and a Senate majority of the Vice President's party

that has not passed a budget—why the Vice President would have said: Show me your budget, and I will tell you what you value, I don't know.

I like the Vice President personally a lot. I often don't know exactly why he said what he said. But this comment really does raise a question about why we are not willing to talk about the things we want to achieve as a government.

Nearly 4 years have passed since we had any kind of blueprint. I am told when we talk about a budget in Washington that apparently there were no political consequences because the majority was rewarded with the majority again even though if there was one comment made over and over again in that campaign, it is, it has been 3 years since there has been a budget, and now we are saying it has been 4 years since there has been a budget, and we have seen the government lurch from crisis to crisis. Frankly, most of these crises have been created by the people who say they are trying to deal with them.

I could not imagine, in November and December, why we would want to start a new year with the issues before us that were before us then. This could have been handled at that time as easily as it could be handled now. Part of it is the failure to plan.

Since the Senate, controlled for some time now by Democrats, passed a budget in April of 2009, lots of things have happened. Four years ago nobody in America had an iPad yet because iPads had not yet been invented. Nobody in America now doesn't know somebody who has an iPad if they don't have one themselves. Instagram, which our conference just added to one of these tools this week, didn't even exist 4 years ago. The Federal debt 4 years ago was less than \$12 trillion. Now it is \$16.6 trillion. LeBron James was still a Cleveland Cavalier the last time the Senate passed a budget. ObamaCare—and the President, in the Presidential campaign, said he now liked that term. I think he may not like it as well as he does now when people find out more about it—was not even the law yet. It was not the law. The “Oprah” show was still on the air. NASA had not announced yet that we were done with the space shuttle missions. Prince William and Kate Middleton were not engaged, and Brett Favre still played for the NFL. Lots of things have happened in the last 4 years, but one thing that has not happened is the Senate has not passed a budget.

Republicans in the House have drawn up and voted for budgets. We figured out ways occasionally to have a budget vote. But the President's budget would get no vote. There was no Senate majority budget on which to vote. I look forward to seeing that budget on the floor.

I was glad to vote just a few weeks ago on the bill that said that if we do

not have a budget, we do not get paid, because if we do not have a budget, we do not have the fundamental tool it takes to have the other debates on the appropriations bills. People deserve a Senate that has a budget, is willing to put it out there, and that then is willing to have the debates on appropriations bills we need to have. It has been 15 months since we had an appropriations bill on the Senate floor. We have failed to do the work, and that leads us from one needless crisis to another.

Now the crisis, of course, is the sequestration deadline. If you listen to the administration, you would assume that this is the last day it is safe to go outside; that starting tomorrow terrible things are going to happen. I just heard our leader, the Republican leader, talk about our willingness to give the President of the other party more ability to direct these cuts in specific ways—but not forever. We need to take that responsibility back ourselves and appropriate the money that is going to be spent October 1. But between now and September 30, we need to make these reductions in the best way rather than the worst way.

The Appropriations Committee, on which I am the ranking Republican, has Agriculture in it. One thing I am going to ask the Department is, Which employees are supposed to show up on those days that are so dangerous that you say only the critical employees need to be here? And if they are supposed to be here in bad weather, why wouldn't they be here now? Why would you cut the Federal employee who has to show up at a food-processing facility for anybody else to work and have somebody in an office somewhere doing something that could be done the next day that is just dependent on them? If I were the President, I wouldn't want to be answering, why did you cut this and not cut that?

Recently the President had a series of press conferences. He embarked on a 100-city tour to warn about the sequester. He showed up in Newport News in Virginia almost exactly 1 year after three of my colleagues went there—Senator GRAHAM, Senator AYOTTE, and Senator MCCAIN—saying: In a year this is going to be a big problem. A year later the President shows up and says: This is going to be a big problem.

The President proposed the sequester in 2011. He insisted that it become law. He even threatened to veto a bill. He said: I will veto any bill to replace the sequester—late last year. Suddenly, now he has changed his mind and all these terrible things are going to happen and it is unavoidable. It is only unavoidable if we refuse to cut things that can be cut.

The Federal Government has grown 19 percent in its spending in the last 4 years. The sequester would cut 2.4 or 2.5 percent. Anybody in America whose budget has grown 19 percent in the last

2 years can go back, not to where they were the last 4 years—rather, not to where they were 3 years or 4 years ago but just to where they were a few months ago and get their spending level back to that. This is a budget which has grown in a tremendous way, but now it is suddenly uncuttable. We cannot begin to get by with the money we were spending 6 or 9 or 12 months ago? Nobody believes that.

If we want to have this discussion, that is fine with me. These spending cuts need to happen. They should happen, and they should happen in the right way. This is not going to be solved by campaign appearances all over the country. It is going to be solved by good management to reach reasonable goals. The accounting office has identified 51 areas where programs are inefficient, ineffective, and overlapping—51 areas. Why don't we deal with that? That is the Executive's responsibility, to say: Here is how we are going to eliminate these programs the Government Accountability Office has said are inefficient, ineffective, and overlapping. Otherwise, I guess we are committed to keep the programs that are inefficient, ineffective, and overlapping and spend billions of dollars of the taxpayers' money.

That would include things such as 180 economic development programs operating in five different Cabinet agencies. I am for economic development. I am for opportunity and jobs. But do we need 180 different programs in 5 different agencies? Divide 180 by 5—does each of those agencies need an average of that many programs?

There are 173 programs across 13 agencies to promote science, technology, engineering, and math education. That is not a bad goal, but does it take 173 programs in 13 agencies to do it?

Twenty agencies oversee more than 50 financial literacy programs. More than 50 programs across 4 departments are there to support entrepreneurs. Private sector job creation should be the No. 1 domestic goal of the country today, but do you need 50 programs in four departments to encourage entrepreneurial skills? Probably not.

Why don't we hear about that instead of the air traffic controllers and the highway engineers and the meat plant inspectors and the Head Start teachers? Why don't we hear about these programs that we all know are ready to be made more efficient—or in some cases just simply the way to make them more effective is to eliminate those programs.

There are 47 job training programs in 9 agencies that cost \$18 billion in fiscal year 2009. I do not have a number newer than that. We actually don't have a budget much newer than that. But \$18 billion for 47 programs in 9 agencies? I am sure we can do better.

The Government Accountability Office found at least 37 duplicative investments in information technology—that was \$1.2 billion over 5 years—and 14 programs to administer grants to reduce diesel emissions across 3 departments. This is not 14 programs to administer grants and loans, this is 14 programs to administer grants and loans to reduce diesel emissions. I am for reducing diesel emissions. I am even for the Federal Government paying some attention to whether that is being done. But do we need 14 programs in 3 different agencies to do it?

Across-the-board cutting, which is what sequester really means—that means we couldn't get to the number because, by the way, we didn't have any budget, we didn't pass any budget, so of course we couldn't get to the number. We couldn't get to the number the law requires us not to exceed in our spending, so the cure for that is to cut every line item in the discretionary spending part of the budget—the part that defends the country, the part that builds highways, the part that administers most educational needs in which the Federal Government is involved? That is what sequester is. We can do better.

The Department of Defense has spent more than \$67 billion in the last 10 years on nondefense spending. Probably somebody better than the Department of Defense could do the non-defense work. The Department of Energy weatherization program, which has received \$5 billion in stimulus funds, exhibited a failure rate of 80 percent. The stimulus program really worked out well. Here is an 80-percent failure rate in energy weatherization.

The FAA—the Federal Aviation Administration, the one about which my friend the Secretary of Transportation, with whom I served in the House, said we would have to eliminate air traffic controllers—they spend \$500 million each year on consultants. It could be that it is more important that the air traffic controllers show up than that the consultants show up.

I have a list here I am going to submit because the list literally goes on and on.

The Internal Revenue Service stored 22,486 items of unused furniture in a warehouse, at an annual cost of \$862,000.

We will have this discussion of “why cut that instead of this” if we want to. But my side is willing to give the President authority between now and the end of this haphazardly put together appropriating year to target cuts so that those of us in the Senate can appropriate the money for next year's spending.

We ought to be moving right now. We should not be having this debate at all today. We should be having a debate on the budget to have it done by April 15 so the Appropriations Committee can

begin to do its work and we can find out what needs to happen here.

This is a good time to ask the question, Is this a job for the government? If the answer is yes, the second question is, Is the Federal Government the best of all governments to solve this problem or is there some government closer to the people and closer to the problem that can solve it in a better way?

There are two things I wish to submit and ask unanimous consent to have printed in the RECORD as I close my remarks. One is a July 31, 2012, memo to agencies from the Office of Management and Budget that says, “Agencies should continue normal spending and operations since there are more than 5 months that remain for Congress to act.”

On September 28 the same management organization, the Office of Management and Budget, under the Executive Office of the President, sent another memo out that says, “Agencies should continue normal spending and operations, as instructed in the July 31 memo from the Office of Management and Budget to executive departments and agencies which addresses operational and other issues raised by the potential of January 2 sequestration.”

So the new spending year is about to begin in 2 days—2 days after this goes out—and the direction from the White House is business as usual, full-speed ahead, spend money just like you are. Don't bother with that law which says that beginning on January 1, we have to spend less money.

Well, I am convinced we are going to spend less money. I am prepared to work with the President to see that we do that in the smartest possible way, but we have to get our spending under control, and I look forward to seeing the Senate do its job first with the budget and then with bills that debate our money and what we spend our money on.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, July 31, 2012.

MEMORANDUM FOR THE HEADS OF EXECUTIVE
DEPARTMENTS AND AGENCIES

From Jeffrey D. Zients, Acting Director.

Subject: Issues Raised by Potential Sequestration Pursuant To Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

Passed by bipartisan majorities in both houses of the Congress, the Budget Control Act of 2011 (BCA; Public Law 112-25) amended the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) to put into place an automatic process of across-the-board reductions in budgetary resources, known as a sequestration, specified in an order to be issued on January 2, 2013, if the Joint Select Committee on Deficit Reduction failed to propose, and the Congress

failed to enact, a bill containing at least \$1.2 trillion in deficit reduction.

The President has made clear that the Congress should act to avoid such a sequestration. If allowed to occur, the sequestration would be highly destructive to national security and domestic priorities, as well as to core government functions. To avoid this, the President submitted a budget for 2013 that includes a comprehensive and balanced set of proposals that contain greater deficit reduction than the Congress was charged with achieving. The Administration believes the Congress should redouble its efforts to reduce the deficit in a bipartisan, balanced, and fiscally responsible manner and avoid the sequestration.

If Congress were to enact the requisite deficit reduction measures and avoid the sequestration, there would be no need to take steps to issue the sequestration order, and then to develop plans for agency operations for the remainder of FY 2013 within the constraints of that order. These sequestration planning and implementation activities, once undertaken, will necessarily divert scarce resources from other important agency activities and priorities. The President remains confident that Congress will act, but because it has not yet made progress towards enacting sufficient deficit reduction, the Office of Management and Budget (OMB) will work with agencies, as necessary, on issues raised by a sequestration of this magnitude.

To that end, OMB will be holding discussions on these issues with you and your staff over the coming months. In the near term, OMB will consult with you on such topics as the application to your agency's accounts and programs of the exemptions from sequestration contained in section 255 of BBEDCA and the applicable sequestration rules specified in section 256 of BBEDCA. These discussions should be informed by your General Counsel's analysis of how the requirements of BBEDCA, as amended by the BCA, and other statutory authorities apply to a particular issue involving your agency. OMB will also engage with agencies on anticipated reporting requirements established by Congress that are related to, but separate from, planning for or implementing a sequestration order under the BCA.

Over the longer term, in the absence of Congressional action on a balanced deficit reduction plan in advance of January 2, 2013, OMB will undertake additional activities related to the implementation of the BCA. OMB will work with agencies, as necessary, on issues surrounding the sequestration order and its implementation. For example, sequestrable amounts can only be calculated once FY 2013 funding levels are known; therefore, shortly before any sequestration order is issued, OMB will collect information from agencies on sequestrable amounts and, where applicable, unobligated balances, and calculate the percentage reductions necessary to implement the sequestration. In the meantime, agencies should continue normal spending and operations since more than 5 months remain for Congress to act.

The steps described above are necessary to prepare for the contingency of having to issue a sequestration order, but they do not change the fact that sequestration is bad policy, was never meant to be implemented, and should be avoided through the enactment of bipartisan, balanced deficit legislation. The Administration urges the Congress to take this course.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, September 28, 2012.

OMB BULLETIN No. 12-02—TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

Subject: Apportionment of the Continuing Resolution(s) for Fiscal Year 2013

1. *Purpose and Background.* H.J. Res. 117 will provide continuing appropriations for the period October 1, 2012 through March 27, 2013. Section 110 of H.J. 117 requires that the joint resolution be implemented so that only the most limited funding actions shall be taken in order to provide for continuation of projects and activities, and section 109 requires that programs restrict funding actions so as not to impinge on the final funding prerogatives of the Congress. I am automatically apportioning amounts provided by sections 101(a) and 101(b) of this continuing resolution (CR) as specified in section 3. The amounts provided by the 0.612 percent across-the-board (ATB) increase in section 101(c) will be subject to the procedures for apportioning that funding as outlined in section 4. This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A-11, sections 120 and 123.

The Administration continues to urge Congress to pass a balanced package of deficit reduction that would replace the potential sequestration on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (BBEDCA). If necessary, the Bulletin will be amended to address that sequestration. Unless and until the Bulletin is amended, however, agencies should continue normal spending and operations, as instructed in the July 31 memo from OMB to executive departments and agencies which addressed operational and other issues raised by the potential January 2 sequestration. Unless the Bulletin is subsequently amended, it should be assumed to apply to both this CR and any extensions of this CR.

Note: Although the CR Bulletin does not automatically or otherwise apportion budgetary resources for accounts that are not determined by current appropriation action of the Congress (such as mandatory funding and balances of prior year budget authority), those apportionments will also be amended if necessary, to reapportion sequestrable resources to account for the potential January 2 sequestration. The guidance above to spend and operate normally until further notice also applies to these other resources.

2. *Amounts Provided.* Section 101(a) of H.J. Res. 117 provides such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year (FY) 2012 and under the authority and conditions provided in such stated Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in H.J. Res. 117, that were conducted in FY 2012, and for Appropriations Act, 2012 (Public Law 112-55), except for appropriations in that Act designated by the Congress as being for disaster relief, the Consolidated Appropriations Act, 2012 (Public Law 112-74), and the Disaster Relief Appropriations Act, 2012 (Public Law 112-77), except for appropriations in that Act under the heading "Corps of Engineers-Civil".

Section 101(b) provides that notwithstanding section 101 whenever an amount designated for Overseas Contingency Operations (OCO)/Global War on Terrorism (GWOT) pursuant to section 251(b)(2)(A) of

BBEDCA in either the Department of Defense Appropriations Act, 2012 (division A of Public Law 112-74) or in the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012 (division H of Public Law 112-74) that would be made available for a project or activity is different from the amount requested in the President's FY 2013 Budget request, the project or activity shall be continued at a rate for operations that would be permitted by, and such designation shall be applied to, the amount in the President's FY 2013 Budget request. For purposes of calculating the rate for operations, the reference to "amount" in section 101(b) is assumed to mean the budget account total.

Section 101(c) increases the rate for operations provided by subsection (a) by 0.612 percent. Such increase does not apply to OCO/GWOT amounts or to amounts incorporated in the joint resolution by reference to the Disaster Relief Appropriations Act, 2012 (Public Law 112-77).

3. *Automatic Apportionments.* Attachment A contains more detailed instructions on calculating the annualized amount provided by the CR. In order to calculate the amount automatically apportioned through the period ending March 27, 2013 (and any extensions thereof) multiply the annualized amount provided by the CR in sections 101(a) and 101(b) by the lower of:

The percentage of the year (pro-rata) covered by the CR (e.g., for H.J. Res. 117 use 48.77 percent), or

The historical seasonal rate of obligations for the period of the year covered by the CR.

Unless determined otherwise by your RMO, all automatically apportioned CR funds are apportioned as Category B (lump sum), regardless of quarterly restrictions (i.e., amounts on Category A) imposed in last year's apportionments. Limitations on programs (i.e., other Category Bs) and footnotes included in last year's apportionments remain in effect under the CR.

Apportionment of the 0.612 percent ATB increase in section 101(c) is discussed in section 4.

4. *Amounts Provided by Section 101(c) Excluded from Automatic Apportionment.* This automatic apportionment does not apply to amounts provided by the 0.612 percent ATB increase in section 101(c) of H.J. Res. 117. The agency may submit a written apportionment to OMB to request these funds during the period of the CR.

5. *Accounts with Zero Funding Excluded from Automatic Apportionment.* As has been the case in recent CR Bulletins, including FY 2012, if either the House or Senate has reported or passed a bill that provides no funding for an account at the time the CR is enacted or extended, this automatic apportionment does not apply to that account. (Reported bills are those that have been filed by the full House or Senate Appropriations Committee for floor action.) The agency may file by the full House or Senate Appropriations Committee for floor action.) The agency may submit a written apportionment to OMB to request funds for the account during the period of the CR, if needed.

6. *Programs under Section 111.* Funds for appropriated entitlements and other mandatory payments, and activities under the Food and Nutrition Act of 2008, are automatically apportioned amounts as needed to carry out programs at a rate to maintain program levels under current law, i.e., at the FY 2013 level. However, this automatic apportionment does not apply to programs with more complex funding structures. Agencies

should contact their RMO representatives to determine if their account is automatically apportioned or if a written apportionment is required.

With regard to the associated administrative expenses for those programs, section 111 does not apply. The associated administrative expenses are automatically apportioned at the pro-rata level based on FY 2012 annualized levels in section 101(a).

As noted in section 1, this automatic apportionment will be amended, if necessary, to reapportion sequestrable resources to account for the sequestration order that the President may be required to issue on January 2, 2013, under section 251A of BBEDCA. Until such time as the Bulletin is amended, agencies should continue normal spending and operations, as instructed in the July 31 memo from OMB to executive departments and agencies which addressed operational and other issues raised by the potential January 2 sequestration.

7. *Credit Limitations.* If there is an enacted credit limitation (i.e., a limitation on loan principal or commitment level) in FY 2012, then the automatic apportionment is the pro-rata share of the credit limitation or the budget authority (i.e., for subsidy cost), whichever is less. To calculate amounts available, see exhibit 123B of OMB Circular No. A-11.

8. *Written Apportionments for Amounts Provided by Sections 101(a) and 101(b).* If an agency seeks an amount for a program that is more than the amount automatically apportioned under sections 101(a) and 101(b), a written apportionment must be requested from OMB. OMB expects to grant only a very limited number of these written apportionment requests. Each of these requests must be accompanied by a written justification that includes the legal basis for the exception apportionment. Similarly, an RMO or an agency may determine that an amount for a program should be less than the amount automatically apportioned by sections 101(a) and 101(b) in order to ensure that an agency does not impinge on the final funding prerogatives of the Congress. In these cases, a written apportionment will also be required.

Agencies do not need to request a new written apportionment for each extension of the CR (unless otherwise required by your RMO). Instead, in the case of accounts that receive a written apportionment at any time during the CR period, the automatic apportionment will apply to such accounts under any subsequent extensions of the CR, provided that the total amount apportioned during the CR period does not exceed the total annualized level of the CR. However, any footnotes on the written apportionment continue to apply to the accounts, when subsequently operating under the automatic apportionment.

The written apportionments described in this section are not intended to address the written apportionment requirements for amounts provided by section 101(c) or accounts with zero funding. Those requirements are described in sections 4 and 5 above, respectively.

JEFFREY D. ZIENTS,
Deputy Director for Management.

Attachment(s):

Attachment B: Non-CHIMP Cancellations Recurring in a 2013 Continuing Resolution.

Attachment C: Changes in Mandatory Programs Recurring in a 2013 Continuing Resolution.

ATTACHMENT B: NON-CHIMP¹ CANCELLATIONS RECURRING IN A 2013 CONTINUING RESOLUTION

[budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted	2013 CR
Cancellations of Unobligated Balances:		
Agriculture and Rural Development:		
USDA, The Office of Advocacy and Outreach	-4	—
USDA, Buildings and Facilities [National Institute of Food and Agriculture]	-2	—
USDA, Public Law 480 Title I Ocean Freight Differential Grants	-3	—
USDA, Public Law 480 Title I Direct Credit and Food for Progress Program	-2	—
USDA, Salaries and Expenses [Foreign Agricultural Service]	-1	—
Total, Agriculture and Rural Development	-12	—
Commerce, Justice, Science:		
DOC, Emergency Steel, Oil, and Gas Loan Program Account	-1	—
DOC, Coastal Zone Management Fund	-18	—
DOC, Public Telecommunications Facilities, Planning and Construction	-3	-3
DOC, Information Infrastructure Grants	-2	-1
DOJ, Working Capital Fund	-40	-40
DOJ, Salaries and Expenses, United States Marshals Service	-2	-2
DOJ, Salaries and Expenses [Drug Enforcement Administration]	-10	-10
DOJ, Buildings and Facilities	-45	-45
DOJ, Justice Assistance	-4	-4
DOJ, State and Local Law Enforcement Assistance	-42	-42
DOJ, Juvenile Justice Programs	-9	-9
DOJ, Community Oriented Policing Services	-24	-24
DOJ, Violence against Women Prevention and Prosecution Programs	-15	-15
NASA, Mission Support	-1	—
NASA, Space Operations	-12	-13
NASA, Science	-5	-5
NASA, Exploration	-4	-4
NASA, Aeronautics	-1	-1
NASA, Education	-2	-2
NASA, Construction, Environmental Compliance, and Remediation	-5	-5
Total, Commerce, Justice, Science	-245	-225
Defense:		
DOD, Procurement, Defense-wide	-5	-4
DOD, Aircraft Procurement, Navy	-168	-78
DOD, Weapons Procurement, Navy	-34	-34
DOD, Procurement of Ammunition, Navy and Marine Corps	-28	-28
DOD, Shipbuilding and Conversion, Navy	-110	—
DOD, Other Procurement, Navy	-60	-60
DOD, Aircraft Procurement, Army	-27	-22
DOD, Missile Procurement, Army	-100	-30
DOD, Procurement of Weapons and Tracked Combat Vehicles, Army	-23	-19
DOD, Procurement of Ammunition, Army	-37	-15
DOD, Other Procurement, Army	-497	-438
DOD, Aircraft Procurement, Air Force	-253	-220
DOD, Missile Procurement, Air Force	-198	-194
DOD, Other Procurement, Air Force	-65	-53
DOD, Research, Development, Test, and Evaluation, Defense-wide	-254	—
DOD, Research, Development, Test, and Evaluation, Navy	-66	—
DOD, Research, Development, Test and Evaluation, Army	-357	—
DOD, Research, Development, Test, and Evaluation, Air Force	-258	—
DOD, National Defense Sealift Fund	-34	—
Total, Defense	-2,574	-1,195
Energy and Water Development:		
DOE-NNSA, Defense Nuclear Nonproliferation	-21	-21
DOE, Fossil Energy Research and Development	-187	-42
DOE, Energy Efficiency and Renewable Energy	-10	-10
Total, Energy and Water Development	-218	-73
Financial Services and General Government:		
GSA, Operating Expenses	-5	—
EXOP, Partnership Fund for Program Integrity Innovation	-10	—
Drug Control Programs, Counterdrug Technology Assessment Center	-5	—
Drug Control Programs, Other Federal Drug Control Programs	-6	-6
Salaries and Expenses [Privacy and Civil Liberties Oversight Board]	-1	-1
Total, Financial Services and General Government	-27	-7
Homeland Security:		
DHS, Office of the Chief Information Officer	-5	-5
DHS, Working Capital Fund	-5	-1
DHS, Citizenship and Immigration Services	-1	—
DHS, Salaries and Expenses [United States Secret Service]	-1	-1
DHS, Aviation Security	-71	—
DHS, Immigration and Customs Enforcement	-13	-10
DHS, Automation Modernization [Immigration and Customs Enforcement]	-10	-10
DHS, Customs and Border Protection	-5	-5
DHS, Automation Modernization, Customs and Border Protection	-5	-5
DHS, Border Security Fencing, Infrastructure, and Technology	-3	-3
DHS, Operating Expenses [United States Coast Guard]	-38	-38
DHS, Acquisition, Construction, and Improvements [U.S. Coast Guard]	-4	-1
DHS, United States Visitor and Immigrant Status Indicator Technology	-27	-27
DHS, State and Local Programs	-3	-3
DHS, National Pre-disaster Mitigation Fund	-1	-1
DHS, Management and Administration	-1	—
Total, Homeland Security	-193	-110
Interior and Environment:		
DOI, NPS, Construction (and Major Maintenance)	-4	-4
DOI, Wildland Fire Management	-82	—
EPA, State and Tribal Assistance Grants	-45	-45
EPA, Hazardous Substance Superfund	-5	-5
Total, Interior and Environment	-136	-54
Military Construction and Veterans Affairs:		
DOD, Military Construction, Defense-wide	-131	-131
DOD, Base Closure Account 2005	-259	-259
DOD, Military Construction, Navy and Marine Corps	-25	-25
DOD, Military Construction, Army	-100	-100
DOD, Military Construction, Air Force	-32	-32
Total, Military Construction, Veterans Affairs	-547	-547
State and Foreign Operations:		
State, Diplomatic and Consular Programs	-14	-14
State, Economic Support Fund	-100	-100
Export-Import Bank Loans Program Account	-400	-400

ATTACHMENT B: NON-CHIMP¹ CANCELLATIONS RECURRING IN A 2013 CONTINUING RESOLUTION—Continued

[budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted	2013 CR
Total, State and Foreign Operations	— 514	— 514
Transportation and Housing and Urban Development:		
Transportation, Compensation for General Aviation Operations	— 3	—
Transportation, Capital Investment Grants	— 58	— 44
Transportation, Operations and Training	— 1	—
Transportation, Maritime Guaranteed Loan (Title XI) Program Account	— 35	—
HUD, Housing Certificate Fund	— 200	— 20
HUD, Other Assisted Housing Programs	— 232	— 15
Total, Transportation and Housing and Urban Development	— 529	— 79
Subtotal, Cancellations of Unobligated Balances	— 4,995	— 2,804
Cancellations of Advance Appropriations:		
Military Construction and Veterans Affairs:		
VA, Medical Support and Compliance (reappropriation) ²	— 100	—
VA, Medical Services (reappropriation) ²	— 1,400	—
VA, Medical Facilities (reappropriation) ²	— 250	—
Total, Military Construction, Veterans Affairs	— 1,750	—
Transportation and Housing and Urban Development:		
HUD, Tenant Based Rental Assistance	— 650	—
Subtotal, Cancellations of Advance Appropriations	— 2,400	—
TOTAL, Cancellations of Balances & Advance Appropriations	— 7,395	— 2,804
Cancellations of Overseas Contingency Operations Funding: ³		
Defense:		
DOD, Overseas Contingency Operations Transfer Fund	— 357	—
DOD, Procurement of Ammunition, Army	— 21	—
DOD, Other Procurement, Air Force	— 2	—
Total, Defense	— 380	—
Military Construction and Veterans Affairs:		
DOD, Military Construction, Army	— 235	—
DOD, Military Construction, Air Force	— 35	—
Total, Military Construction, Veterans Affairs	— 270	—
Subtotal, Rescissions/Cancellations of Overseas Contingency Operations Funding	— 650	—
Cancellations of Congressionally-Designated Emergency Funding: ⁴		
Homeland Security:		
DHS, Immigration and Customs Enforcement	— 2	—
DHS, Aviation Security	—	— 16
DHS, Border Security Fencing, Infrastructure, and Technology	— 4	—
DHS, Acquisition, Construction, and Improvements (U.S. Coast Guard)	— 2	— 2
Total, Homeland Security	— 8	— 18
Subtotal, Cancellations of Congressionally-Designated Emergency Funding	— 8	— 18
Grand Total, All Cancellations	— 8,053	— 2,822

¹ Excludes offsets that are the result of cancelling or blocking spending from mandatory programs. See Attachment C on CHIMPs for this information.² These funds were technically rescinded in the appropriations bills but they were immediately reappropriated. This rescission-reappropriation mechanism is to simply to extend the availability for two years.³ These enacted rescissions of funding were designated as Overseas Contingency Operations pursuant to Section 251(b)(2)(A) of BBEDCA, as amended.⁴ Funding is not designated "Emergency" pursuant to Section 251(b)(2)(A) of BBEDCA, as amended. These amounts are counted outside of the discretionary caps.

ATTACHMENT C: CHANGES IN MANDATORY PROGRAMS RECURRING IN A 2013 CONTINUING RESOLUTION

[Budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted ¹	2013 CR
Agriculture and Rural Development:		
USDA, Funds for Strengthening Markets, Income, and Supply (Section 32)	— 150	— 300
USDA, Federal Crop Insurance Corporation Fund	— 75	— 75
USDA, Commodity Credit Corporation Export Loans Program Account	— 20	—
USDA, Commodity Credit Corporation Fund (Biomass Crop Assistance Program)	— 184	—
USDA, Commodity Credit Corporation Fund (Voluntary Public Access)	— 17	—
USDA, Watershed Rehabilitation Program	— 165	— 165
USDA, Rural Energy for America Program	— 51	— 29
USDA, Rural Microenterprise Investment Program Account	— 4	— 4
USDA, Energy Assistance Payments	— 80	— 28
USDA, Farm Security and Rural Investment Programs	— 1,225	— 657
Conservation Stewardship Program	(— 33)	(— 217)
Environmental Quality Incentives Program	(— 350)	(— 350)
Farmland Protection Program	(— 50)	(— 50)
Grassland Reserve Program	(— 81)	(—)
Wetlands Reserve Program	(— 671)	(—)
Wildlife Habitat Incentives Program	(— 35)	(— 35)
Agriculture Management Assistance Program	(— 5)	(— 5)
USDA, Rural Economic Development Grants (Cushion of Credit)	— 155	— 155
USDA, Trade Adjustment Assistance for Farmers	— 90	—
USDA, Supplemental Nutrition Assistance Program	— 11	— 11
USDA, Child Nutrition Programs (Obligation Delay)	— 133	—
Total, Agriculture and Rural Development	— 2,360	— 1,424
Commerce, Justice, Science:		
DOC, NOAA, Promote and Develop Fishery Products Transfer	— 109	— 109
DOC, NOAA Fisheries Enforcement and Sanctuaries Enforcement Asset Forfeiture Funds:		
Operations, Research, and Facilities (ORF) Reduction in Collections	+ 6	—
ORF Reduction in Spending Authority from Collections	— 6	—
Transfer out of Unobligated Spending Authority from ORF	— 3	—
Collections Deposited as Receipts in Asset Forfeiture Funds	— 6	—
Spending of Receipts in Asset Forfeiture Funds	+ 6	—
Transfer in of Unobligated Spending Authority to the Asset Forfeiture Fund	+ 3	—
DOC, Digital Television Transition and Public Safety Fund	— 4	— 4
DOI, Assets Forfeiture Fund	— 675	— 675
DOI, Crime Victims Fund (Obligation Delay)	— 7,113	— 9,511
DHS, Citizenship and Immigration Services Transfer	— 4	— 4
Total, Commerce, Justice, Science	— 7,905	— 10,303
Energy and Water Development:		
DOE, SPR Petroleum Account	— 500	— 500
DOE, Northeast Home Heating Oil Reserve	— 100	—
Total, Energy and Water Development	— 600	— 500

ATTACHMENT C: CHANGES IN MANDATORY PROGRAMS RECURRING IN A 2013 CONTINUING RESOLUTION—Continued

[Budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted ¹	2013 CR
Financial Services and General Government:		
Treasury, Forfeiture Fund	-950	-950
FDIC, Deposit Insurance Fund Transfer to the OIG	-45	-45
Postal Service, Transfers to the OIG & Postal Regulatory Commission (PRC)	-255	-255
Postal Service, Discretionary Offsetting Collections for Transfers to the OIG & PRC	+255	+257
Securities and Exchange Commission Reserve Fund	-25	-25
Total, Financial Services and General Government	-1,020	-1,018
Interior and Environment:		
USDA, Forest Service Permanent Appropriations	-12	-12
DOI, Mineral Leasing and Associated Payments	-42	-40
DOI, NPS, Land Acquisition and State Assistance	-30	-30
DOI, Assistance to Territories	+14	+13
DOI, Office of Surface Mining Fee Reclassification	*	—
Total, Interior and Environment	-70	-69
Labor, HHS, and Education:		
Labor, MSHA Approval and Certification Fee to be Deposited in Expenditure Account	—	+1
HHS, Consumer Operated and Oriented Plan Program Account	-400	-400
HHS, Children's Health Insurance Fund	-6,368	-6,368
HHS, CMS Program Management, High Risk Pools	+44	+44
Education, Student Financial Assistance (including Pell Grants)	-124	—
Independent Payment Advisory Board	-10	-10
Total, Labor, HHS, and Education	-6,858	-6,733
State and Foreign Operations:		
State, Foreign Military Sales Trust Fund—Block mandatory spending	-100	—
State, Foreign Military Sales Trust Fund—Payout to Special Defense Acquisition Fund	+100	—
Total, State and Foreign Operations	—	—
Transportation and Housing and Urban Development:		
Transportation, FMCSA Motor Carrier Safety Grants	-1	-1
TOTAL, Changes in Mandatory Programs (CHIMPs)	-18,814	-20,048

* Denotes a number less than \$500K.

¹ All FY 2012 CHIMPs have been rebased as mandatory and are not included in any FY 2012 Enacted levels. They are only displayed for comparison purposes.

Mr. BLUNT. I yield back whatever time I might have.

The ACTING PRESIDENT pro tempore. Time is yielded back.

The majority whip.

Mr. DURBIN. We will have a vote on the floor of the Senate. It is an important vote because tomorrow is the day of sequestration. The American people are learning new terminology. The fiscal cliff meant nothing to most Americans 6 months ago, but by New Year's Eve many understood that something serious was about to occur. Laws had been passed which meant that taxes would go up on virtually every tax-paying American on January 1 if Congress failed to act. That was the fiscal cliff.

We reached a last-minute agreement on ways to avert that from happening and to make sure any tax increases on the income tax side were going to be exclusively applied to those in the highest income categories. Well, the Americans breathed a sigh of relief and said thank goodness that emergency is over.

We are good in Washington at manufacturing crises, and now we are in a new crisis of our own creation. This is not some act of God, some natural event, some occurrence we have no control over. We created this. We created something called sequestration, and here is what it was all about.

The President sat down with the leaders in Congress—this goes back over a year now—and said: Listen, we need to do something about our deficit, but let's do it in a bipartisan way and a balanced way. Let's put together a supercommittee—an equal number of Democrats and Republicans—and let's reach an agreement once and for all.

Stop bickering and reach an agreement. Let's reduce the deficit as a result of that agreement. But, he said, to make sure you take it seriously, if you don't reach an agreement, then as of this year, 2013, we are going to have automatic spending cuts called sequestration, and the sequestration cuts are not going to be very kind. They are going to be across-the-board cuts by each line item of the budget. So to avoid that, do the right thing and reach a bipartisan agreement in the supercommittee.

We failed. We failed when the Republicans of the committee said no revenue, no taxes. Sorry. We will just talk about spending cuts and cutting Medicare. That is all we are interested in talking about.

End of story; end of supercommittee; welcome to the world of sequestration. The threat that was supposed to make the supercommittee act is now about to become the reality. The reality means that in the remainder of this year—we do fiscal years, not calendar years—between now and September 30, we need to cut \$85 billion in spending. Half of it will be on the defense side, and half of it will be on the nondefense side. Some might say: Come on, this is a big government and this is a big budget, and you are telling me \$85 billion is a big problem?

I happen to agree with the Senator from Missouri—Republican Senator BLUNT who was here a moment ago—that there are plenty of areas to save in the Federal Government. I will speak to a few in a moment. We don't create an opportunity for that kind of thoughtful discussion and decision-making. Instead, it is automatic. It just happens.

What is wrong with cutting every line of the budget by a certain percentage? Well, let's take it home. Let's talk about an American family. Let's assume that family has just learned that next year, due to circumstances beyond their control, they are going to be making \$500 less each month; somebody lost a job in the family or something like that. They look at the family budget and they say: We are going to have to tighten things up and make some hard choices. Someone else at the family table says: Wait a minute, We don't have to do it that way. What we should do since \$500 is maybe 5 percent of what we take home in pay, let's cut everything we spend by 5 percent. If we do that, we will be able to reach that \$500 mark.

When they stop and think about it for a minute, they realize that doesn't make any sense at all. We are going to cut our mortgage payment by 5 percent? We cannot do that; we will default on our mortgage, and we will lose our home. We will cut our utility payment by 5 percent? They will cut off the lights. We cannot cut the prescription drugs by 5 percent. We need that medicine to keep our children healthy. No, we have to look at a more thoughtful way. Let's look at parts where we spend money that we can afford to cut.

That is how families budget, that is how the government should budget, but sequestration doesn't cut budgets that way. It cuts it by each line item—the mortgage, the utility bill, the prescription drugs are all cut the same. That is what we face starting tomorrow. Well, there are ways to avoid that. The most important opportunity will come tomorrow afternoon. President Obama is bringing the congressional leaders—the

House and Senate, Democrats and Republicans, all four—together for a meeting in the White House. Let's hope cooler heads prevail. Once again, we are at the deadline. Once again, the American people are looking to us and wondering what is going to happen.

What is at stake here? There are several things at stake. One of the things that is at stake is that the cuts for many agencies are going to be unreasonable. It will be unreasonable because they have to be done in a matter of 5 or 6 months. I am now chair of the Defense Appropriations Subcommittee. It means that most of the civilian employees who work for the Department of Defense are going to lose 1 day's pay each week. It will result in a 20-percent cut in pay between now and the end of the year and will be a hardship on some families.

Don't believe these are fat-cat Federal employees. Many of them are struggling families doing jobs in our Department of Defense which are critical for our Nation's security. They range across the board from some of the most sophisticated decisionmaking to keep us safe as a Nation to the very basics of keeping the lights on in the buildings where these decisions are made. They are going to see this kind of furlough, reduction in pay and, unfortunately, reduction in productivity because of it. That is not good.

Other things are going to happen because of it. When workers are laid off at a depot where they repair a ship, it means the ship that was in for repairs has to stay there longer. It cannot go out and protect America.

Last week I was in a place called Bahrain. Bahrain, an island in the Persian Gulf, is a critical front in America's national defense. The 5th Fleet is there. What a magnificent group of individuals. ADM John Miller took me around on the ships and introduced me to the men and women in uniform. I could not have been prouder as an American to say hello to these people who are literally giving and risking their lives for our country. How are they protected while they are out there? Well, we have a great aircraft carrier out there. It is there if needed. I hope it is never needed. It is only one of two carriers that is supposed to be there.

The USS *Truman* was supposed to join the other carrier to protect our troops and our interests in the Persian Gulf, but it will not be there. Why? Because the Navy had to hold the *Truman* in reserve to save money. This is just one example of how you can't contain the effects of sequestration. And our sailors—our men and women in uniform—are out in the Persian Gulf, literally in a much riskier situation because of it. When we talk about how easy it is to cut spending in the government, it can be easy if we do it in a thoughtful way.

The second point I wish to make is that it is not just a matter of where we cut or how we cut, it is a matter of this process. We have been told by the people who give a credit rating to the United States of America that what has been happening for the last 2 years has not gone unnoticed. Think about your own family situation again. If a family is late in paying bills, what happens? Their credit rating goes down, and then when they turn around to borrow some money—whether it is an installment loan for a car or a home—they look at their credit rating, don't they? They say: You are not the most reliable person in paying your bills. Your credit rating is lower; therefore, the interest rate you pay will be higher.

The same thing applies to the government. Over the last 2 years this strategy that has been hitting us and says we have to lurch from one threatened government shutdown, to a shutdown of the economy over the debt ceiling, to the fiscal cliff, to the sequestration, is taking a toll on America's credit rating. So the ratings agencies are saying: Don't get me wrong, it is a great Nation and a great economy, but there are not a great bunch of politicians in Washington when it comes to making decisions; therefore, we are going to have an uptick in the interest rate paid by America to borrow money. What that means is we will be paying more of the taxpayers' dollars in interest to those who loan us money, such as China, and less in goods and services to serve America.

Now they are telling us again: If you go to sequestration and you get into another hopeless political tangle, as you have over the last 2 years, you run the risk that America's credit rating is going to be downgraded, interest rates are going to go up, and your kids are going to owe more on the national debt. That is what is at stake here.

What are we going to do about it? This afternoon we will make a proposal that not a single Republican will vote for. I will make that prediction on the floor. It is a proposal where we take a look at one of the most wasteful areas of spending and eliminate it. It applies to my State of Illinois, and here is what it is: direct payments to farmers. I don't know why we did this, but in the last farm bill we said we will give direct support payments to farmers whether they make money or lose money. Sometimes we will give them the direct payments whether they grow a crop or don't grow it. Does that make sense? I don't think it does.

We said for a long time, 70-years plus, the U.S. Government will be there when the farmers need it—when they need a helping hand. I understand that. Farming is a risky business, but direct support payments don't work on that principle. They make a payment regardless.

When Senator STABENOW of Michigan wrote the new farm bill, she said: I am eliminating direct payments. It saves \$25 billion over 5 years. We had 64 Senators, which is about a dozen Republicans, to join us in passing the farm bill. They agreed and the farm groups agreed that they could no longer defend direct support payments. They could not defend it in a time when we have so many deficits.

The farm bill could not pass in the House. They were unable to pass a farm bill. I don't know why, but they couldn't. So what we will do this afternoon is take that savings from the direct support payments and use that to defer some of the cuts that would otherwise occur in sequestration. I think it is pretty sensible.

We will find out that not a single Republican will vote for it. They can come to the floor and list where they will save money, and they will have a chance on the floor this afternoon to actually save \$25 billion on something the farmers agree with and farm organization support—and many of them voted for—but not one will vote for it. Not one. It is a sad situation.

Let me tell one other thing they ought to think about: for-profit schools. Does anyone know what they are? Well, if you have a child—a son or daughter in high school—you will know them soon because they are inundating your son or daughter with invitations to come join their university. Let me give some of the biggest names of the for-profit school industry: University of Phoenix. Ever heard of it? The combined enrollment of the University of Phoenix is more than the combined enrollment of the Big Ten. The second largest one, I believe, is DeVry, which is out of Chicago, and then Kaplan, which is a career education corporation. These are private companies that purportedly educate students. Some do, most don't.

If anyone wants to know about the for-profit colleges in America, they should remember three numbers. The first number is 12; 12 percent of all the high school graduates in America go to for-profit schools, such as the ones I mentioned, and others. The next number, 25; 25 percent of all the Federal aid to education goes to these schools. So they have 12 percent of the students and 25 percent of the Federal aid to education. Well, how much is that? About \$32 billion a year goes to these schools, and it is Federal taxpayer dollars.

If we took the \$32 billion that is going to for-profit schools and translated it into a Federal agency, it would be the ninth largest Federal agency in Washington—\$32 billion to these schools. Hang on for the third number. The third number is 47—12, 25, 47. Forty-seven percent of all the student loan defaults occur among students who are going to these for-profit schools.

What does that tell you? They are getting too deeply in debt, they cannot finish school, and they cannot find a job. What a waste. They end up with debt and nothing to show for it. The schools end up with the money; the students and their families end up with the debt.

Let me recite one of these stories. I have invited students to tell me their stories at my Web site, and many of them have. Tabitha Hewitt, who is a first-generation college student, was aggressively recruited by for-profit colleges. They promised her a great future with a paying job. What she ended up with was a student debt of \$162,000. She attended the International Academy of Design and Technology, which is a for-profit college owned by Career Education Corporation.

Tabitha is a veteran of the Air Force. She thought her education would give her the skills she needed to be successful in the civilian workplace. It turns out she does the same job as her colleagues who didn't attend any of these for-profit schools. She didn't pick up any advantage; she just picked up a debt. The GI bill didn't cover the tuition because it was too high, so she took out student loans.

Paying her loans is a daily struggle. For Tabitha, it consumes her life. She sometimes has to walk away from other bills just to pay her student loans. She is constantly in battle with the lenders, trying to negotiate a reasonable payment plan, and they refuse. She says she can't save for anything. She can't pay for her own health insurance. She probably can't get married and have children. She just can't afford it. She wants to go back to a real school for a real education, but guess what. This deeply in debt, she can't borrow any money to go to school—to a real college instead of a for-profit school.

For-profit colleges prey on veterans such as Tabitha. They use deceptive marketing and aggressive tactics. They tell the veterans everything is going to be great and everything is going to be paid for. It is simply not true.

The 90-10 rule permits for-profit colleges to receive up to 90 percent of their total revenue from the Federal Government. These for-profit colleges are 10 percent away from being Federal agencies. But here is the thing: The 90 percent only includes Federal student aid programs such as Pell grants or student loans. GI and Department of Defense tuition assistance are counted as private revenue, giving the schools a huge incentive to recruit and target servicemembers and veterans such as Tabitha. Veterans and servicemembers help the schools meet the 90-10 rule and then end up with a worthless education.

Congress needs to stop this bloated industry from continuing to prey on veterans such as Tabitha Hewitt. Con-

gress needs to make sure servicemembers and veterans have all the information they need about a school before they choose to enroll. We need to also make sure these schools are providing servicemembers the skills they need to succeed in the workforce. Schools with awful outcomes should not be participating in the Department of Defense Tuition Assistance Program and they should not be eligible for the GI bill.

Do my colleagues want to know where to save money without going into a sequestration that lays off a lot of important people across America and, in some ways, compromises our national security and the protection of our men and women overseas? Start with the for-profit schools. These folks have tapped into the Federal Treasury to the tune of \$32 billion a year.

People say to themselves: Why do we let them get away with it? They have friends in high places. They are participants in our political processes. They can be found at many of the great parties and receptions across the city of Washington and around the country. They are doing what they can legally do as citizens. They are finding friends in high places and protecting the \$32 billion a year that goes to these worthless schools, many of which are a complete waste of time and money for the students who end up there.

It would be bad enough if it was just a bad education or a waste of time. Tabitha is stuck with a \$162,000 student debt.

There is one last kicker. The student debt is different than the other debt a person has. If a person borrows money for a home or a car or a boat or to buy a washer and dryer and they go broke and go to bankruptcy court, those debts are going to be swept away—not student loans. Student loans are not dischargeable in bankruptcy. Tabitha, the bad news is this is a debt that will be with you for a lifetime. Student debt is not dischargeable in bankruptcy. That is where we are today.

So when my friends come to the floor and talk about all the ways to save money in Federal spending, I will give them two to start with, one they can vote for this afternoon: end the direct payments in agriculture and save \$25 billion. Secondly, reform this for-profit school scam that costs us \$32 billion a year. They are easy places to start, perhaps even on a bipartisan basis.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COONS. Mr. President, what has become painfully clear to me this week

is that folks in the Congress, folks in the Senate aren't listening to each other anymore. As we lurch toward our latest fiscal crisis—the looming sequester that takes effect tomorrow—I rise to speak directly to the folks I work for—my constituents, my fellow Delawareans.

I wish to continue a conversation I have been having with my neighbors at the train station, in the Acme, outside church, on the sidelines of my kids' sporting events, consistently since coming here to serve you as Delaware's junior Senator.

I am focused a bit by a Facebook message I got from Sandi, a neighbor, this morning. It is fairly poignant. She writes: In 2011, when we spoke, you assured me the sequester was so draconian it would never happen. I feel betrayed by Congress, the Senate, and all of Washington.

She writes further: I trusted you to hold up our end of this deal and now we are going to sequestration. Disappointed is an understatement for how I feel. Why can't you get anything done down there?

To Sandi, to the nonprofits in Delaware whose funding is about to get cut, to the civilian workers at Dover Air Force Base who are facing furlough, to the educators throughout the State who may be laid off and the students who may well be crammed into more crowded classrooms, to the parents whose children will not receive the vaccines they need, and to all my neighbors who will be abruptly impacted by what Washington has failed to do this week to deal with the sequester, on behalf of the Senate, I am frustrated. I am at my wit's end. I am embarrassed by our dysfunction. I am sorry. This is simply not how your government is supposed to work.

Our country, as we all know, has a real long-term problem—a national debt now approaching \$17 trillion, annual deficits for years of \$1 trillion, literally adding to the problem each day we don't act together. While the solution to this problem is not easy, it is relatively obvious.

I wish to say this at the outset: Including interest savings, we have already saved a little less than \$2.5 trillion since 2010. But it is easy to miss since we have done it piecemeal, through reductions in continuing resolutions, through the Budget Control Act, through the recent fiscal cliff deal. I know the general impression all of us get at home is we lurch from crisis to crisis and it is unclear that we have made any progress at all. But we have already locked in nearly \$2.5 trillion in savings.

As a member of the Budget Committee, we got to hear from the Bowles-Simpson Commission, the Domenici-Rivlin Commission, a whole series of prominent economists who broadly agreed we needed \$4 trillion in

savings to get our deficits under control and to stabilize our debt as a percentage of our economy.

We have made about \$2.5 trillion in progress and that leaves us about \$1.5 trillion, maybe even \$2 trillion left to go to achieve that target, depending on how we count. More than 70 percent of the savings we have already enacted have come from cuts, overwhelmingly cuts to domestic spending that are critical to the future of our economy. I think it is important as we go forward that we achieve some balance in the remaining component.

This Chamber will have to pass a budget resolution this year. That is what we are already working toward in the Budget Committee, a meeting from which I just came. We must cut spending, we must, in my view, raise revenue, and we must reform our entitlement programs. All of these have some role to play in dealing with these long-term issues. None of them though can solve the problem on their own, and this has been clear for the 3 years I have been serving here.

Our problem has been that we have a vocal part of one party who largely would not entertain raising any revenue and a vocal part of another party who largely would not consider reforming our entitlement programs, so we have lurched from crisis to crises. We try to force each other to do it on the backs of one piece of our large Federal budget.

So to my conservative neighbors or those in the other party, I am sorry, we just cannot do this through cuts to discretionary, nondefense programs alone or through entitlement reforms alone. We cannot responsibly deal with this deficit and debt just within those two areas.

In the last 2 years we already made more than \$1.5 trillion in discretionary spending cuts. On the trajectory we are on now, in the next decade the percentage these programs make of our total Federal Government will drop to levels not seen since Dwight Eisenhower was President, even as our revenues today are at their lowest as a percentage of our economy in 50 years.

Federal spending, done right, in the right sectors, fuels our long-term competitiveness. I am talking about investments in education, in infrastructure, in R&D, and basic science and curing diseases, and in speeding commerce. They are key to our future.

One of our core areas of focus here ought to be on how do we create jobs in a progrowth agenda for our country? By simply focusing on hacking off the domestic, discretionary piece of our Federal budget, it is like an airplane that is trying to get lift but one of its engines is being cut off. We need to sustain investment in some of these critical areas of the Federal budget. But equally, I will say to my liberal neighbors, to folks in my party, we cannot

solve this budget problem just by raising taxes on the wealthy and on corporations. The math just does not work. There is not enough we can raise there to deal with the whole challenge.

Remember, the fiscal cliff deal we just passed in the last few weeks will bring in another \$600 billion in revenue over the next 10 years. So we are making progress.

We also cannot do it if we simply ignore the poor fiscal health of our long-term entitlement programs either. Last year Medicare and Medicaid Programs—plus interest on the debt—made up almost 30 cents of every \$1 the Federal Government spent. In two decades, on our current trajectory, it may be 50 cents of every \$1.

Demographics, steadily rising costs of health care will keep driving this, and we must deal with it. Unless we change course, putting all these things together, productive expenditures that grow our economy—medical research, R&D—will be crowded out. Progressive priorities such as Head Start, low-income housing assistance, breast and cervical cancer screenings—the things that help care for the least among us or that help make us healthier will be gone.

So in my view, why not take this moment when we still have a Democrat in the White House and Democrats in control of this Chamber to make tough choices while we have historically low interest rates and fight to preserve the legacy of the earned benefits—Medicare, Medicaid, and the vital entitlement programs we treasure. In my view, we cannot simply hope that the cost of our entitlement programs comes down and we cannot simply tax our way to economic health. Anyone who tells you that either of these is enough is wrong. Spending has to be cut. Entitlements have to be reformed. Revenue needs to be raised. They are all part of the problem, and they should all be part of the solution.

Somehow, though, when we actually do manage briefly to have a substantive debate on these questions, we tend to spend all of our time focusing on the smallest facet of the Federal budget—discretionary spending—but almost no time discussing these others, the rest of the equation, the big drivers.

This place has become somewhat of an alternative reality where, if we dig in real hard and people get really scared and we use fancy words such as “sequester” or “fiscal cliff,” we can ignore the facts. There is no question that we do have to reduce spending, but the sequester is the worst way to do it. When conceived, the sequester was such a bad idea that both sides were supposed to be motivated to move Heaven and Earth to prevent it from taking effect. That is how terrible it is as policy. Yet here we are.

I am dumbfounded. It is not as though we have not had plenty of time

to make this better—18 months, by my count. Why are people talking now in the press here on Capitol Hill about whether BOEHNER will lose his speakership or whether the first person to suggest the sequester worked in the White House or in the Capitol, whether Republicans have more to gain by the sequester kicking in or Democrats? How much time have we been spending trying to fix blame rather than fix the problem? Who owns the sequester seems to be the fight of the day here. Who cares is my question. There are no winners in this fight.

I think the question of how we reduce our deficits, stabilize our economy, prioritize spending that will grow jobs—this debate can either dominate the next 10 years, as we lurch every 3 months from crisis to crisis, or we can address the broader, bigger question and fix it and lay a groundwork for health, for growth, for recovery. Again, the math is not that hard; the politics are.

We here in Congress, with the executive branch, have largely created this problem, and now we need to solve it. Tomorrow, leaders from this Chamber and the House will go to the White House to meet with President Obama about how to address the sequester on the very day it takes effect. On behalf of my constituents, on behalf of the teachers, the police officers, the nonprofits, the personnel at Dover Air Force Base, the kids, their parents, my neighbors, on behalf of my State, I urge our leaders to embrace this moment and to work not only to avert this short-term sequester—not just this \$85 billion in cuts—but to resume their work on the grand bargain. We need a big deal. We need it to be balanced. We need it to be fair. Spending, entitlements, revenue—they all need to be on the table, and they all have to be part of the equation.

My question for everyone in that meeting tomorrow—

Mr. MCCAIN. I have to ask for regular order.

The ACTING PRESIDENT pro tempore. The majority time has expired.

Mr. COONS. I ask unanimous consent for 30 seconds to conclude my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COONS. My question for everyone—everyone—in both parties, both Chambers who goes to this important meeting at the White House tomorrow is, How much more time do we have to fight and not to act, to attack and not compromise, to spin rather than solve? Based on the e-mails, the calls, the contacts I have gotten from my constituents, from my neighbors, the time to step up and address this larger problem is now. The sequester, while savage, is not the underlying problem. It is our unwillingness to come together across parties and Chambers to deal

with the underlying challenges of our budget. It is my hope, my prayer, that we will take this moment and act.

Thank you, Mr. President. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 388, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 18, (S. 388) a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I ask unanimous consent that in addition to the two cloture votes on bills dealing with the sequester today, there be set a time, to be determined by the majority leader in consultation with the Republican leader, that without intervening action or debate the Senate proceed to a rollcall vote on the motion to proceed to my alternative bill dealing with the sequester which is now at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader.

Mr. REID. Mr. President, I reserve the right to object and will say just a few things.

Unless we act by midnight tomorrow, Friday, across-the-board cuts will kick in. They are going to start kind of slowly, but they are going to ramp up really quickly. So the question for us today is, Are we going to act to replace these across-the-board cuts?

The proposal we have put forward would prevent the cuts with a balanced plan. Our plan will protect air safety, our food supply and, most importantly, our national security. And frankly, Mr. President, air safety, which I mentioned, food supply—that is also part of our national security in addition to our military.

The alternative that has been put forward by my friend the Republican leader would not replace the cuts. As I said earlier this morning here on the floor, one of my colleagues in the Democratic caucus said at our caucus on Tuesday that he understood what the Republicans were going to put forward, and he said it would be like sending the President an order: We have already decided you are going to have to cut off three fingers, and we are giving

you the alternative to decide which one you cut first.

The Republican alternative would not replace the cuts but would call for making the cuts in some different way. Republicans call their proposal “flexibility.” In fact, it is anything but that. Their proposal is entirely inflexible on one key point: not a single dollar of revenue, not a single tax loophole would be closed.

Now, remember, Mr. President, the one proposal we have forward says that if you make \$5 million a year, you will have to pay 30 percent tax minimum. That is it. That does not sound too outrageous. That is why the American people agree—Democrats, Independents, and 60 percent of Republicans.

Now the Republican side seeks a third vote on the Ayotte amendment, which would replace the cuts with a parade of even more unfair cuts and penalties on immigrants, people receiving health care under ObamaCare, the Consumer Financial Protection Bureau, those kinds of things.

I also have trouble understanding, as I do—I frankly do understand why, as I read in the paper, AYOTTE, MCCAIN, and GRAHAM do not like the Republican proposal—haven’t we ceded enough power to the President?

So it is not our fault over here that the Republican leader chose to offer not the Ayotte alternative but instead chose the Republican alternative that we are going to talk about and vote on later today.

I return to my main question again briefly. Are Republicans really filibustering a vote on replacing the sequester? My question is, Would the Republican leader modify his consent to allow for simple up-or-down votes on each of the two alternatives? Would it make a difference if we allowed votes on three bills, including the Ayotte alternative? I would be happy to have three votes if the Republican leader would simply allow the votes to be held at majority thresholds.

So I have asked that. I can do it formally. I would be happy to do so if there is any taking of my request here. But this having been the case, if my friend the Republican leader says: Yes, why don’t you put that in proper form—and I would be happy to do that—then we would have votes on all three, with a simple majority on each one of them. Not hearing someone say: Great idea, then I object to the request of my friend from New Hampshire.

Mr. MCCONNELL. Mr. President, I would say to my friend the majority leader that I would object. He can either propound such a consent or not, whatever he chooses, but I would object.

The ACTING PRESIDENT pro tempore. Is there objection to the original request?

Mr. REID. Yes, I did that.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, obviously we regret that we have not been able to reach an agreement. I am especially disappointed that we are unable to consider the Ayotte amendment, which is an alternative to the sequestration. A flexibility of sequestration would still sooner or later have the same Draconian effects on our national security.

I also would point out to my colleagues that what we are about to go through is in some respects a charade because we know the proposal on that side will not succeed with 60 votes, and the proposal on this side will not succeed with 60 votes. Meanwhile, the clock moves on until sometime tomorrow night.

Some of us warned for a long time about the effects of sequestration, and if we want to have a blame game, then I will take blame, everybody takes blame. But isn’t it time that we prevented what our military leaders in uniform, who have made their careers and their lives serving and sacrificing for this country, say would harm and inflict terrible damage on our ability to defend this Nation, our inability to train and equip the men who are serving? I always appreciate very much when Members on both sides of the aisle praise the men and women who are serving in the military. I am always pleased to see that. But shouldn’t we be thinking about them now? Shouldn’t we be thinking about those men and women who are serving who literally do not know what they are going to be doing tomorrow—like the crew of the aircraft carrier that they decided not to deploy to the Middle East at a time when tensions are incredibly high?

I would also point out to my colleagues that this is not a fair sequestration. Most Americans believe this is half out of defense, half out of non-defense. It is not.

Under the formulation of the sequestration, about half of the spending we engage in is exempt, such as compensation for the President, such as the Federal Home Loan Mortgage Corporation, such as payment to the District of Columbia Pension Fund, such as the Host Nation Support Fund for Relocation. All of these and many others were made exempt, which meant the cuts and the reductions in defense were even larger, and, obviously, those who designed this legislation decided that the Federal Home Loan Mortgage Corporation and relocation funding was more important than national defense because we didn’t exempt national defense.

That is disgraceful.

Nineteen percent of discretionary spending is out of defense. We are asking for a 50-percent cut out of defense, on top of \$87 billion that has already been enacted under Secretary Gates, on

top of \$487 billion in defense which is already on track to be cut. The percentage of gross national product for defense continues to decline.

What are we doing?

A few days ago there was a wonderful ceremony in the White House where a brave young American received the Congressional Medal of Honor. I happened to go to an evening function at a pizza place with him and his comrades who fought. A book was written by Jake Tapper, an excellent book—I recommend it to all of my colleagues—about eight of their comrades who were killed. Here we are unable to make sure these young men and women serving in harm's way have the equipment, the training, and everything they need to defend this Nation. We are doing the men and women who are serving this Nation a great disservice, and the President did them a disservice when he said in the campaign: Not to worry, sequestration won't happen. The President of the United States said that. I didn't say it. The three of us traveled this country warning about the effects of sequestration. Of course, we now know the idea came from the White House. That is the blame game, and I will be glad to engage in this game.

Can't we at least come to some agreement to prevent this? Are we going to lurch from one fiscal cliff to another? If we want to do that, that is one thing.

General Odierno is one of the great leaders I have had the opportunity of knowing for many years. General Odierno, the Chief of Staff of the Army, a man who has decorations from here to there, said he cannot replace the men and women who are serving in Afghanistan under this sequestration because he doesn't have the ability to train their replacements. Isn't that an alarm for us?

We are going to go through a charade here. In a little while we are going to have a vote on the Democratic proposal, and it will not get sufficient votes; and the same thing here on this side, and the clock will tick.

Tomorrow, on the last day, the President is going to call people over to the White House to see if we can address it. Where was he in the last year?

Again, I am not taking the floor today for the blame game. I am pleading for the men and women who are serving this Nation in harm's way who every single day have a hell-of-a-lot tougher time than we do. Can't we do something on their behalf to sit down with the President of the United States, who is Commander in Chief, and get this issue resolved before we do great damage to our national security?

I thank Senator AYOTTE for her proposal. It contains real reductions in spending so we don't have to go through this sequestration. On the one side, now we have a choice between "flexibility," which nobody really

knows exactly what that means—and on the other side, obviously, a proposal that really bears no relevance to the issue that faces us.

I thank my colleagues for the time. If I sound a little emotional on this issue, it is because I am. It seems to me we, at least on this issue of national security and the men and women who serve our Nation, should come together. I stand ready to put everything on the table to prevent what could be, in the words of the departing Secretary of Defense, a devastating blow to our ability to defend this Nation in what I could make an argument are the most dangerous times.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. I thank the Senator from New Hampshire who authored this amendment which Senator MCCAIN and I support. She spent a lot of time and effort trying to fix sequestration in the first year and trying to look at programs that are not as essential to the Nation, in my view, as the Department of Defense.

Let me put this in perspective. I don't need a poll to tell me what I think about this. The majority leader referenced some poll out there about where the American people are. I appreciate polling. It is a tool all politicians use. I don't need one here to know where I stand.

The question is, Do the people in South Carolina think I am right or wrong? I will have an election in 2014. I am certainly willing to stand before the people of South Carolina and say what we are doing in this sequestration proposal is ill-conceived, dangerous, and despicable.

Let's start with the Commander in Chief. This is what Mr. Lew said, our new Treasury Secretary:

Make no mistake, the sequester is not meant to be policy. Rather, it is meant to be an unpalatable option that all parties want to avoid.

That was their view of sequestration.

According to Bob Woodward and comments since, this idea came out of the White House. The White House thought that if we created a penalty clause for supercommittee failure called sequestration, where we would have to take \$600 billion of the \$1.2 trillion out of the Defense Department, that would make the supercommittee more likely to achieve a result. If we took \$600 billion out of nondefense, that would put pressure on the supercommittee to get the right result.

We are going to spend \$45 trillion over the next decade. The next question for the country is, Could we save \$1.2 trillion without destroying the Defense Department and raising taxes? Yes, we could if we tried. Put me in the camp that this is an achievable spending cut. This is not something that is unachievable.

What Senator MCCONNELL said is very important. Two-thirds of the budget, almost, is exempt from sequestration. When you hear Republicans say surely we can find \$85 billion out of \$3.5 trillion in spending—to my Republican colleagues, stop saying that. That is not accurate. We are not cutting \$85 billion out of \$3.5 trillion. We are cutting \$85 billion out of about 1.3, 1.25, because the Budget Control Act took off the table two-thirds of the government from being cut.

I will get to the President in a minute, but let me talk a little bit about my party, the party of Ronald Reagan, the party of peace through strength. This is the party that believes—at least we used to—the No. 1 obligation of the Federal Government, before it does anything else, is to get national security right. That was what made Ronald Reagan.

That is what I believe. I don't need a poll to tell me that. I don't care if 90 percent of the people in the country said the Defense Department is not my primary concern when it comes to Federal budgeting. Count me in the 10 percent.

The party of Ronald Reagan, even though it came out of the White House, this very bad idea, agreed to it. What did we agree to? We agreed to take off the table two-thirds of the Federal Government.

Pell grants. My sister received a Pell grant when my parents died. It is a very important program. It helps people go to college who are low-income Americans. In 2008 it was \$16.25 billion and in 2013 it is \$41.57 billion.

Food stamps. A lot of people need help, I understand that. The Food Stamp Program has doubled since 2008.

I guess the Republican Party believes the Pell grants, food stamps, the FAA, and home mortgage interest deduction, and all this other stuff in the Federal Government should be shielded, but those who have been fighting the war that protects us all from radical Islam should be on the chopping block. Ronald Reagan should be rolling over in his grave. Shame on everybody who agreed this was a good idea on our side.

I cannot tell you how disgusted I am with the concept that when it comes time to cut—because the budget politicians can't reach an agreement—we fire the soldiers and keep the politicians and every other social program intact and put half the cuts on those who are fighting the war.

So the next time you go to a military base, good luck. We will look those men and women in the eye—I don't see how you could. I don't see how you could go onto a military base or see somebody in the airport, shake their hand and thank them for their service given the fact you have taken the Defense Department and made it something not very special anymore.

Secretary Panetta said: After 10 years of these cuts we would have the

smallest ground forces since 1940, the smallest number of ships since 1915, and the smallest Air Force in its history. This isn't like the drawdowns in the past when the potential enemy was disabled and in some way rendered ineffective. We are still confronting a number of threats in the world. It would decimate our defense. It would cripple us in terms of our ability to protect this country.

It would result in the hollowing out of our forces. It would terribly weaken our ability to respond to threats in the world. It is a ship without sailors. It is a brigade without bullets. It is an airwing without enough trained pilots. It is a paper tiger. In effect, it invites aggression. A hollow military doesn't happen by accident; it comes from poor stewardship and poor leadership.

I couldn't agree more.

To my Democratic colleagues, we are not going to raise any more taxes to spend money on the government. The next time I raise taxes, we are going to try to get out of debt. We are \$17 trillion in debt, and every time there is a crisis in this Nation you want to raise taxes to pay for the government we already have. We have enough money to run this government. We need to spend it better.

To my Republican colleagues, there is not enough flexibility in the world to change the top line number. You either believe Secretary Panetta or you don't. You either believe every military commander—I don't trust everything a general tells me, but the question for me is do I trust all generals who tell me the same thing. Can all of them be wrong? It is one thing to have a dispute with a general or an admiral, but when every general and admiral tells you the same thing—and if we don't believe them, we need to fire them—we act accordingly.

As to the President, you have one obligation that nobody in this body has. You are the Commander in Chief of the United States. They trust you, they need you, and your primary goal is to take care of those in uniform and their families.

Mr. President, you have let them down. My party let them down, but you are different from any other politician. You are the Commander in Chief. How you could have considered this as an acceptable outcome just makes me sick to my stomach. I don't know how any Commander in Chief could have been comfortable with the idea that if the supercommittee fails, we are going to cut the military. You haven't lifted a finger in the last year to do anything about it. You finally go to a naval base down in Virginia, after the election, a few days before this kicks in.

To me, this is pathetic leadership by the Commander in Chief. This is an abandonment of the Republican Party's belief in peace through strength. This is a low point in my time in the U.S. Congress.

We are not going to raise taxes to fund the government. We are going to raise taxes in my construct to pay down debt and fix entitlements. I cannot tell you how ashamed I am of what we have done to those who have been busting their butts for the last 11 years, to those who have been deployed time and time again, and to their families.

The thank-you you receive from your President and your Congress is we are going to put your way of life on the chopping block. God, if we can't do better than that then all of us should be fired—politicians.

Mr. MCCAIN. I would ask the Senator to yield to respond to one question.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, if I may interject, I believe I have the floor.

Mr. MCCAIN. I have the right to ask a question from the person who has the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina has yielded for a question.

Mr. MCCAIN. My question is, does the Senator think the American people appreciate and understand what this does to the lives of the American men and women who are serving? For example, those who are serving on that aircraft carrier they said was going to deploy for many months and was cancelled at the last minute, the training plans which are now going to be cancelled, the deployments which will be changed—not to mention the massive layoffs in the defense industry, which sometimes are not easily replaceable. That is my question.

Mr. GRAHAM. Well, I don't know if they do or not. We have done everything we can—the three of us—to tell them what is coming our way. All I can say is that every general and admiral who has told us the same thing, I respect what they are telling us. Leon Panetta is a Democrat, but he is dead right. He has been a great Secretary of Defense. I trust their judgment.

I know enough about the military budget to know if we take \$600 billion out of their budget, on top of the \$487 billion, plus the \$89 billion, we are going to make them less able to defend our Nation, putting our men and women at risk, and that is what this debate is about.

I wish to thank Senator AYOTTE, who came up with an alternative to avoid this without raising taxes.

My time is up. I don't know who is next, but I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I wish to interject just for a moment to sort out the order on the floor.

I apologize to the Senator from Arizona for the last exchange. I thought I had the floor at that point. I understand now this is a colloquy.

I think Senator AYOTTE seems to be in order, but the chairman of the Appropriations Committee is here, so perhaps she could be recognized at the conclusion of Senator AYOTTE's remarks. I see Senator INHOFE, so if he could follow Senator MIKULSKI and then I will follow Senator INHOFE, I offer that as a proposal.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Reserving the right to object, I don't need to be in this lineup. I will be talking later on. I only wanted to ask one question of Senator AYOTTE when she has the floor.

Mr. WHITEHOUSE. The Senator has that right, and she will yield to him.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Ms. AYOTTE. I thank the Chair, and I thank very much the Senator from Rhode Island for allowing me the opportunity to continue and for sorting out the order on the floor.

Mr. INHOFE. Would the Senator yield for a question before she starts?

Ms. AYOTTE. I will, and then, obviously, I would like to make a few comments.

Mr. INHOFE. Yes, of course. The question is this—and I know the Senator already knows this, but others may not know, and I want to make sure they are aware.

I am in support of the Senator's bill. I am a cosponsor of the bill and have been since way back when the Senator first started with Jon Kyl a long time ago.

Ms. AYOTTE. I thank the Senator for that.

Mr. INHOFE. I agree with what was said by both the Senator from Arizona and the Senator South Carolina. In fact, it was my request that Senator AYOTTE's measure be the Republican alternative. So I just wanted to make sure everyone knew that. I think it is a good idea.

Ms. AYOTTE. I thank the Senator for his statement and for his support and I certainly join in the comments and concerns that were just raised by my colleagues Senators MCCAIN and GRAHAM.

Here is where we are. We are in this position where, frankly, as Senator MCCAIN said, this is a charade. Both parties are acting out this play where we are going to have one vote on the Democratic alternative that is going to fail, and then we are going to have another vote on one Republican alternative that is going to fail. So I put pen to paper and came up with some other ways to cut spending, which comes to about \$250 billion in savings over the next 10 years, in order to address sequester and also to have an alternative because I believe the American people see through this charade of what is going to happen today and

that, ultimately, as prior speakers have said, the sequester was set up to be resolved in a way where we had alternative savings that did not undermine our national security and some of the core services that could be put at risk in the way the sequester is structured.

I firmly believe, when we look at what has happened, this bill was ill-conceived from the beginning. I didn't support it. I didn't vote for it. One of the fundamental problems with it was it was a kick-the-can-down-the-road exercise where we gave our responsibility to find the \$1.2 trillion in savings—the sequester—to a supercommittee, rather than the Senate and the Budget Committee doing our job of budgeting and prioritizing.

So stepping back, that is what has led us here. But I am also disappointed in my Republican colleagues, and that is why I offer an alternative of spending cuts, because it seems to me, the way this is structured we have already taken \$487 billion in reductions to our defense. I serve on the Senate Armed Services Committee. For 1 year on that committee, I have been listening to our military leaders at every single level when asking them about the sequester. From the highest leaders, the Chairman of the Joint Chiefs of Staff to the Secretary of Defense, we have heard things such as we are going to shoot ourselves in the head, we are going to hollow out our force, and America will no longer be a global power, which is what General Dempsey once told us, as a result of sequestration.

This morning, we had leaders of our military before the Armed Services Committee and I asked Assistant Secretary Estevez: If we go with the flexibility approach, does this address the impact on our national security? In other words, will this address making sure we can still meet the needs of our national security?

Let us not forget this is happening at a time when Iran is marching toward a nuclear weapon, when we have conflict in Syria, and when we are still at war. By the way, with this sequester, the way it impacts the Department of Defense, our war funding was not exempt. Over 50 percent of spending, as this was set up from the beginning, was exempt from the sequester, which of course is no way to find savings throughout the whole government, but we didn't exempt the war funding.

So at a time of war, I asked the Assistant Secretary: Does the flexibility solve the problem to our national security? And he said: Certainly, flexibility will help us deal with it, but it will not solve the problem in terms of our national security.

So that is why I decided to come up with some alternative savings. My proposal will not get a vote today. I think it is a time when, frankly, we should be bringing more ideas to the floor, not

less ideas, and debating this vigorously in the Senate, instead of where we are right now, which is a charade. We are going to have one vote and another vote and then we are all going to go to our respective sides and say: OK, American people, we know there are real risks, particularly to the safety of this country, that we should be addressing. From my perspective, I believe we can address them through alternative spending cuts.

Through all this, we have the President, who has called leaders of both parties tomorrow to the White House. I have spent a year working on this issue. He was at the Newport News shipyard the other day. We were there in July talking about the impact on that shipyard. We traveled to States around the country—to military facilities—to talk to the people there at those facilities about the impact of sequester. I think the President should have been on this much sooner, but now it is time for his leadership as the Commander in Chief—leadership we could have used this past summer when we were all talking about it. We could have been in a position to try to resolve it then rather than continuing to be in these crisis moments in which we find ourselves in the Senate.

Where I am left on all this is that we owe it to our men and women in uniform to find alternative ways to save the money, still protecting our national security. Also, so people understand how this plays out, the way the cuts are taken in 2013—during a shorter period, not a full period—OMB has estimated on the defense end it is about 13 percent, on top of the \$487 billion in reductions, and in nondefense spending it is about 9 percent over the additional \$487 billion.

So I would just simply ask for a time to stop this charade, and it is my hope we could actually get down to resolving this in a responsible way for our country. That is why I put pen to paper. People can be critical of my proposal, but I think that now is the time when we should have a vote on every proposal and we should have every idea come to the table because it is a time to stop the charade and it is a time to solve this problem. Let's make sure we protect our country at a very dangerous time.

I will continue to work to do that for our country. I think we can do it, still addressing our deficit, still with savings, but we certainly need to do it, and having the charade vote we are going to have today will not solve it. The American people deserve better and we should be giving them better and solving this.

I thank the Chair for allowing me the time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on behalf of the Democratic

alternative that would cancel the sequester for this year.

Before the Senator from New Hampshire leaves, I would like to take a minute to compliment her on her energy, her passion, and the fact that she actually wants to present ideas to be discussed. I think that is excellent. I want her to also know I support the concept she is advocating of no more delay; that we cannot solve America's fiscal situation and also important public investments we need to make in research and innovation and keep our fragile economy going by just punting now. I think we agree on that.

The other thing we agree on is the goal to get our fiscal crisis in order, to strengthen our economy, and to keep America strong. We just are going to disagree on the means. But that is OK. That is called America. That is called the Senate. That is called debate. Let's let the world watch and hear that we actually have ideas, and just as we are doing this minute, we can do it with civility and with interest in what is being said. I found what the Senator from New Hampshire had to say very interesting, and I will have a few comments about that and what the Senator from South Carolina said, but I wanted her to know that I do think we must begin to move with urgency. I do think the politics of delay, ultimatum and brinkmanship, should come to an end. I like the idea of debating ideas and look forward to that both in conversation and so on.

I just wanted to say that to her.

Ms. AYOTTE. Would the Senator from Maryland yield for a brief comment?

Ms. MIKULSKI. Yes.

Ms. AYOTTE. I thank the Senator, and I wanted to first say I know she is the new chair of the Appropriations Committee and I congratulate her on that. As we go forward, as we look at why we are where we are, if we can get back to regular order in the Senate, with a budget and a regular appropriations process, I think we would do a great service for the American people and eliminate this crisis-to-crisis mode. I know, as the new chair of the Appropriations Committee, Senator MIKULSKI will play a leadership position in doing that.

Ms. MIKULSKI. I absolutely will. Just to respond, first of all, I have a great vice chairman, Senator RICHARD SHELBY, from the other side of the aisle, who shares that same idea.

What does the regular order mean? It means we bring out one bill at a time; that we don't have a \$1 trillion bill on the floor at one time, where we can't discuss it, debate it, analyze it, and certainly no more of these 7,000-page bills, where we find things have parachuted into the bill in the middle of the night.

I agree with my colleague and I look forward to that, and I must say I have

enjoyed working with her and look forward to doing more of the same.

Ms. AYOTTE. I thank the Senator.

Ms. MIKULSKI. Mr. President, I do want to speak in support of the bill that is offered as our Democratic alternative. It is a balanced solution to preventing the dysfunctional, disruptive, across-the-board spending cuts called sequester. Sequester is a Washington word and a Washington invention we came up with during the budget crisis debacle in August of 2011, where we would cut \$1 trillion over 10 years or \$110 billion at a time. That was supposed to have been resolved through the supercommittee, but that didn't happen. It was supposed to have been resolved through the fiscal cliff, all the way up to New Year's Eve. What happened? We punted. We delayed for 2 months, and so here we are.

While we are facing the Draconian implications of the sequester, we do have an answer. That answer is composed of a balanced approach, where we look at increased revenue and strategic cuts that will not cripple our economy nor weaken America's strength here or abroad.

What does it do? Yes, it does go to increased revenue. The revenue we are talking about is to close these juicy loopholes, to end these outrageous tax earmarks that happen in the stealth of the night. Look, we got rid of earmarks on the Appropriations Committee. Let's get rid of tax earmarks on the Finance Committee, and this is one of the ways to do it.

I want to compliment the Senator from Rhode Island, Mr. WHITEHOUSE. He has done incredible research on just exactly what these cushy, lobbyist-driven tax breaks are.

Our closing the loopholes cuts spending, and it also protects the middle class, ensures essential government services, and keeps America strong. What does it do? Yes, it does reform the Tax Code. The first loophole it closes is something called the Buffett rule. It saves \$53 billion and it means wealthy taxpayers will pay lower effective tax rates than the middle class. In plain English, and this is what Warren Buffett said, a billionaire should pay the same tax rate as somebody who makes about \$55,000 a year.

Guess what. We Democrats believe in entrepreneurship. We believe in rewarding hard work. So that tax doesn't kick in until your second million. If I were a billionaire, I would take that deal. I am not a billionaire. But, more importantly, neither are 99 percent of the American population.

We also eliminate a special loophole to the oil and gas industry for \$2 billion where they get oil from tar sands. That would be also subject to a tax. But my favorite one is it eliminates tax breaks for shipping jobs overseas, another significant amount of money.

I am an appropriator, so let me talk about spending cuts. We have come up

with spending cuts: Yes, 27.5 in domestic spending, and 27.5 in defense.

Let me start first with defense, because much has been said about defense. Many tables have been pounded, many chests have been thumped talking about it. And we do have to look out for our military. But our \$27.5 billion recognizes the reality of boots on the ground. The reality of boots on the ground. Our troops are coming home. They will all be home by the summer of 2014. Our defense cuts kick in in 2015, so nothing we do will in any way dilute, diminish, end or terminate money that would go to our men and women in harm's way. So our cuts don't kick in until 2015, and then it will be \$3 billion a year over a 9-year period, which our generals and our Acting Secretary of Defense, Secretary Hagel, now concur with. So we are OK with defense. And, most of all, the military is OK with it.

Then we also cut domestic spending. Here, we cut \$27 billion in the farm bill. It eliminates subsidies we don't need to do anymore. The Presiding Officer is from an agricultural State. We love your cheese. We even from time to time cheer on the Green Bay Packers. So we know agriculture is important. But essentially, we have a tax subsidy structure that goes back to the 1930s—a different economy, a Dust Bowl, people vacating homes in Oklahoma and following the grapes of wrath trail to California. So we came up through the New Deal with a way of subsidizing farms, restoring the land, and restoring people to their land. But a lot of those subsidies aren't needed anymore and, quite frankly, a lot goes to agribusiness for crops not even planted. So working with the Agricultural Committee—Appropriations didn't do this out of the blue—we come up with \$27.5 billion.

Much is said about asking Democrats if we know math. Yes, we know math. We have \$27.5 billion cuts in domestic spending, \$27.5 billion cuts in defense kicking in in 2015. That is \$55 billion. Getting rid of tax-break earmarks and making those who make more than \$2 million a year pay their fair share, we come up with 110. Quite simply, that is our plan.

I spoke quite a bit during this week about the impact of sequester. Sequester was never meant to happen. We have got to end sequester. We could do it this afternoon. For all those people who are crying their tears and don't want it, do they want to protect America's middle class, the 99 percent, or do they want to protect billionaire tax-break earmarks? That is the choice. So they can rally: We don't want to pay more taxes. You can't have a government without paying taxes. And ordinary people pay them every day.

Do you know what drives me wild? There is this fix the debt crowd flew in. I watched them fly in. I loved it. They

stayed in Washington where they could take expense account deductions while they came to lobby us. And how did they come in? On their subsidized tax-break jets and their expense accounts that they could deduct, from sushi to Cabernet. They came to tell us to raise Social Security. Then they told us to raise the age in Medicare because, after all, people live longer. Maybe when you have all that wealth you can afford health care and you don't need Medicare. Nobody has to take Medicare. If you don't need it, you don't have to take it. If you don't need Social Security, you don't need to take it.

My whole point was, often the very solutions are given by people who get the most tax breaks. That is a pet peeve of mine.

But really what hurts me is this: I represent some of the great iconic institutions in America—the National Institutes of Health, the National Security Agency, each doing its own work to protect the American people. The Federal Drug Administration—I have 4,000 Federal employees keeping our drugs and medical devices safe for the American people. And food safety. We have to make sure those people work so our private sector works and we keep our economy strong.

The Democratic alternative is sound from the standpoint of policy, it is sustainable and reliable. We could end sequester this afternoon.

I will be back to talk more about it. But I think we have a good idea here. Let's not follow the politics and let's not dither in the U.S. Senate.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Rhode Island.

Mr. TOOMEY. Madam President, would the Senator from Rhode Island yield for a question?

Mr. WHITEHOUSE. I yield for a question.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I thank the Senator, the gentleman from Rhode Island.

I wish to ask a question clarifying the procedure. My understanding is there is time reserved for me after the Senator from Rhode Island finishes with his comments.

The PRESIDING OFFICER. No order has been forthcoming to that effect yet.

Mr. TOOMEY. But there will be time available?

Mr. WHITEHOUSE. Having the floor, why don't I propose now that at the conclusion of my remarks Senator TOOMEY be recognized.

Mr. TOOMEY. I have no further questions. I thank the Senator from Rhode Island.

The PRESIDING OFFICER. Without objection, the Senator from Pennsylvania will be next.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am rising today in strong support of Leader REID's proposal to stop the sequester. We need to reduce our debt and deficit. We should do so in a thoughtful manner.

We have so often on this floor heard our Republican friends criticize Democratic legislation as job killing: a job-killing bill, a job-killing proposal. We hear that all the time. Often that charge has been without much factual support, but it is part of the common rhetoric in this room. But now we face an event that actually is expected to cause the loss of 1 million jobs, and yet so many Republicans support these cuts in their fixation, frankly, on what economists call budget austerity, cutting your way out of a recession.

How has the budget austerity record worked? There is a record now, because a lot of countries have tried it—from Spain to Portugal to Greece, countries slashed spending to address deficits in the name of budget austerity. Their record? Lousy. Persistent double-digit unemployment and negative economic growth.

The U.S. unemployment rate of 7.9 percent—which is actually even higher in my home State—is for sure too high, but it is far better than the rate of 26 percent unemployment in Spain and Greece, the record of 16 percent unemployment in Portugal. Our 2.3 percent growth rate may seem inadequate, and it is; but as we recover from the deepest recession we have seen since the Great Depression, it is much better than the negative growth rates in the countries that took the austerity path. The results are clear. The evidence is in from the austerity experiments. The countries that cut the deepest have been hurt the most.

If we want to continue growing our economy and creating jobs, we need to resist the European path that is championed by Republican austerity advocates. We need to maintain the balanced approach that has brought the U.S. economy up out of recession—admittedly, not fast enough. But look at what the alternative has been.

Leader REID's bill would replace the indiscriminate cuts of the so-called sequester with targeted cuts to agricultural subsidies and defense spending—as the chairman of the Appropriations Committee said—after the troops are home when the costs can necessarily come down, paired with revenue not from raising taxes but from closing a loophole, a tax loophole that allows the highest paid people in America to pay lower tax rates than regular middle-class families.

I heard the passion of Senator McCAIN—and I respect him immensely—on the harm the sequester will do to the military. We have a way out. It is a question of priorities. Do you really want to protect the military from these cuts or is it more important

to protect the low tax rates of billionaires? That is the choice, and that is the choice they are making. Leader REID's is a smart and balanced bill, and I hope it will pass.

To put this into some context about where we are on spending cuts, the ranking member of the Budget Committee said this week that President Obama was opposed to spending cuts. I have the transcript of what he said in committee here: The President believes no spending, even wasteful spending, should be cut.

Well, let's look at the facts. Through the Budget Control Act of 2011 and several other measures, we have cut spending almost \$1.5 trillion in the budget period of the next decade. When you include interest savings—the top part—from that reduced borrowing, it comes to \$1.7 trillion in spending cuts and associated interest savings.

On the revenue side, we have only generated a little over \$700 billion from ending the Bush tax cuts for the top 1 percent—at least over \$450,000 in income—and from the associated interest savings. This together puts us \$2.4 trillion in deficit reduction toward our goal of \$4 trillion in total deficit reduction that most economists agree is needed to stabilize our budget. But notice, in the balance between spending cuts and new revenues, spending cuts are ahead by \$1 trillion.

The ranking member of the Budget Committee said President Obama believes no spending, even wasteful spending, should be cut. And he is \$1 trillion ahead on spending versus revenues. We have cut \$7 of spending for every \$3 of revenue, even though right now U.S. Government revenue is at its lowest percentage of GDP in more than 50 years, more than half a century. Our proposal going forward is 50/50, spending cuts and revenues. So let's not pretend we are immune to or allergic to spending cuts. There have been more spending cuts than new revenues. We have tried to find a balanced approach and so far, in this \$2.4 trillion, we have not even looked at tax loopholes, at spending that happens through the Tax Code that mostly benefits big corporations, special interests, and super-high-end American earners.

Take a look at how big that amount is. We collect, in individual income tax revenue, a little over \$1 trillion every year from individuals. But the total liability of individuals under the Tax Code is over \$2 trillion. What happens to this other \$1.02 trillion? It flows back out. It never comes into the government as revenues. It goes back to people as tax deductions, loopholes, and various ways that we spend money through the Tax Code.

If you look at the corporate income tax side, it is about the same. We look at our corporations—which, by the way, contribute about one-sixth as much into our national revenue as they

used to. They are at an all-time low in terms of contributing to our national revenues in the last couple of decades—60 years, I want to say. They are at \$118 billion that actually gets collected and becomes revenue. And there is another \$157 billion that is corporate tax liability, but we let them get it back through loopholes in the Tax Code. You put them together and you have \$1.16 trillion that we can use to help defeat or replace the sequester.

It is a big deal to look at the tax spending as well as just the revenues that come in. We have done nothing on that yet. That should be part of this discussion. That is what we do in the proposal I put out.

Last year we spent a great deal of time in this body debating whether the top income tax rate should be 35 percent or 39.6 percent, and we ultimately set the rate at 39.6 percent for families whose income is over \$450,000. But what we know is that many of those families will never pay anything close to that rate. The Tax Code is riddled with those special provisions that I talked about, the loopholes, the tax spending that disproportionately benefits high-income folks. They are special deals for special interests. Of them all, perhaps the most egregious is the so-called carried interest loophole that allows billionaires—literally billionaires—to pay lower tax rates than regular families. That is why in the last election it became apparent that Mitt Romney was paying something like an 11-percent tax rate.

It is not just Mitt Romney. The IRS tracks the effective tax rates paid by the top 400 highest income earners in the country. In 2009, the last year they have data, the top 400 earned an average of over \$200 million each, 1 year's income, over \$200 million each. What did they pay in taxes on average? About 20 percent. About 20 percent on average. Some paid more. The nominal rate was supposed to be 35 percent. How many Mitt Romneys are there paying 11 percent in order to average to 20 percent? And 20 percent is the same rate that an average firefighter pays in Rhode Island, or a brickmason pays in Rhode Island. Don't tell me a billionaire hedge fund manager cannot pay a higher tax rate than a brickmason.

It is not just the top 400. The Congressional Research Service estimates that about a quarter of people in America who make more than \$1 million a year, about a quarter of them pay lower tax rates than over 10 million middle-income taxpayers. In that sense the Tax Code is upside-down in favor of these high-income earners. Loopholes let them do that.

So we cut across all these loopholes with the so-called Buffett rule. They are supposed to pay 39.6 percent. The Buffett rule says: Ok, take all the loopholes you want, but you cannot go below 30 percent. We will let you take

off 9.6 percent of the rate the law says you are supposed to pay but you cannot go below 30 percent. You can't go to 11 percent. You cannot be paying lower than a brickmason pays. That is in our sequester replacement bill. It produces \$71 billion.

High-earning professionals can perform another trick. They can avoid paying Social Security and Medicare taxes simply by calling themselves corporations for tax purposes. You heard the Republican Presidential candidate say corporations are people. This is the flip side. These people are corporations. If you make enough money you can afford to turn yourself into a corporation to dodge paying your Social Security and your Medicare contributions. So the second item on my list closes that loophole too, which is another \$9 billion.

The next item on the list contributes \$3 billion by ending special depreciation rules for private jets. Private jet owners can depreciate their aircraft faster, for tax purposes, than commercial aircraft. I am very happy for anybody who is successful enough to have a private jet. But that luxury need not be subsidized by taxpayers. Setting aside the need for this because of the sequester, this is a change that makes sense just on fairness grounds. It stands on its own and it is another \$3 billion.

The fourth provision in my bill would end tax breaks for big oil companies. Over the past decade the big five oil companies have collectively enjoyed over \$1 trillion in profits—yes, trillion with a T. Repealing taxpayer giveaways to them is something we should be doing anyway. It is another \$24 billion toward getting rid of the sequester.

The final provision in my plan helps replace the sequester by ending a tax break that, unbelievably, rewards manufacturers that close up shop in the United States and move jobs to other countries. It does that by allowing those corporations to indefinitely delay paying taxes on profits from those foreign overseas operations. Ending the deferral loophole for companies that manufacture goods overseas for sale to American customers is something we should do anyway to support our domestic manufacturers. It adds almost \$20 billion toward replacing the sequester cuts.

Each one of these five provisions would make the Tax Code more fair for ordinary Americans. I love our chairman of Appropriations. She can speak to issues on the floor of the Senate like nobody else. When she said these are cushy, lobbyist-driven earmarks, she is dead right. They do not deserve to stand on their own. And we can get rid of some of the smelliest ones and spare ourselves the sequester and the loss of a million jobs at the same time? Gosh, I think we ought to be doing that.

I strongly support Leader REID's bill to replace the sequester cuts with a 50/50 mix of revenue and spending. But I also want to show we can avoid the sequester for the coming year by looking at the vast tax spending we do through loopholes and gimmicks in the Tax Code—usually for the benefit of powerful corporations, special interests, and very high-income individuals. When you set that against the economic harm the sequester is going to cause to our country, closing those loopholes should be a higher priority, on economic grounds and on grounds of fairness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

HOUSE PASSAGE OF VAWA

Mr. LEAHY. Madam President, I thank the distinguished Senator from Pennsylvania for allowing me to go first. I assure him I will be very brief. I know the distinguished Senator from Washington State is here. She has an interest in what I am going to say because of her very strong support of the Violence Against Women bill.

Earlier this month, the Senate came together in the best tradition of the chamber to pass the Leahy-Crapo Violence Against Women Reauthorization Act with a strong bipartisan vote. I am happy to report that the House of Representatives just passed the Senate-passed bill. This vital legislation will now go to the President, and it will be signed into law. It will help victims of rape and domestic violence and victims of human trafficking who could not wait another day for us to act. This action of Congress will prevent terrible crimes and help countless victims rebuild their lives.

Today Congress showed that we still can act in a bipartisan way. I thank Senator CRAPO for being my partner on this legislation from the beginning, and I was glad when he and Senator MURKOWSKI, another steadfast supporter, joined me on a bipartisan letter earlier this week asking Speaker BOEHNER to pass this legislation to help all victims of domestic and sexual violence. Today, the House followed the Senate's example, and listened to the call from thousands of survivors of violence and law enforcement by passing this fully-inclusive, life-saving legislation with a bipartisan vote.

We made the Violence Against Women Act our top priority this Congress but it should not have taken this long. Our bill was written with the input of law enforcement, victims, and the people who work with victims every day to address real needs. None of the commonsense changes it included should have been controversial. Still, at a time when we face gridlock and stonewalling on even the most compelling issues, I am glad to see that we could find a way to cut through all of that to help victims of violence.

This new law will make lives better. It will encourage and fund practices proven to help law enforcement and victim service providers reduce domestic violence homicides. It will lead to more investigation and prosecution of rape and sexual assault crimes and more services provided to victims of those crimes. It will also help eliminate backlogs of untested rape kits to help those victims receive justice and security promptly.

This reauthorization, like every VAWA reauthorization before it, takes new steps to ensure that we can reach the most vulnerable victims whose needs are not being met. For the first time, it guarantees that all victims can receive needed services, regardless of sexual orientation or gender identity. This law strengthens protections for vulnerable immigrant victims. It ensures that colleges and universities will do more to protect students from domestic and sexual violence. This reauthorization also takes important new steps to combat the appalling epidemic of domestic violence on tribal lands and to ensure that no perpetrators of this terrible crime are above the law.

The bill that the President will sign also includes the Trafficking Victims Protection Reauthorization Act, which continues and strengthens effective programs to help us take on the scourge of human trafficking. It is unacceptable that 150 years after the Emancipation Proclamation, the evils of sex trafficking and labor trafficking, forms of modern day slavery, still exist around the world and even in the United States. It has been too difficult, but I am glad that Congress is finally acting once again to address trafficking.

I will never forget going as a young prosecutor to crime scenes at 2:00 in the morning and seeing the victims of these awful crimes. As we worked on this bill, I heard the moving stories in hearings and rallies and meetings of those who survived true horrors and had the courage to share their stories in the hopes that others could be spared what they went through. We have finally come together to honor their courage and take the action they demanded.

I thank the many Senators and Representatives of both parties who have helped to lead this fight, and the leadership of both Houses who have prioritized moving this vital legislation. I thank Representative COLE for his steadfast dedication to help preserve the protections for Native women. But most of all, I thank the tireless victims, advocates, and service providers who have given so much of themselves to ensure that this legislation would pass and that, when it did, it would make a real difference. Lives will be better because of their work and because of this law.

I yield the floor and thank my colleagues.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. TOOMEY. Madam President, I rise to address the issue of the sequestration and the Democratic and Republican alternatives. But I want to start by expressing how disappointed I am that we are having the debate in this fashion. This is certainly among the very most important issues we are grappling with—should be grappling with as a Senate, as a Congress, as a Federal Government. Getting ourselves on a sustainable fiscal path is as important as anything we can be doing. The sequestration is an important part of that, and unfortunately the majority party here does not want to have a full and open debate and will not permit multiple amendments from both sides.

I don't know how many ideas there are on the Democratic side. I know there are at least three or four or five different ideas on the Republican side. Frankly, I think any sensible approach to this ought to have a full and open, robust debate and I am happy to vote on every one of them. I will vote against some, I will probably vote for others. But why in the world would we say there can only be two choices, one Democratic choice and one Republican choice? I have to say I am extremely disappointed that we have gotten to this point where we cannot have an open debate and amendments on a wide range of ideas, because the challenges require that kind of response. It is very disappointing that the majority party refuses to conduct that debate and appears unwilling to have those votes.

Nevertheless, I have developed a bill, together with Senator INHOFE, which I think is a much more sensible way to achieve the savings we badly need. I will say unequivocally, we need to trim spending. We cannot continue spending at the rate we have been spending money. We cannot continue trillion dollar deficits. We have a \$16 trillion debt. The massive deficits and the accumulated debt are today costing us jobs and holding back our economy, so we need to begin the process of getting spending under control. Frankly, the sequester barely starts that process.

The President has been campaigning around the country, spreading this idea that somehow we are going to have a complete economic disaster and meltdown if this modest spending discipline goes ahead. We keep hearing about austerity. The question is, what austerity? Let me put a little context into what we are talking about here.

First of all, over the last 12 years, the Federal Government has doubled in size. We spend 100 percent more now than we did a dozen years ago. After this huge run-up in the size of Federal spending, this sequester—if it goes into effect or its equivalent—would reduce

spending by 2.3 percent. After growing by 100 percent, we cannot find 2.3 percent? By the way, that is budget authority, which means permission to spend the actual amount that would be spent during this year would go down by about 1.2 percent. That is less than one-half of 1 percent of our economy.

Here is the other thing. This is how much austerity we are talking about: If the savings of the sequester go into effect, total spending by the government in 2013 will be greater than spending was in 2012. So let's just be clear about what is going on here. This is not nearly the amount of savings we need. This is merely one step in the right direction. While government has been growing, the economy has not. We have had all of this spending growth. We have had massive deficits. What have we gotten in return? The worst economic recovery from any recession since the Great Depression.

We have an unemployment rate that is persistently unacceptably high. Eight percent is the official measure of unemployment, but when we take into account the people who have given up looking for work altogether, it is much higher than that. The fact is economic growth doesn't depend on a bloated government that is always growing.

In fact, we will have stronger economic growth as soon as we begin to demonstrate that we can get on a sustainable fiscal path, as soon as we can start to take the threat of a fiscal collapse off the table by showing we can get spending under control. It is absolutely essential for the sake of our economy and job growth that we achieve the savings of this sequester.

I am the first to acknowledge there are a couple of problems with the way this legislation goes about it, and that is the reason I introduced this legislation along with Senator INHOFE. The two big problems are, first, the savings hit our defense budget disproportionately. The defense budget is about 18 percent of total spending, but it is half of this whole sequester, and that is after we have already cut defense spending. I am very sympathetic to the concern that this imposes a real problem on our defense budget.

The second problem is that the cuts are not very thoughtfully designed. There is no discretion or flexibility. The categories that are subject to the sequestration are spending cuts across the board. There are huge categories that are not subjected, such as the entire Social Security Program and many others that are not affected at all. But for those programs that are cut, there is no ability to discern which programs ought to be cut more or which ones ought to be cut less and which ones, perhaps, should not be cut at all.

The bill Senator INHOFE and I have introduced and will be voting on today—at least the cloture motion—addresses both of these problems. It does

require that we achieve the savings of the sequester—and that is very important—but it would allow the President flexibility in how it is achieved so we don't have these very ham-handed, poorly designed, across-the-board cuts.

If the bill passes, the President will be able to go to his service chiefs on the defense side, he could go to his agency and department heads on the nondefense side and say: OK. Look, you have been used to budgets that keep growing and growing, and that is what has been happening. This year you are going to have to cut back a little bit. It will be a few pennies of every dollar. Look for the programs that are working least well or not at all. Look for areas where there is waste and inefficiency. Look for redundancies, and that is where we are going to trim a little bit, and we will hit these goals.

That is what competent managers in any business would do. That is what families have to do, and that is what State and local governments have to do. That is what we need to do here, and that is what this bill would enable the President to do. He would have to find the areas where we can make the cuts without causing great disruption.

This is not a blank check for the President. There are constraints on what the President could do under the legislation that Senator INHOFE and I are proposing. For instance, there could be no tax hike. We don't think we need still more tax increases after all the ones we have recently been through. The defense cuts could not be any greater than what is contemplated in the current sequestration. Under Senator INHOFE's approach and mine, they could be less. The President could choose to follow the advice of his senior military advisers and cut the defense budget a little bit less and shift this elsewhere.

I am one who believes our defense budget should not be exempt from scrutiny, from spending discipline, and some cuts, but I think they ought to be done carefully and thoughtfully.

The President would not be able to increase any amounts. This is not an exercise in just shifting money to another account. It is a question of where we can do the cuts most thoughtfully and sensibly. Any cuts in the defense budget would have to be consistent with the National Defense Authorization Act that has been passed. The President would have to achieve 100 percent of the savings; that is part of this. He could not use any gimmicks to do it. There would be no phony cuts in the future offset by promises for cuts at another time. There would be none of that. It would have to be straightforward and honest.

Finally—and I think this is an important part—Congress would have a final say. When the President—under this approach if it were to pass and be signed into law—would be required to

propose an alternative series of cuts, and then Congress could vote to disapprove them if Congress chose to do that. Ultimately, Congress would still control that important element of the purse strings, but we would allow the President to find the most sensible way to do this.

The President is saying he does not want this flexibility. That is kind of unbelievable to me. He is going around the country scaring the American people and threatening all kinds of disastrous things he says he will have to do. Then in the same breath he says: By the way, don't give me the flexibility to do something else. I don't understand that. It seems to me the obvious thing to do is to do these cuts in a way that would not be disruptive and would not do harm.

Let me give one particular example: A good example is the FAA. If the sequester goes into effect on the FAA, the budget there will be cut by \$670 million. That is from a total of just about \$17 billion.

The President and the Transportation Secretary have said if the sequester goes into effect, they are going to lay off air traffic controllers; they might have to shut down control towers; we will have long delays at airports with flights being canceled. All kinds of problems. It is interesting to note, if the sequester goes into effect, the amount of funding available to the FAA will still be more than what the President asked for in his budget.

In his budget request was the President planning on laying off air traffic controllers and shutting down airports and control towers? I rather doubt it. So if we gave the President the flexibility just within the FAA budget, the President could adopt the kinds of savings that he proposed in his own budget and have enough money to pay all of the air traffic controllers and keep the airports running. The point is even within the FAA's budget, there would be no service disruptions whatsoever. They are not necessary.

Our bill would give the President even more flexibility. He would be able to achieve savings in other areas. In other words, he would not have to hit a particular savings number for the FAA. He might find savings in other places. Let me suggest we have an unbelievably lengthy list of opportunities to reduce excessive and wasteful government spending. Instead of closing down air traffic control facilities or military bases or FBI offices, maybe what the President could do is cut back on Federal employee travel.

We spend \$1 billion a year for Federal employees to go on conferences and trips. Maybe we could cut back on the cell phone subsidies where we buy cell phones for people, costing \$1.5 billion a year. We spend millions of dollars on an old-fashioned style trolley in St. Louis, millions on a sports diplomacy

exchange program. We have 14,000 vacant and underutilized properties. We spend money for a cowboy poetry festival and \$1 million for taste-testing foods to be served on Mars.

I don't know about anybody else, but I think some of these are a little less important than keeping our air control system intact and safe. To me, it seems like common sense that we ought to give the President the discretion he needs to reduce the spending on the less vital things and continue to fund the important things.

We don't have to only go after wasteful spending, we have an unbelievable number of redundancy in duplicate programs. I have just a few examples. We have 80 different economic development programs spread across the Federal Government. We have 94 different programs to encourage the construction of green buildings. We have 47 different job training programs.

Doesn't it make sense if we are going to have some savings that we look to those programs that are not working so well? It cannot be that every program is equal. I guarantee that some of them are not working so well. I would like to think that the administration has metrics for performance and it knows which ones are performing better and which ones are not. We could concentrate the cuts on those that are not working or we could decide to consolidate this huge plethora of programs and save a lot of money and overhead in administrative and bureaucracy costs.

There is just any number of ways to achieve savings. Senator TOM COBURN has made an enormous contribution to our Federal Government by providing exhaustive litanies of duplication, redundancies, waste, and excesses. In addition to what I have mentioned, that would be a very useful place to begin in terms of finding alternatives.

I would simply say we have a simple choice here. This sequester is going into effect. Nobody here suggests they have the votes or they have a way to prevent it. So the question is, Are we going to achieve these savings through badly designed spending cuts that make no attempt whatsoever to distinguish between more sensible government spending and less sensible government spending or will we adopt this bill that Senator INHOFE and I have introduced which will give the President the flexibility to cut where the cuts would not be painful, where there is waste, and where there are excesses? We are talking about what will amount in actual outlays to a little over 1 percent of the total government spending. This is a government that has doubled in size in the last 12 years.

The people in Pennsylvania who I represent don't believe that every dollar of government spending is spent wisely and prudently and is necessary. They know that there is a lot of waste.

This is all about the next 6 months. As we know, the \$1.2 trillion in savings in subsequent years is achieved by statutory spending caps. In those years the savings will be figured out by the Appropriations Committee, which is where this should be happening. I wish we had taken up an appropriations bill over this last year, but we didn't. At least given the reality that we face, we have an opportunity to avoid the kind of calamity and disaster that is being threatened and is completely unnecessary.

I hope we will do the commonsense thing and adopt a bill that will give the President the flexibility he needs to make these cuts in a rational and sensible fashion. We need to achieve the savings for the sake of economic growth and job creation. This is no time to trade higher taxes for more spending, as my Democratic colleagues would prefer. This is a time to make sensible cuts in spending. We can do that, and I urge adoption of the measure that Senator INHOFE and I have proposed.

I yield back the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, in the last 2 weeks we have learned more and more what the across-the-board cuts for sequestration really mean for our families and our communities that we all represent. We have heard of workers who are on pins and needles about getting a layoff notice. We have heard from businesses that are expecting fewer customers. We heard from school superintendents wondering how they are going to absorb deeper cuts on the budgets that are already extremely tight.

After 2 years of watching our economy lurch from crisis to crisis, I think we can all agree the American people have dealt with more than enough of this. That is why I am here today urging our colleagues to support the American Family Economic Protection Act which will replace the automatic cuts from sequestration in a responsible and a fair way.

Our legislation builds on the precedent that was set in the year-end deal, and it is in line with the balanced approach that the American people favor. It would replace the first year of the sequestration with equal amounts of responsible spending cuts and revenue from the wealthiest Americans and biggest corporations. Half of the deficit reduction would come from responsible cuts evenly divided between domestic and defense spending.

As the drawdown from Afghanistan is completed, our bill will make targeted reductions in an overall defense budget which will be phased in responsibly as the drawdown from Afghanistan is completed and are in line with the strong military strategy for the 21st century.

Our bill would eliminate the direct payments to farmers that have been paid out even during good times for crops that are not grown. Those are the kinds of cuts we can and should make, because responsibly tackling our debt and deficit is crucial to our country's long-term strength and prosperity.

But to do this in a way that puts American families and our economy first, we are all going to have to do our fair share, and middle-class families and seniors and the most vulnerable Americans shouldn't be asked to share the whole burden alone.

Our bill would replace half the sequestration with new revenues from the wealthiest Americans and biggest corporations. It calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as our middle-class families pay. It will help reduce the deficit by eliminating a tax break that encourages companies to ship jobs overseas and by getting rid of a special tax loophole for oil companies. At a time when there are so many American families struggling just to get their kids off to college or to pay their mortgage or to put food on the table, it only seems fair to ask those who can afford it the most to contribute to this national challenge as well.

My Republican colleagues will say the year-end deal closed the door on revenue. Most of them seem to think that closing loopholes for the richest Americans is too high a price to pay—even to replace the serious cuts to defense that are going into effect. Instead, they say all we need is more spending cuts.

But that is not how the American people see it. More than a month after the year-end deal, 76 percent of Americans—and, by the way, 56 percent of Republicans—favored a combination of spending cuts and revenue increases to reduce our deficit.

We also know the American people want an end to the cycle of looming deadlines and uncertainty and political posturing we are seeing here in Washington, DC. They have spent enough time wondering if infighting in Congress will affect their paycheck or the businesses they have worked hard to rebuild or the future they want for their children. I think we can all agree our constituents deserve a solution and some certainty.

So our legislation meets Republicans halfway. It reflects the balanced approach the majority of the American public wants. It protects families and communities we represent from slower economic growth and fewer jobs and a weakened national defense. And it allows us to move past this sequestration debate toward a fair, comprehensive budget deal that provides certainty for American families and businesses.

While the Democrats have taken a balanced and responsible approach in

our sequestration replacement bill, Republicans have gone in a very different direction. They seem to be more focused today on trying to make sure President Obama gets the blame for these cuts than actually trying to stop them. We have all been hearing from our constituents. They want us to come together to solve this problem. They want to see compromise. They want to see a balanced replacement. But the Republican Inhofe-Toomey bill fails to meet these expectations. It does not solve the problem. It doesn't stop sequestration. It is not a compromise. I urge all of our colleagues to oppose it.

The Republican Inhofe-Toomey bill would keep in place the massive cuts to both domestic and defense spending. It wouldn't replace them; it would lock them in. Instead of making the tough decisions required to replace those cuts with responsible deficit reduction the way our bill does, the Republican bill simply hands the problem off to the President. Instead of taking a balanced approach—the approach that is favored by the vast majority of the American people—the Republican bill would protect the wealthiest Americans and biggest corporations from paying even a penny more in taxes to help us solve this, while pushing the entire burden of deficit reduction onto the backs of our families and our communities and national defense programs. Their bill would protect defense spending from cuts, open up nondefense spending to more cuts, and specifically prohibit raising revenue to replace the cuts.

One of my Republican colleagues who is very concerned about the cuts to defense spending that would be locked in by this Republican bill called this approach “a complete cop-out.” That same Republican said if something such as this were to pass, Republicans would be forcing President Obama to make impossible choices and then “every decision he'll make, we'll criticize.”

Another Republican opposed this approach as well, saying, “I believe the appropriations process belongs in the legislative branch.” That is us.

The Republican bill will be devastating to our economy. The Congressional Budget Office has estimated that sequestration would cause 750,000 workers to lose their jobs by the end of this year. They estimate the economy would shrink by six-tenths of a percent by the end of the year. Federal Reserve Chairman Ben Bernanke said on Tuesday that rearranging these cuts would not have any substantial impact on the near-term economic picture.

Republicans have spent months talking about how they would not raise taxes on the rich and that we need a cut-only approach. But now they can't even agree on a bill that names a single cut. They want the President to do it. Leader REID and Leader MCCONNELL

agreed to have these votes we are having today over 2 weeks ago, and it took the Republicans until last night to decide what they were even going to bring to the table. After all that time, they decided to play political games and not make any of the tough choices.

Tackling our debt and deficit responsibly is a serious issue, so I hope Republicans get serious. I hope they will listen to their constituents, come back to the table, and work with us on a responsible replacement to these automatic cuts that are scheduled to begin tomorrow.

I urge my colleagues to support our approach, the American Family Economic Protection Act, and to oppose the Toomey-Inhofe bill.

VAWA

Before I yield the floor, I wish to say that I am very pleased the House of Representatives just took up and passed the long delayed, very hard-won, and badly needed victory for millions of women in this country, the Violence Against Women Act that was just passed. That means that after over 16 months of struggle, tribal women in this country, the LGBT community, immigrants, and women on colleges campuses will now have the tools and resources this life-saving bill provides.

The passage of VAWA today is validation of what we all have been saying on this side, and I am proud of the Senate for its bipartisan work. I see Senator CRAPO here today, and I thank him for his leadership on this critical issue.

I have heard from so many women throughout this months-long battle, and I especially want to mention one woman today: Deborah Parker, a member of the Tulalip Tribe from my home State who happened to be here the day many months ago when Congress wanted to dump the tribal provisions in order to move the bill. She stood up with all the courage she could muster and told the story she had never told before about the abuse she had suffered while she was a very young girl and watching the same person who abused her abuse other tribal members because she had nowhere to go for recourse.

Today, that changes, for Deborah Parker and for thousands and thousands of other tribal members and other women and men in this country. I am very proud of the bipartisan work and I am very excited that this President is going to sign this bill into law and pass something that is going to make a difference in the lives of many Americans.

Thank you, Madam President. I yield the floor.

THE PRESIDING OFFICER. The Senator from Indiana.

MR. COATS. Madam President, as I look at my watch, the clock is ticking toward midnight. Midnight becomes March 1, and that is the point at which

the sequester kicks in, which is the across-the-board cuts—hardly massive when this year it will be about 1.2 percent of our total outlays this year. So, I am not sure how the word “massive” can be used with any credibility; but, nevertheless, this is going to happen.

Republicans have proposed a way to address the President's concerns—the very concerns that have been stated on this floor—including the concern that across-the-board cuts is no way to govern because it doesn't separate the essential from the nonessential. I think we as Republicans couldn't agree more. It is not the best way to govern, because it treats everything on an equal basis and basically says that every Federal program, no matter what its performance over the years, doesn't deserve a look at how to adjust it for its lack or strength of performance. It doesn't separate what the essential functions of the Federal Government are from the “this is what we would like to do but can't afford to do right now.” So, to say that this government and the out-of-control spending that has occurred over these last several years is totally functional and that every penny we have spent is wisely spent and has been done in the interests of the taxpayer and protecting their hard-earned dollars, and that the money we are extracting from them through ever-increasing taxes—some of which happened less than 2 months ago on every American; every American's paycheck was reduced. It is not just the millionaires and billionaires who took the hit, because \$620 billion over 10 years of money comes out of Americans' paychecks. So, for someone to say that what we are doing is massive when this year it amounts to a 1.2-percent cut in total spending, when virtually every business in America, every family in America has had to tighten its belt, given the recession and the slow economic growth, when we continue to have 23 million unemployed or underemployed people in this country, and then to simply say we don't have a spending problem, as the President famously said, defies common sense.

We don't need fancy explanations or fancy words such as “sequester” for the American people to understand what is happening here. They see their States having to tighten their belt. They see the companies they work for having to tighten their belt. And, as families, they see themselves having to cut back on some of their spending or some of their future plans because they no longer can afford to do it. The only entity they see in the United States not addressing a fiscal imbalance is the U.S. Government.

In an attempt to deal with this a year and a half ago, Congress passed the so-called sequester. The sequester was a fallback in case we weren't able to come to grips with the problem we have and reach an accommodation, an

agreement, on how to address it in the best way possible. This was the fail-safe. And all the attempts, starting with the President's own commission, which he rejected, and then the Gang of Six proposals, and then the super-committee of 12, all of the efforts, many of them on a bipartisan basis, for whatever reason did not succeed. So, what was put in place to drive a solution, didn't drive a solution, and as a result, here we are with a sequester. But, to say the sequester cutting, this year, 1.2 percent from total spending, is going to make the sky fall and cause a total economic meltdown and keep people from getting on their planes and keep us from ordering meat because meat inspectors can't go to the meat processing plants to certify the quality of the meat, and all of the things the President is out campaigning for, for his own program—it was the President's idea. Maybe it was his staff, but he certainly had to agree to it. It was proposed by the President and now he is out campaigning against it. In fact, it wasn't that long ago when he said if it didn't go into effect, he would veto it. So there has been a real change here, and I won't go into the motivation for all of that.

There is also talk about balance. Balance is a code word for new taxes and for more taxes. It has been said over the past couple of years, during the campaign and leading all the way up to the fiscal cliff vote, that Republicans would refuse to give in on any kind of tax increase, even if it was on millionaires and billionaires. In the end the President won that battle and Republicans supported it. Even though we did not believe that was the best way to go forward to get our economy to grow and to provide the kind of economic growth we are all looking for, we supported that. Now, we here we are just two months later with the same tired phrase that Republicans won't take 1 penny from the rich when they just took \$620 billion from the rich; therefore, what we need are more taxes on the American people to achieve balance.

It seems the White House has an obsession with solving this problem through increasing taxes and not wanting to make the hard decisions to cut even 1.2 percent of our total budget—2.4 in succeeding years. To say we cannot, through our oversight responsibility, find 2.4 percent, and this year 1.2 percent, of waste, of corruption, of misuse of programs that no longer are viable—maybe they were well-intended in the past but they certainly have not proven themselves worthy of asking taxpayers to keep sending their hard-earned money to Washington in order to cover that spending—when Senator COBURN, Senator TOOMEY, when many of us—I have been standing here every day in virtually every session basically saying, just through waste and ineffec-

tive programs we can easily come up with this amount of money. Everyone else in America has had to do it. Why can't we?

The charge we have heard over and over is that this is such a terrible way to address it that we need the flexibility so these agencies can move the money around and take the money from the nonessential programs to keep the security at the airports with the FAA and the air traffic controllers and also keep the meat inspectors and the others who are essential.

In order to keep them from having to take the hit, we came up with the idea—Senator TOOMEY and Senator INHOFE—that gives the executive branch the flexibility. That is what they have been asking for all these years. If we have to have the sequester, just do not do it across the board because it forces us to do things we do not want to do. But if we had the flexibility—if you could give us the flexibility—then we could move the money within the accounts and we would still reach the same amount of cuts—the 1.2 percent of this year's budget—but we would have the flexibility to not have to scare people or keep people waiting in lines at airports for 4 hours and do all the things, all the doomsday scenarios that have been proposed by the President and his Cabinet members.

We bring that forward and then suddenly there is a 180-degree reversal on the other side, which basically says: No, no, no. We do not want flexibility. That is not the way to do it. Well, what do you want? Yesterday you wanted flexibility. Today we gave it to you, and today you are saying: No, we do not want that. It sounds like what they want is only a solution to this problem if there is a big increase in taxes.

This word “balance,” which I say, is a code word for taxes. I just came from the Joint Economic Committee where a very respected economist, Michael Boskin, said: Balance is not 50-50 if you want economic growth because every dollar you raise in taxes is a hindrance to economic growth. He said: I am not saying there should not be increases in taxes. But the ratio should be “5 or 6 to 1.” If you want to position this country for growth, you need about five to six times the amount of spending cuts as taxes increased.

So balance—50-50—according to a very respected economist and many others—I do not know of anybody who said raising taxes encourages growth because it takes money out of the private sector and gives it to the public sector. But rather than get into that argument today, what the President defines as balance is simply evermore taxes to solve our problem, when we know that after 4 years of effort here that has not worked, and it will not work.

Mr. DURBIN. Mr. President, will the Senator from Indiana yield for a unanimous consent request? I will yield the floor right back.

Mr. COATS. I am happy to do that.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent that notwithstanding the motion to proceed currently pending, at 2:30 p.m. the Senate resume the motion to proceed to S. 16 and the Senate proceed to the cloture votes on the motions to proceed as provided under the previous order, with the time until 2:30 p.m. equally divided between the two leaders or their designees; further, all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I thank my colleague for yielding.

Mr. COATS. Mr. President, I am going to wrap up because my colleagues want to speak also.

But, let me say this: I have been saying from this platform, and I have been saying from everywhere people will listen that we need to move to a solution to the problem. The solution to the problem involves, I believe, three or four essential elements, and I think there is widespread consensus on this among liberals, conservatives, Democrats, Republicans, economists, and others. Unless we address that which is growing out of control—which is our mandatory spending—no matter what we do on the spending level and no matter what else we do, we are not going to solve this problem and we are going to keep careening from short-term fix, short-term measure to the next one, from fiscal cliff to fiscal cliff.

Already, we have another cliff which people have not paid much attention to at the end of this month, where we have to fund the government for the rest of the year. That will be another drama, soap opera, played out before the American people. In May, we hit the debt limit.

None of this is necessary. None of this had to happen if we had taken the steps we knew we needed to take that were presented in the Simpson-Bowles presentation to the President years ago and, unfortunately, rejected that and basically said we are headed for catastrophe, we are headed for insolvency because this mandatory spending is growing out of control and the amount of discretionary spending we have which we can control is ever shrinking.

Yes, we need to sort out the fat, the duplication. My colleagues and I have been laying out things that I do think any American who looks at it carefully would say: Of course we do not need that, of course that is not an essential function of the Federal Government. It has had a miserable performance as a program. Why do we keep throwing money at it, particularly at a time of

austerity when so many people are out of work.

Yes, we need to do that. But that needs to be coupled with what I think there is almost full agreement on: The need for comprehensive tax reform. That is where closing the loopholes, which Republicans are willing to do in order to lower the rates, to make us more competitive and make our Tax Code much simpler and much fairer—that needs to happen. Of course, it cannot happen if we take closing loophole money and use it for spending, which is what the President wants to do instead of using it to make our code simpler, fairer, and make us more competitive around the world and to promote growth.

That is a proven process. Unless we put that together with some regulatory reform—but most important of all and most essential of all is to address the runaway mandatory spending, which if not addressed will undermine the sanctity and the solvency of entitlement programs such as Social Security and Medicare. The trustees—do not trust a Republican conservative saying this—the trustees of the programs have said: “You have to deal with this, and the longer you put it off, the tougher it is and the more painful it will be.”

This morning, again, Dr. Boskin and even Dr. Goolsbee—the President’s former Economic Council head—said you have to do this, you have to take it on. You are taking it on to, one, save the programs, two, save the country from bankruptcy, and, three, give us the opportunity to have funds to pay for the essential functions of government.

We are not against government. We want it to be leaner, more efficient, more effective. My State has taken measures that quintuple what is being talked about here. We ended up achieving a surplus. We have a AAA bond rating. We have made our State government the most efficient, effective government with taxpayer dollars of any State in the country.

It can be done, and it can be done here. But what we have that is different from what our States have is the fact that mandatory spending—that spending which we have no control over—is eating our lunch. Until we step up and deal with it, we are not going to solve this problem; we are going to keep careening from crisis to crisis.

The real issue is—at this point, with the sequester going in place—can we step up and sensibly adjust it through flexibility in terms of how we reach that goal? Can we summon the will and the political courage to do what we all, I believe, know we need to do; that is, simply to do what is right for the future of America—America’s interests not our own political interests?

Finally, in my opinion, that cannot be done, despite all the time, all the efforts made, many on a bipartisan

basis—Simpson-Bowles was bipartisan, the Gang of 6 was bipartisan, the Committee of 12 was bipartisan. It is not true we are at a standoff in terms of how to go forward. What we have not had is leadership from the White House. Something of this magnitude cannot be done without Presidential leadership, and the President has refused to do anything other than plead on a campaign basis for yet evermore taxes, which he calls balance.

So that is our challenge.

We need you, Mr. President, to lead the way. We will work together with you in putting together a package which achieves the right ratio. We will work together to do what is right for the future of America and not what is right for our political future this year or next.

I guess we are pleading with the President. Similar to Presidents of the past—Ronald Reagan, a Republican, and Bill Clinton, a Democrat, took on the toughest issues and together we worked for the benefit of our people and for the future of this country and we made enormous strides in that regard. But it would not have happened had the President not become engaged. At this point, the only engagement the President has made is to call for higher taxes and go out and campaign against those of us who are trying to sincerely address this problem.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to applaud the passage by the House, just a little while ago, of the Violence Against Women Act.

I wish to also congratulate my colleagues, Senator LEAHY, my neighbor from Vermont, and Senator CRAPO, who is on the floor today, for their leadership in getting this legislation passed so early in this session and for helping to see that it got shepherd through the House where it had been so challenging.

This is legislation that treats all victims equally regardless of whether they are Native Americans, whether they are members of the LGBT community, whether they are immigrants. It supports law enforcement by providing critical funding for police officers and prosecutors so they can hold abusers responsible. It supports crisis centers for women and families, to provide for immediate needs such as shelter and counseling.

On behalf of the thousands of women and families in New Hampshire who will benefit because of this reauthorization, I wish to thank all the 268 Members of the House who voted for it and all the people in the Senate where it had such a broad bipartisan majority.

Again, I thank my colleagues, Senators LEAHY and CRAPO, for the leadership they provided in getting this done.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I too want to stand to congratulate the House for their passage of the Violence Against Women Act. I thank the Senator from New Hampshire for her kind remarks.

I am honored to have worked on this bill with Senator LEAHY and my other colleagues in the Senate. Senator LEAHY and I have worked together for years on issues of domestic violence and stalking, and this is one of the key endeavors we needed to get across the finish line. Now we see that we will, and we will send this important legislation to the President.

I would also like to commend the advocates across the Nation and specifically the Idaho Coalition Against Sexual and Domestic Violence who have worked tirelessly on this issue.

As a longtime champion of the prevention of domestic violence, I am glad to see there are areas in Congress where we can come together to support these important causes.

This act provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those individuals. For nearly two decades, the Violence Against Women Act has been the centerpiece of our Nation's commitment to ending domestic violence, dating violence, and sexual violence. This legislation provides access to legal and social services for survivors. It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation's communities. It provides intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn.

There is significant evidence that these programs are working not just in Idaho but nationwide. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008. In 2012 it was reported that in 1 day alone, 688 women and their children impacted by violence sought safety in an emergency shelter or received counseling, legal advocacy, and children's support.

These important provisions are making a difference in the lives of people across this Nation. I again wish to commend all of my colleagues who supported this legislation and helped to move this critical piece of legislation to the President's desk.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I rise to speak about the vote we are going to have today at 2:30 regarding sequestra-

tion, and I wish to strongly support the notion of giving the executive branch the flexibility it needs over the next 7 months to work through this situation in a more graceful way.

To put this in perspective for the American people, we are going to spend \$47 trillion of your money over this next decade. It was incumbent upon a bipartisan group about a year ago to try to come up with about \$1.2 trillion in savings over that 10-year period. Believe it or not, that didn't happen. The sequestration was a method to ensure that at least there was some reduction in the growth of spending. I do want to say that there have been a lot of discussions about reductions in spending.

The overall effect of sequester over this 10-year period is not to reduce any spending but to slow the growth of spending over the next 10 years. We are one of the few entities in the world that don't budget off of last year's spending. It is not like your city, your county, your State government, your household, or your business. We budget off of projections and growth.

The task a year or so ago was for six Republicans and six Democrats to come up with \$1.2 trillion. It is beyond belief that this did not occur. The sequester was put in place as a mechanism to ensure that there at least was some slowing of growth. The first 7 months of the sequester is the most ham-handed portion of it. It is cut at the PPA level. It is across the board and focused on two important categories. I agree that it is ham-handed, and the only thing worse than sequestration, in my opinion, would be kicking the can down the road on some much needed fiscal discipline here in Washington.

I hope what we will do today is get behind a very thoughtful proposal that would say: Look, we are still going to reduce spending by this amount, but we are going to give the executive branch, because this first 7 months is handled so differently that what happens after that—by the way, appropriators live within a top-line number, but they are able to weigh in on how that money should be spent, again, in two more specific categories than just the overall budget. So it is just this first 7 months.

I was at home last week in Tennessee and spoke with diverse groups of citizens.

Democrats thanked me for being willing to give some flexibility to the President to work through this.

Businesses obviously held this as incredibly intelligent. They need to deal with these kinds of issues right now. Many of them over the last several years have had to do the same kind of thing. Obviously, to them, it is very intelligent to give the executive branch a degree of flexibility where they have some transfer authority to work through this in a more graceful way.

Republicans thanked me because it was a way for us to at least begin turning the curve in a different direction and certainly still having the cuts that are necessary in growth, I might add, not in real spending. That is where we are.

We have a proposal, the Toomey-Inhofe proposal, which gives the executive branch the flexibility to work through this. It is my understanding they don't want that flexibility. I can't imagine being President of the United States and having something that I thought was a little bit ham-handed and having Congress say: Look, we will candidly defer to you to make some transfers.

I have spoken with some of the folks in our security apparatus in this Nation. They said this to me: CORKER, look, we understand we are going to have some reductions, but if you would just give us some flexibility, we could work through this gracefully. We could live within these constraints.

Speaking of these constraints, I want to say that there is a number that has been thrown out of \$85 billion over the next 7 months. Again, know that this is Washington's language. We are really only talking about half that in real expected outlays. We have budgeted amounts and then we have outlays. We do things very differently than do most people back home. This is not nearly the amount of reduction people are talking about as far as real money flowing out.

I strongly support the Toomey proposal, the Inhofe proposal. I hope others will join in and at least move to debate this issue. I have a sense that is not going to be the case today. Maybe next week when some things happen, some others will be open to doing this.

I can't imagine why anybody in this body, if they think draconian things are happening in a specific area and some judgment could be used to really alleviate that, I can't imagine why anybody in this body would not want to give administrators of these various agencies the ability to have some degree of transfer authority to make it work better. I don't imagine there is a business in our country, whether it is a one-man shop or a large corporation, that wouldn't want that flexibility. I can't imagine a Democrat or a Republican really thinking it is a bad idea to give the administration the ability to be more graceful in dealing with this.

Today it looks as though we might have a partisan vote. It is a shame.

Again, this is ham-handed. We can make it work better. Hopefully, on March 27, if we continue on this course until that time—obviously, to me, the only thing worse than this ham-handed approach is not enacting the \$1.2 trillion in cuts. This needs to happen, in my opinion.

Maybe on March 27 when the appropriators come forth with a continuing

resolution, they will have shifted this around to a degree that we end up with the same amount of spending reductions. This is the way regular order should work here, the way the Senate should work, the way the House should work. It is not that far down the road.

As a matter of fact, I am understanding that if the Appropriations Committee wanted to, they could pass out an omnibus—not a CR but an omnibus—that has already gone through the checks. I think the two staffs have been working; I am talking about at the House and the Senate. It is my understanding that they could pass something out in a week. I think maybe there are going to be some discussions about this later in the majority leader's office. Hopefully, he will give the green light to the chairman of the Appropriations Committee to move ahead with something like this, which would be very sensible, in my opinion. I think most people around here would love to see something actually happen under regular order.

These reductions are necessary, in my opinion, to get our fiscal house in order. Much more needs to be done beyond this \$1.2 trillion—much, much more. I don't think there is anybody who doesn't believe that deficit reduction greater than \$1.2 trillion needs to occur. Right now we are focused on the cuts side. We focused on the income side at the end of the year.

As we move ahead and are able to deal with these issues under regular order, where committees have looked at the impact, this is the best way to go forward.

Again, sequester will kick in tomorrow. I think we all understand that. There is a better approach. There is a bill that would allow the executive branch to have the flexibility it needs to work through this in a way that is least harmful to the American people, and if that doesn't work, another step with a continuing resolution in 3 or 4 weeks—there is another way of hitting this in an intelligent way.

I hope we have the opportunity to work this out in a way that is better for the American people. At the same time, I hope we will not back away at all from at least \$1.2 trillion in spending reductions. I wish we would move later this year into real tax reform, which is really where all the money is.

To the American people, the reason we are moving to sequester and the reason we are cutting discretionary spending is we don't have the courage in the Senate to deal with entitlements. When the word "entitlement" comes up, everybody runs for the hills. They know where the money is—62 percent of our spending, which in 10 years, combined with interest, will be 90 percent of our spending.

The reason we are here today is this body has not come to terms with the fact that we need to reform entitlements

for them to be here for future generations and certainly people who are getting ready to retire.

This situation is a shame, and so we are going through this pain again due to a lack of courage in the Senate to address the real issues of the day. That is a shame, and what you are going to see playing out is solely because of that.

I have a bill which would deal with that. LAMAR ALEXANDER, my colleague from Tennessee, is a cosponsor. It was based on Bowles-Simpson, Domenici-Rivlin—bipartisan concepts.

For some reason, when it comes to dealing with the real issues of America, this body runs for the hills. Hopefully, soon we will be brought back together and we will deal with this in a mature way, deal with the real issues our Nation is dealing with, solve them, put it in the rearview mirror, and all of us will come together and focus on those things that would make our country stronger.

I ask unanimous consent that all quorum calls before the votes at 2:30 p.m. today be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have heard a lot of discussions recently about the author Bob Woodward and his comments about spending and the sequester. It is important for us to understand this. This is not an easy matter. We have a lot of confusion, I think, as to what has been happening in the Senate. So from my perspective, as ranking member on the Budget Committee, I wish for all of us to understand the issue that is at stake.

Here is what Bob Woodward said in his Washington Post Op-Ed earlier this week:

So when the President asked that a substitute for the sequester include not just spending cuts but also new revenue, he's moving the goalpost.

And when the President talks of spending cuts, he's referring to some other spending cuts somewhere in the government so that they do not fall so hard on defense, for example.

But Bob Woodward goes on to say—referring to the President's request for a substitute—that was not the deal he made.

So we need to all remember what happened was that in August of 2011, after the American people were aroused and spoke strongly in the 2010 election, the debt ceiling was reached. We

couldn't borrow any more money. Since we are borrowing almost 40 cents out of every dollar, it amounted to a 40-percent cut in spending, had we not raised the debt ceiling. So it was important to raise the debt ceiling, but it was also important to do something about the surging debt. So a bipartisan agreement was reached, and the agreement essentially said we will reduce spending \$2.1 trillion, and we will raise the debt ceiling \$2.1 trillion.

The good news, for those who wanted to keep spending, was that we spread the spending cuts over 10 years. But we have already reached the debt ceiling again. We have already spent \$2 trillion more than we took in. We have to deal with that again very soon.

I would like to say this to my colleagues: That agreement called for no tax increases; it called for a modest reduction in the growth of spending. Instead of going up \$10 trillion, it would go up \$8 trillion. Instead of adding \$9 trillion to the debt of the United States, we would add \$7 trillion to the debt of America by simply constraining the rate of growth in spending. It was not cutting spending. Except the way the sequester part of that agreement was reached, the cuts fell disproportionately on defense and maybe a few other programs. And over 10 years, defense would take a real cut. This isn't war costs. This is a fundamental problem.

What I would say to my colleagues is this: Please don't come in and say, there are loopholes we can close or we can tax the rich more here and we can do this, that, and the other in order to bring in more revenue and to spend more. You see? But we agreed to a new baseline in spending. It passed the House and the Senate and the President signed it into law. He agreed to it. And he was the one who insisted on the sequester, even though he has denied it since. He got that, he and his budget director, Mr. Lew, whom he just promoted to Secretary of the Treasury. So he agreed to that. And closing loopholes is simply a tax increase, of course.

So if we agree at some point to close loopholes, it ought to be part of tax reform and it ought to be part of reducing the deficit, not funding new spending. Because, you see, we have agreed to this new baseline. When the President says don't do the sequester, the sequester amounts to \$1.1 trillion out of the \$2.1 trillion in reduced spending. So he is talking about increasing spending over the amount he just agreed to 19 months ago. He is talking about increasing spending at a time this Nation has never faced a more serious systemic financial debt crisis. And his excuse is that we will close loopholes.

But you see, reducing the amount of new debt we incur over 10 years from \$9 trillion in to \$7 trillion is not enough.

The budget commission, experts, everybody knows—ask anyone in this Senate, liberals and conservatives, and I don't think a single one would say that increasing the debt by \$7 trillion over 10 years is good. Our current debt is \$16 trillion. This is not a healthy trend.

We know we can't give away the cuts we just agreed to. What would we tell the American people? We already told them: We know you are unhappy that we are raising the debt ceiling, we know you are mad at us for putting the country in this situation, but we are going to cut spending, trust us. Trust us. And then here we waltz in, less than 2 years later, with the President saying that we cannot cut as much as we promised, as agreed to and signed into law. He says that is too much. He tells us that he is not going to help us find a smarter, more effective way to do the cuts.

I don't think that is good policy. What I urge my colleagues to do, and I believe it is the right thing, is to make the decision—and we have no choice but to make it—that we are not going to give up the little bit of spending cuts we achieved in 2011, which are not spending cuts but a small reduction in growth in spending. We should advise the President that we stand ready—and I am confident I can speak for the Republicans in this Chamber that we stand ready—to try and spread those cuts out in a way that is smarter and is less painful, because everybody should tighten their belt to help get this country on a sound path. We are willing to do that, but we should state we are not willing to allow the President to breach his agreement—as Mr. Woodward said, the deal he made—that he signed, that is in law and that has created a new spending baseline. We should not give up on that 19 months after we agreed to it. What a mockery that makes of the integrity of our government and the commitment to fiscal responsibility.

Let's work together on this. We had a big tax increase in January and a spending agreement in August of 2011. So now let's get on with it and operate in the world we are in. I don't believe we will avoid the sequester by raising taxes and increasing spending over the level to which we agreed. It won't happen. So we might as well get serious and figure out a way to help make this work in a more rational way.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, today, as we debate proposals for avoiding the so-called sequester, we find ourselves in a uniquely awkward position. Not only is there general disagreement about what brought us here, who is responsible, who is to blame, et cetera, but we also disagree about where "here" is to begin with.

President Obama has been touring the country giving speeches describing just how bad the sequester will be and why Republicans are to blame for it. This is, of course, par for the course for this President, whose motto seems to be: Why solve a problem when you can campaign on it? You would think, after having won the election, the President would be the first to acknowledge the election is over. But nearly 4 months after election day, the President's campaign road show continues.

The problem with the President's sequestration campaign is that, once again, his claims are at odds with the facts. Everyone in Washington knows that, despite the President's efforts to put the blame on Republicans, the sequester was his idea to begin with. The record is clear and it is not in dispute. The idea for the sequester was pitched by the President's then-OMB Director Jack Lew as a negotiating tactic to get Republicans to vote in favor of raising the debt ceiling. Not only did the idea originate in the White House, the President threatened to veto House-passed legislation designed to replace the sequester.

Moreover, in these final weeks leading up to the March 1 deadline, the President spent more time on his national sequestration campaign than he has in sitting down with Republicans to reach an agreement on a replacement package. So if the sequester goes into effect—and at this point it appears it will—the American people should not blame Republicans in Congress, who have been working in earnest to replace it. No, the blame should fall squarely on President Obama, who proposed the idea in the first place and has refused to work on a passable solution.

So that is how we got here. The bigger, more complicated problem is determining where "here" actually is. The President and his allies have spent a lot of time misleading the American people on that as well.

If you describe the sequester using the worst possible numbers, it is an \$85 billion reduction from \$3.5 trillion of yearly Federal outlays—yes, that is \$85 billion out of \$3.500 trillion. When all is said and done, it is a reduction of less than 2.5 percent from overall Federal spending. And, as the Congressional Budget Office has made clear, not all of the \$85 billion in reduction will even take the form of reduced spending this year. Even if it did, keep in mind that \$85 billion would represent less than 9 days of Federal spending, based on the rate of spending last year. Once again, that is if you describe it in the worst possible terms.

For a moment, let's go with those numbers.

The President would have the American people believe that a 2.4-percent reduction in Federal spending out of \$3.6 trillion will cripple our government and irreparably damage our econ-

omy, even an economy that the President must have felt was strong enough to absorb a \$600 billion tax hike back on New Year's Day. The ramifications of the 2.4-percent spending reduction are so great, according to the President and his allies here in Congress, that the only alternative is to raise taxes yet again.

I will be the first to admit there are better, more responsible ways to reduce the deficit than the President's indiscriminate sequester. But these scare tactics don't even pass the laugh test. Does the President really expect the American people to believe our government is so fragile it cannot absorb a 2.4-percent spending cut—less than 9 days' worth of Federal spending—without inflicting massive damage on the American people and our economy? Apparently so.

Once again, I am describing the sequester in the worst possible terms just to demonstrate the outlandish nature of the President's arguments. However, when you look at whether the sequester even represents a reduction in spending, you find the claims are even more absurd. In fact, when you look at whether we are cutting spending at all relative to past periods, you can easily see we are not, even with the sequester.

The so-called spending cuts in the sequester are measured against 2010 spending levels. We should all remember that in fiscal year 2010, spending levels were highly elevated as a result of the President's stimulus and other "temporary" spending measures passed in response to the financial crisis and recession. So, in other words, the sequester reduces spending only if you are measuring against an extremely high baseline that was, at that time, supposed to be temporary.

Whether something is an increase or decrease depends on what you are measuring against. If you measure relative to a big number—such as the Democrat-fueled spending of 2010—then proposed spending looks like a cut. But if you look at spending levels relative to more reasonable spending baselines, you will find that future spending will actually be up even with the sequester in place. For example, you will see what post-sequestration spending looks like relative to a more reasonable baseline.

According to the Congressional Budget Office, baseline estimates for post-sequester discretionary budget authority total \$978 billion for fiscal year 2013. The average during the Bush years, in inflation-adjusted fiscal year 2013 dollars, was \$957 billion. Neither of these figures includes spending on wars or emergencies, so this is an apples-to-apples comparison.

In adjusted current dollar terms, post-sequester spending this year will be more than \$20 billion higher than the average during the Bush years. Someone may have to refresh my memory, but I don't believe the government

ceased to function during the Bush years. I certainly don't remember hearing anyone express concern about the elimination of basic governmental services. In fact, I don't think anyone remembers the Bush years as being a time of spending restraint here in Washington. Indeed, we have all heard President Obama claim it was the extravagant spending of the Bush administration that, in part, caused our current budget woes. Yet now the President is telling the American people that a return to those spending levels will devastate our country, leaving children hungry and our border unprotected.

Not surprisingly, the President and the Democratic leadership's solution to this problem is more tax hikes, which makes these claims about the impact of sequestration all the more transparent. Indeed, it appears that the President's current campaign on the sequester is less about reaching an agreement to replace the sequester than it is about satisfying his drive to once again raise Americans' taxes while also serving his desire to vilify Republicans, no matter what the costs to the American people.

I don't want to minimize the negative impact the sequester may have in some areas. I think there are very few of us who would not like to see the President's indiscriminate sequester replaced with more responsible spending reduction alternatives. There are alternatives to the approach we are debating today. But whatever we do, we should do it through regular order.

Today we are yet again debating a bill that has bypassed the relevant committees of jurisdiction. Regular order has become the exception rather than the rule around here, which is extremely frustrating. I think to both sides. There are consequences to skipping the established committee process. If legislation does not go through the relevant committee, it is not studied and vetted. It simply shows up out of the majority leader's office before anyone has a chance to even look it over. Bypassing regular order is simply shortsighted. Yes, short-circuiting the committee process prevents Members from having to take tough votes in committee. But taking tough votes to enact legislation is part of being in the Senate—or at least it used to be. These days, no one in the majority has to take a difficult vote. The majority leader has made sure of that.

I have a chart that has the title "Honest Leadership and Open Government." You can see the large letters at the top and the small letters right against the podium Senator REID is at. My friends on the other side of the aisle won the Senate majority in the 2006 elections by campaigning on this theme. Unfortunately, in the 6 years since they have been running things here in the Senate, things have gone

exactly the other way. Backroom deals are the rule, regular order is the exception, open government is the casualty, and committees are ignored with aplomb.

I have and will continue to urge my colleagues to support the restoration of regular order here in the Senate because, in the end, it yields better legislative results, and it is a much more fair way to legislate and involves everybody, not just a few people in one office.

Despite the fact that the President and congressional Democrats just got over \$600 billion in tax increases out of the fiscal cliff deal, the Democratic leadership's bill that we are debating today contains even more tax increases.

The Congressional Budget Office wrote earlier this month that over the next 10 years, revenues as a percent of GDP will average 18.9 percent. Over the last 40 years, according to CBO, revenues have averaged 17.9 percent of GDP. So over the next 10 years, Federal revenues are set to exceed the historical average.

At the same time, government spending, which is projected by CBO to reach about 23 percent of GDP in 2023—an historical average—will be on an upward trajectory and will remain far in excess of the 40-year average of 21 percent. So the problem is not that the American people are undertaxed, it is that Washington is overspending.

Given this basic point, I have filed a motion to commit the Democratic leadership's bill to the Finance Committee to strike all the revenue increases and replace them with spending cuts. And to help further the process, I have prepared a menu of spending cut options to select from. These proposals come from Dr. TOM COBURN's book, "Back in Black: A Deficit Reduction Plan."

During the 2008 campaign, the President promised to find spending cuts by going through the budget, line by line. Dr. COBURN has done what the President promised but failed to do. Today, I am drawing from a small body of Dr. COBURN's hard work.

For instance, instead of the latest incarnation of the Buffett tax, we could, according to "Back in Black," save \$71 billion over 10 years by instituting a 5-year freeze on locality pay adjustments for Federal workers or we could reduce travel budgets of Federal agencies. That would save just over \$43 billion over 10 years.

Another revenue increase in the majority leader's bill that could be replaced with a spending cut is the elimination of what some Democrats have described as a tax break for shipping jobs overseas. Indeed, we have seen this proposal pop up several times over the last few years.

However, as some may recall, the Chief of Staff of the Joint Committee

on Taxation wrote a letter to Senator STABENOW and Representative PASCRELL, the authors of a bill to close this so-called loophole, that stated,

Under present law, there are no specific tax credits or disallowances of deductions solely for locating jobs in the United States or overseas.

I previously challenged my colleagues to come and point out to me if they thought that was incorrect. To date, no one has tried to meet that challenge. Yet efforts continue to raise a tax under the guise of closing a loophole where no loophole exists.

One spending cut from Dr. COBURN's book that could be used as a substitute for closing the Democrats' phantom loophole is to reduce the Federal limousine fleet back to the level it was in 2008. According to Dr. COBURN's book, the government owned 238 limousines in 2008. By 2010, that number had grown to 412. What changed in government between 2008 and 2010 that required an increase of over 73 percent in the number of limousines needed to shuttle bureaucrats? If anyone knows, please let the American people know. Going back to the 2008 level of Federal limousines would save the government \$115.5 million over 10 years.

There are numerous other places where we can cut spending immediately. Instead of pursuing the Democrats' tax hike strategy or the President's indiscriminate sequester, we should instead sensibly restrain spending through proposals such as these.

I anticipate that some of my friends on the other side will argue we should pursue these spending cuts in addition to passing more tax hikes. My response is that we should be saving all of these revenue raisers for future tax reform efforts.

There is a growing bipartisan consensus here in Congress in favor of comprehensive tax reform. The leaders in both the tax-writing committees are committed to this effort, and I believe we have a real opportunity to accomplish something on tax reform this year. However, if we start closing loopholes and eliminating preferences now in order to raise revenue to avoid the sequester, they won't be there to help us lower marginal tax rates later on when we are working on tax reform, which will make an already difficult process that much harder.

Ultimately, if we follow the path my Democratic colleagues want us to take, we will be raising taxes on the American people while at the same time hampering future tax reform efforts. This is simply not the way to go, particularly when there are perfectly reasonable spending cuts available to replace the President's sequester.

As I said, whatever we do, we ought to do it through regular order. That is why I have filed this motion to commit and why I hope my colleagues will support it.

While I am waiting for someone to represent the majority, because I am going to have a unanimous consent request that I understand will be objected to and I want to protect the majority's right to do that, as much as I don't agree with it. I know there is an agreement in place for consideration of the sequestration bill and I don't want to stand in the way. But at some point we need to have a real bipartisan conversation about a return to regular order. For too long we have been avoiding the committee process here in the Senate and I think the results speak for themselves.

I want to work with my colleagues on both sides of the aisle to find a way to restore the deliberative traditions of the Senate by allowing the committees to do its work. If we can return to regular order, the words "honest leadership and open government" will be more than a campaign slogan. The American people should expect nothing else.

I understand my unanimous consent will be objected to, and so I ask unanimous consent that I be immediately recognized to make this unanimous consent as soon as the distinguished chairman of the Finance Committee arrives.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. HATCH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I thank my friend from Utah for his comments. I think it is important, since we have two votes coming up starting in less than 30 minutes, that we talk a little bit about the background, where we are today and what we are going to be faced with in these votes and what the options are.

Back about 5 weeks ago, when it looked as though sequestration was going to kick in, there was concern. I understand there is a lot of concern on the domestic side and on the defense side, but my concern is mainly on the defense side. I am the ranking member of the Senate Armed Services Committee. I am concerned about what has been happening under this administration in the last 4 years, the disarming of America and the devastation that has taken place already. A lot of people do not realize, under this administration we are now projecting cuts already to hit \$487 billion in defense.

If sequestration should come in, it would raise that to \$1 trillion, and \$1 trillion over that period of time is, in

fact, devastating. The Secretary of Defense, Leon Panetta, came out immediately and said: This cannot happen; we cannot adequately defend America if we allow this to take place. He was talking about sequestration.

Sequestration, I think people kind of lose sight of what it is. It is the equal cutting all the way across all of these accounts in order to come up with a savings, which I think is kind of interesting. Here we are talking about all this anguish we are going through right now just for \$1.2 trillion, when you stop and realize in the President's own budget, over 4 years he has a \$5.3 trillion increase. So we are talking about 10 years to come up with \$1.2 trillion when he was accountable for \$5.3 trillion in 4 years. That is not even believable. When I say it back in my State of Oklahoma they shake their heads and think there must be some miscommunication, it cannot be right.

The problem has been, in this administration, over the past 4 years all the cuts have come from the military. They have not come from anywhere else. It is an oversimplification, but you can make the statement that they are cutting—I will yield to my friend from Utah because I understand he has a unanimous consent request. I will be happy to do that, but I ask unanimous consent the floor be returned to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. I thank my colleague for his courtesy. I appreciate it.

Madam President, I ask unanimous consent that following the two cloture votes today, it be in order for me to make a motion to commit S. 388 to the Finance Committee, the text of which is at the desk, and the Senate proceed immediately to vote on the motion without intervening action or debate.

The PRESIDING OFFICER. Is there objection? The Senator from Montana.

Mr. BAUCUS. Madam President, this Senator was probably not paying enough attention. This is the Senator's motion to recommit?

Mr. HATCH. It is the motion to recommit.

Mr. BAUCUS. Madam President, I respect my Ranking Member's attempt to alter the leader's bill to strike the revenue increases in this legislation.

However, I think time is at a premium and we need to consider the Reid legislation today.

Recommitting the bill to the Finance Committee will delay a solution to the sequestration cuts for weeks, if not months, and I believe most Members believe we should address the issue here and now. There is no time to waste.

We will have a full opportunity to discuss additional deficit reduction ideas in the coming weeks when we consider the budget resolution, the continuing resolution and the extension of the debt limit.

I agree we need to cut our debt and get our fiscal house in order. We know there are places to trim the fat in Federal programs.

To give families and businesses certainty, we must agree on a balanced, comprehensive plan to cut the debt that includes both revenue and spending cuts. The math will not work any other way.

A long-term balanced plan will bridge the budget battles and make real progress solving our deficit problem.

A balanced plan will also encourage businesses to invest, enable investors to return to the markets with confidence, and, most importantly, put Americans back to work in a growing economy.

And I look forward to working with Senator HATCH, taking on these fiscal challenges and crafting policies that create more jobs and spark economic growth.

The only way we will be able to get past these budget battles is by working together—Republicans and Democrats, House and Senate. We need to work together.

However, at this time I object to the motion to recommit.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Look, this place is not being run on regular order. The committees are being ignored. The committees are established to be able to intentionally look at these matters and hear both sides and hear the top experts in the country. I feel very badly that this simple motion has to be objected to. I feel badly because I know neither of the amendments that will be filed, that will be heard or voted on, are going to pass. One reason they will not is because we have not followed the regular order.

Mr. INHOFE. Will the Senator yield? Mr. HATCH. I am happy to yield.

Mr. INHOFE. I asked unanimous consent I be recognized after the two of you went through this. Can I inquire as to about how much longer it will be? I am the author of the bill that is coming up in just a few minutes.

Mr. BAUCUS. Will the Chair indicate the time remaining?

The PRESIDING OFFICER. There is 22 minutes.

Mr. BAUCUS. Madam President, I ask which side has the 22 minutes?

The PRESIDING OFFICER. The majority.

Mr. BAUCUS. I will be glad to yield time to my friend from Oklahoma.

Mr. INHOFE. I appreciate that. It is my understanding, responding to my friend, that the other author of this bill, Senator TOOMEY, wants to be heard for 2 minutes prior to the vote. I would like to be heard for a few minutes of time.

Mr. BAUCUS. At this time?

Mr. INHOFE. Right after his time, yes.

Mr. BAUCUS. I don't fully understand. I am happy to yield 10 minutes to the Senator from Oklahoma.

Mr. INHOFE. I appreciate that.

Prior to the time we propounded the unanimous consent request, I was talking about my frustration about what has been happening fiscally in this Senate during the last 4 years and the mere fact that under this administration we have increased deficits by \$5.3 trillion. Now we are trying to come up with something far less than that in a period of 10 years. To me, people look at that and say: What is this all about? But that is not the reason I bring this up.

I bring this up because the amount of money that has come out of the military is actually a reduction. If you look at the increase in the spending in the last 4 years, it has all come out of defense accounts, so it is defense that has taken the hits on this. Government has expanded approximately 30 percent across the board. At the same time our military has been reduced in terms of our budget for defense accounts.

Anyway, when this came up a few weeks ago, I thought it was not going to happen. I thought we were going to have something come up and change this whole idea of having to make these reductions. So what I did at that time was draft a bill. The bill merely said if we are stuck with sequestration, let's allow the chiefs—speaking of the military—to reevaluate everything that is included so they can look and see where we can take cuts and it will not be as devastating.

In fact, I called each one of the five service chiefs and I said: Would it be less devastating if you were able to take the same amount of money out but take it out selectively, out of accounts where it would be not as significant?

They said: Yes, it would.

I said: Would you be able to prepare for this in the next 4 years?

The answer is yes. That is where we are today. They said they are able to do that.

The frustrating fact is this President—I am getting criticized on both sides. People are saying you are giving too much to the President. We are not because we have safeguards in here, which I will explain in a minute. But at the same time, the President comes out and says he will issue a veto threat against this bill. What does this do? It gives flexibility for the President.

I am going to read something. This is a statement that President Obama said on February 19, 2013. He said:

Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether we are cutting some bloated program that has outlived its usefulness, or a

vital service that Americans depend on every single day. It doesn't make those distinctions.

He goes on to say that he wants that flexibility. This is the President asking for it on February 19, 2013. Here we come along with a bill that gives him that flexibility with certain restrictions so that he can't pick and choose areas that we find are against the policy that has been set. I will give an example.

We had the National Defense Authorization Act. It was one that took months and months to put together. It took a long time to put together, and we made evaluations, with a limited budget, on what we could do. All this does is say if we have to make some changes from the across-the-board cut, let's make them consistent with the National Defense Authorization Act.

In other words, all those weeks and months of work by the Senate Armed Services Committee and, I might say, the House Armed Services Committee would not be in vain. Those cuts would be consistent with the intent, to make sure the President would do this.

A lot of people say we can't trust the President; he is going to put more cuts in places where it would not be in keeping with what the Senate Armed Services Committee wants. But we have a provision called a congressional disapproval mechanism. That means if the President doesn't do what the intent of this legislation is, then we can go ahead and disapprove it.

We have those two safeguards. One is they have to follow the criteria that is consistent with the Senate Armed Services Committee, the national defense authorization bill, which is the House and the Senate. To be sure we will be able to do that it has the disapproval mechanism.

People do not realize the costs of this. If you take the same amount of money that we are talking about in sequestration and allow the service chiefs to massage this and make changes, give them flexibility to go after programs that are not as significant as some that might otherwise be cut—the bill allows the President to listen to the advice of his military leadership and offset some of the devastating impacts of sequestration. If the sequester is allowed to take place and the congressional resolution is not fixed, the Department of Defense stands to waste billions of dollars through the cancellation of contracts.

People don't think about this. We make commitments backed by the United States of America that we are going to do certain things. A lot of these are contracts such that if they are terminated it could cost quite a bit of money.

The termination of multiyear contracts is something that we would be concerned about. Providing the Department of Defense flexibility to deter-

mine how these cuts will be implemented will let us take this into consideration.

At this point, I ask the Senator from Pennsylvania how much time he would like for his concluding remarks.

Mr. TOOMEY. Madam President, I thank the Senator from Oklahoma. I will only ask for a minute or two to make my closing comments.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. INHOFE. Madam President, I appreciate that very much. He has been a great partner. I have given a background of what went on 5 weeks ago and our discussions with the service chiefs. I was hoping this day would not come and that we would not be faced with the continued devastation of our military, but the time is here. Tomorrow is the 1st of the month.

The Senator from Pennsylvania and I have come up with a bill that will be voted on, and it will minimize the damage and still preserve the cuts that are mandated and are out there.

One of the problems we have not talked about is the continuing resolution. When I was talking to the different service chiefs, one was General Odierno, who is in the Army. He said that just as devastating as how the CR is set up, this corrects that problem at the same time. We have something that is not going to cost any more money. Believe me, a lot of my closest friends—for instance, in the House of Representatives—think it is a good thing that we are making these mandatory cuts. They cannot argue with that, but we can at least minimize the damage in these cuts.

I will read something that shocked me when I saw the President had issued—I am not sure if it is a veto message. I am told it was a veto message.

Here we have a bill that gives him flexibility with the restrictions we talked about. Yet he says he is now going to veto it. It is worth reading this again, and we need to make sure we get this in the RECORD.

This is his quote on February 19, 2013. This is the President speaking.

Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether we're cutting some bloated program that has outlived its usefulness, or a vital service that Americans depend on every single day. It doesn't make those distinctions.

We are now giving him a vehicle that makes those distinctions so we have that flexibility. It has the safeguards to take care of the problems that have been brought up. I think it is not a good solution, but right now it is the only solution.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I would like to thank and compliment the Senator from Oklahoma, who has been a terrific leader and ally. I appreciate his hard work and the work product we have come up with.

At the end of the day, it is not complicated. It is pretty simple. Do we go ahead with indiscriminate across-the-board cuts that give us no ability whatsoever to establish priorities, to recognize that some spending is more important than others, or do we adopt this flexibility approach and give to the President of the United States the flexibility for him to turn to his service chiefs and say to them: Folks, is there a better way to do this? I am sure they know best what their needs are. I am sure they can come up with a better set of spending cuts than these across-the-board cuts that are in law.

Similarly, on the nondefense side, any competent middle manager of any business in America knows that when they have to tighten their belt, they go through and prioritize. So when the President and the Secretary of Transportation go around the country saying: Oh, we are going to have to lay off air traffic controllers; we are going to have to shut down towers; we are going to have delays, none of it is necessary. It is not necessary if we pass this legislation because it would give the President the flexibility to cut the items that would not be disruptive to our economy, and it would not be disruptive in any meaningful way.

I gave the example earlier of the FAA. The FAA would have more money postsequester than what the President even asked for. Obviously, what the President needs is the discretion to be able to make some cuts where they can be best borne.

After having a total budget that has grown 100 percent over the last 12 years, we can find the 2.3 percent that is needed now. These are flexibility measures we would give the President for the remainder of this fiscal year. Thereafter, the savings we will achieve will happen through the spending caps and, therefore, will be decided by the Appropriations Committee.

I urge my colleagues to support the Republican alternative.

I yield the floor.

Mr. LEAHY. Madam President, earlier this week, I shared with the Senate the consequences of sequestration for the budget of the Department of State and foreign operations and its impact on the security of the United States. Funding for the entire Department of State and foreign operations budget amounts to only about 1 percent of the Federal budget, not the 15 or 20 percent some mistakenly believe.

That 1 percent includes funding to operate our embassies and consulates in over 290 countries, to carry out diplomacy in dangerous environments like Syria, Afghanistan, and Pakistan,

respond to humanitarian crises, and build alliances with security and trading partners. Sequestration would harm these efforts by cutting assistance for diplomatic security at a time when everyone agrees we need to do more to protect our Foreign Service officers overseas.

On the development side, sequestration will mean cuts to global health programs that prevent the spread of AIDS and pay for vaccines for children, protect maternal health, and combat malaria and tuberculosis. It will also mean reductions for funding for disaster and refugee aid at a time when an increasing number of victims of drought, famine, and extremist violence around the world need assistance.

As has been pointed out repeatedly, sequestration was included in the Budget Control Act as an incentive to negotiate. The idea was that it would have such catastrophic consequences that rational minds would replace it with a thoughtful and balanced approach to deficit reduction.

That has not happened. To the contrary, just 1 day before the sequester is to take effect, our friends on the other side of the aisle, who favor cutting government programs and particularly those that help the neediest, seem to have decided that they would rather see sequestration take effect rather than close tax loopholes that only benefit the wealthy and pad growing corporate profits.

However, as President Obama and others have been warning for weeks, allowing these Draconian cuts to go into effect tomorrow will have a tremendously negative impact on jobs all across the country and on essential services provided by our government.

The American people elected us to come to Washington to work together and make tough decisions. It is well past time for a certain amount of reasonableness to come back to Congress. I have always believed that a balanced approach of pairing decreased spending with increased revenues is a far better way to deal with our budget deficits than sequestration. That is what we did with President Clinton in the 1990s, and we saw record budget surpluses.

We simply cannot cut our way out of this deficit. We created this situation partly by putting two wars on the Nation's credit card. We already have reduced the debt by \$2.5 trillion, with the vast majority of those savings coming from spending cuts. Just as most private businesses adjust their prices prudently over time, we cannot finish the job of deficit reduction through spending cuts alone.

We must understand that even in these difficult budgetary times we cannot sacrifice the future of critical Federal programs in education, in health care, and in national security that affect hard-working families across the country, every single day. The Amer-

ican people want and expect us to take a balanced approach. They know it isn't wise to protect endless corporate loopholes and tax breaks for the wealthiest Americans instead of investing in our schools, our factories, our roads, and our workers. Yes, they want us to get our books in order—but in a balanced way where everyone pulls equally.

Today the Senate has the opportunity to avoid this devastating sequester by voting for the American Family Economic Protection Act, which does just that. This balanced legislation will delay sequestration by replacing it with a combination of new revenues and targeted spending cuts. These spending cuts would reduce the deficit in a responsible way, eliminating unnecessary direct payments and farm subsidies and implementing reasonable and responsible defense spending reductions beginning when the war in Afghanistan is expected to end. This legislation would also generate revenue, equal to the amount of spending cuts included, by eliminating oil industry tax loopholes, denying deductions to companies that ship jobs overseas, and ensuring that millionaires do not pay a smaller share of their incomes in taxes than the typical middle-class family.

The American Family Economic Protection Act provides us with a clear, balanced proposal that would avoid the devastation of sequestration. I look forward to the opportunity to support this responsible approach to deficit reduction and hope all Senators will join me in doing the same.

If we choose to not act responsibly and do not pass this legislation today, I am afraid sequestration will go forward and would mean devastating cuts around the country and for Vermont. Without action, sequestration would mean that Vermont schools would lose more than \$2.5 million for primary and secondary education and the education of children with disabilities, while putting the jobs of teachers and aides at risk. Vermont would stand to lose more than \$1 million in environmental funding to ensure clean water and air quality, as well as prevent pollution from pesticides and hazardous waste.

Vermont would lose roughly \$2.6 million in funding for medical research and innovation funding from NIH and \$400,000 in funding from the National Science Foundation, costing the State 53 jobs. Vermont would lose funding for the grants that support law enforcement, prosecution and courts, crime prevention and education, corrections, drug treatment and enforcement, and crime victim and witness initiatives. Sequestration would mean Vermont would lose \$101,000 in funding for job search assistance, referral, and placement, meaning 3,700 fewer people will get the help and skills they need to find employment, just when they need it most.

In Vermont, sequestration would impact public health. Fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B due to reduced funding for vaccinations. Across-the-board cuts mean Vermont will lose about \$270,000 in grants to help prevent and treat substance abuse, resulting in around 500 fewer admissions to substance abuse programs. And the Vermont Department of Health will lose about \$55,000 resulting in around 1,400 fewer HIV tests. Sequestration would mean the state would lose funding used to provide meals for seniors and services to victims of domestic violence.

If we do not pass the American Family Economic Protection Act today, our States will lose funding for community development block grants and housing vouchers helping to put a roof over families' heads, we will lose funding for cancer screenings, childcare, and Head Start programs helping to get our Nation's children ready for school.

We cannot afford to allow this self-inflicted devastation move to forward. The bottom line is that getting our fiscal house in order must go hand in hand with policies that promote economic growth, create jobs, and strengthen the middle class—all things that President Obama and Democrats in both Houses of Congress are eager to do if only we had more cooperation from our friends across the aisle. We simply cannot cut our way out of this. We cannot allow an unbalanced approach that would once again require that deficit reduction be achieved solely through spending cuts, and would disproportionately impact low-income Americans and middle-class families. And we should not allow politics and posturing to dictate our actions here today. The American people expect more from us. I hope the Senate will end the filibuster of this legislation and allow an up-or-down vote so that we can show our constituents that we are capable of putting the interests of the Nation first.

Mr. LAUTENBERG. Mr. President, the sequestration spending cuts that are scheduled to begin tomorrow would cause pain and hardship across our country. These cuts will be devastating to workers, small businesses, middle class families, and children.

The list of essential programs and services that will be affected by sequestration is long. So today, I would like to focus on just a few of the more than 50 agencies funded by the Financial Services and General Government Appropriations Subcommittee, which I chair.

My subcommittee helps small businesses get the loans they need. It keeps Wall Street watchdogs on the job. And it funds the agencies that stand up for consumers and stand guard against un-

fair and deceptive business practices. But the largest single appropriation in my subcommittee goes to our Nation's tax collector—the IRS.

At about \$12 billion, the IRS budget is a major expense. But cutting the IRS budget is short-sighted instead of reducing our deficit, shrinking the IRS makes our deficit larger.

That's because short-changing the IRS makes it easier for tax cheats to avoid paying what they owe.

Last year alone, about \$400 billion in taxes owed were never paid.

Mr. President, I was a CEO for many years. If there is one thing I learned in my time at ADP, it is that you can't run a company without revenues. And you surely can't run a country without revenues. The sequestration plan Republicans insisted on will slash the IRS and sacrifice revenues. In fact, for every dollar the sequester cuts from the IRS, our deficit will increase by at least \$4.

These cuts make no sense. But these IRS budget cuts are just the beginning of our problems. Under sequestration, as many as 1,900 small businesses won't get loans, which would mean 22,000 fewer jobs at a time when millions are looking for work. Wall Street watchdogs like the SEC and CFTC will be forced to go home, leaving investors on Main Street vulnerable to wolves on Wall Street. And cuts to the Judiciary could jeopardize one of the most important aspects of our life: the safety of our families. That is because we will have fewer probation officers to supervise criminal offenders in our communities. Courtrooms will be less safe because of cuts to their security systems. And cuts to mental health and drug treatment programs could lead to more offenders relapsing into lives of crime.

The Federal Bar Association agrees. They wrote in a letter last week to Chairman MIKULSKI and me that, Funding reductions could jeopardize the supervision of thousands of persons under pretrial release and convicted felons released from federal prisons, compromising public safety in communities across the Nation.

Mr. President, I voted against the legislation that put us on the path to sequestration because I was concerned about the effects of reckless cuts on everyday Americans. Just look at what sequestration will do to Head Start a program that helps our most vulnerable children learn how to learn: 70,000 kids could be kicked out of Head Start, including 1,300 in New Jersey.

We had a chance today to vote on a bill to replace these cuts with a balanced approach to deficit reduction, but our Republican colleagues insisted on protecting loopholes for the wealthy and big corporations. I hope that they will reconsider their position in the coming weeks, and work with us to undo these damaging cuts.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I ask for an opportunity to respond to the Senator from Pennsylvania and then yield to the Senator from Iowa.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, we just met with Secretary of Transportation Ray LaHood, a former Congressman from Illinois. He said the opposite of what the Senator from Pennsylvania said. The Secretary of Transportation said exactly the opposite of what the Senator just said.

The sequestration is going to force him to reduce the payroll in his department. The largest payroll source is the Federal Aviation Administration and the largest cohort within that administration is the air traffic controllers. Sequestration is going to result in an announcement by the Department of Transportation within the next several days—if we don't avoid it with a vote on this Senate floor—of restrictions on airports across the United States because of sequestered air traffic controllers.

Mr. TOOMEY. Madam President, will the Senator yield?

Mr. DURBIN. Madam President, I will when I am finished.

We know we are going to have to tell them they are only going to be able to work 4 days out of the week. It is mindless to stand on the Senate floor and say we can cut \$1 billion out of the Department of Transportation and no one will feel it. Come on. Get real. We have 7 months left in this year. These agencies are trying to come up with the savings, and the only places they can turn are very limited.

Ashton Carter, Deputy Secretary of Defense, just went through with what they are facing. These are not easy because the sequestration was never meant to be easy. It is hard.

Please don't sugarcoat it and say there is a magic wand out there to find \$1 billion in the Department of Transportation and that if the President would just look closely, I am sure we can do it. It is not that simple.

The Senator has been involved in the supercommittee, and he has been involved in looking at this budget. He knows that on a bipartisan basis we can find savings. There is money to be saved in every single agency of government, but you don't do it with a heavy-handed sequester approach.

Please don't suggest we are favoring the idea of air traffic control being limited in America. I want it expanded. Unfortunately, the sequestration is going to limit it in the State of Illinois and in the Commonwealth of Pennsylvania.

I will yield for the Senator's question.

Mr. TOOMEY. Madam President, it is hard for me to follow this. The Senator is decrying the effects of the sequestration, and what Senator INHOFE and I

are offering is a way to minimize the damage.

In the President's submitted request for the FAA, did he contemplate laying off air traffic controllers or closing towers? I know the answer. The President's budget—which he submitted to Congress and is a public document—requested a certain funding for the FAA.

Mr. DURBIN. For the next fiscal year?

Mr. TOOMEY. For the current fiscal year, the President's most recent request. The President's request was for less money than the FAA will have if the sequester goes through. I don't think the President was planning to lay off air traffic controllers.

Mr. DURBIN. Reclaiming my time, this is getting perilously close to a debate, which I will tell those in attendance never happens on the floor of the Senate. I will tell the Senator at this time we are dealing with the CR and last year's appropriations for the Department of Transportation; that is what Secretary LaHood is using. He is using the Budget Control Act numbers. So the President's request, notwithstanding—I am not sure how the Senator voted, but there was a bipartisan vote for limiting the amount of money that could be spent in this fiscal year. I voted for it, and that is what the Secretary is operating under.

The reality is this: Even with the Inhofe amendment, \$1 billion has to be cut from the Department of Transportation, and the flexibility notwithstanding, the options are so limited at this point in time.

I will tell the Senator pointblank that I believe we need to reduce this deficit. Sequestration is a terrible way, but there is an alternative. There will be an alternative this afternoon, and we will ask the Senator from Pennsylvania and to the Senator from Oklahoma: Are they prepared to say we are going to limit the direct agriculture support payments to farmers who have had the most profitable years in their lives and don't need them? Are they prepared to say that people making \$5 million a year in income ought to pay the same tax rate as the secretaries who work for them? If they are, we can avoid the worst parts of the sequestration. If they are not, be prepared, we are in for a pretty rough ride.

Mr. INHOFE. Would the Senator yield?

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. This has been very interesting. This is not what I was going to speak on. I was going to speak on the amount of cuts we have already taken in our appropriations bill on Labor, Health, Human Services, Education, NIH, and Centers for Disease Control.

I could not help but hear my friend from Pennsylvania talk about the President's budget as though that is

controlling this. Would the Republicans want to adopt everything in the President's budget? I don't think so. They might want to select this or that or this or that, but are we now hearing from my friends on the other side that we should just *carte blanche* rubberstamp the President's budget? I sure hope not.

I remind my friends that the Constitution of the United States clearly says this body has two functions: taxing and spending—not the President and not the executive branch. The executive branch can propose whatever budget they want, it is up to us to decide both how to collect the taxpayers' money and how to spend it. It does not matter to me exactly what the President proposes. What I want to know is how do we—as Senators and as Congressmen—feel about where we should be investing our money and on what we ought to be spending the taxpayers' money.

The idea that somehow the President's budget says this or that and that people can pick and choose whatever they want with it, I submit again, I will bet my friends on the other side will not say: We will just adopt the President's budget as it is and we will go with that. I don't think they are ready to do that. I would not even do that for a President of my own party.

I wish to talk a second, again, about sort of the intransigence on the part of my friends on the Republican side—not only in this body but in the other body—of not countenancing any other funding or raising of revenues. I keep hearing the Speaker say: We gave revenues last month, that we had \$700 billion of revenues last month; now it is time to talk about spending cuts.

What the Speaker has done is he has drawn an arbitrary starting line of January 2013. What about last year and the year before when we adopted over \$1.4 trillion in spending cuts that have already been adopted? What about the starting line there? That is when we started to address the \$4 trillion we needed by 2020 to stabilize our debt.

We have come up with about \$1.4 trillion in spending cuts and about \$700 billion in revenue. It is not the idea that we have already given up and that we have collected enough revenue. That is not it at all. Going forward we need a balance between revenues and spending cuts.

I want to read some of the things we have done in our own committee last year. We had \$1.3 billion in cuts. We eliminated the education technology state grants, which a lot of people kind of liked. The Even Start Program was eliminated. The tech-prep education state grants were eliminated. The mentoring children of prisoners was eliminated; the foreign language assistance was eliminated; the civic education was eliminated; The Alcohol Abuse Reduction Program was eliminated. The

career pathways innovation fund was eliminated.

Many of these programs were started by my friends on the Republican side at some time in the past, some were started by Democrats, but most of them were started jointly with Republican and Democrats. What I am pointing out is that we have already cut a lot of things out of Health and Human Services, education, NIH, and the Centers for Disease Control. I can tell that you Dr. Francis Collins, the head of NIH, warned that the sequester will slash another \$1.6 billion from NIH's budget at the very time when we are on the cusp of having some good breakthroughs in medical research. A lot of medical researchers have been lined up and doing some great programs out there. Now all of a sudden they are going to have the rug pulled out from underneath them, but that is what is going to happen.

I might mention the kids with disabilities and what is going to happen with the funding for the IDEA, the Individuals with Disabilities Education Act. I am told about 7,200 teachers, aides, and other staff who help our communities and our schools cope with kids with disabilities who come into schools—because under IDEA we are providing that kind of support—are going to be cut. But it is going to be cut.

So this idea that somehow we can keep cutting and cutting and cutting and we are going to get to some magic land where we can continue to function as a society just isn't so. We need revenues. That is what is in the bill the majority leader has proposed, revenues that will help us reach that point where we can have both spending cuts and revenues and stabilize our debt at a reasonable percentage of our GDP.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I ask unanimous consent to waive the mandatory quorum call in relation to the cloture vote on the motion to proceed to S. 16.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TO PROVIDE FOR A SEQUESTER REPLACEMENT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 16, which the clerk will state.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 19, a bill to provide for a sequester replacement.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, S. 16, an Inhofe/Toomey bill to cancel budgetary resources for fiscal year 2013.

Mitch McConnell, John Cornyn, Patrick J. Toomey, James M. Inhofe, Johnny Isakson, Richard Burr, John Thune, Tom Coburn, Jeff Sessions, Roger F. Wicker, Mike Johanns, Mike Crapo, Pat Roberts, Ron Johnson, James E. Risch, Jerry Moran, John Barrasso.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed on S. 16, a bill to provide for a sequester replacement, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 38, nays 62, as follows:

[Rollcall Vote No. 26 Leg.]

YEAS—38

Alexander	Enzi	Murkowski
Barrasso	Fischer	Portman
Baucus	Flake	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Scott
Burr	Hoeven	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Thune
Coburn	Johanns	Toomey
Cochran	Johnson (WI)	Vitter
Corker	Kirk	Warner
Cornyn	McConnell	Wicker
Crapo	Moran	

NAYS—62

Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Paul
Blumenthal	Heller	Pryor
Boxer	Hirono	Reed
Brown	Johnson (SD)	Reid
Cantwell	Kaine	Rockefeller
Cardin	King	Rubio
Carper	Klobuchar	Sanders
Casey	Landrieu	Schatz
Collins	Lautenberg	Schumer
Coons	Leahy	Shaheen
Cowan	Lee	Stabenow
Cruz	Levin	Tester
Donnelly	Manchin	Udall (CO)
Durbin	McCain	Udall (NM)
Feinstein	McCaskill	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wyden
Graham	Mikulski	

The PRESIDING OFFICER. On this vote, the yeas are 38, the nays are 62. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to proceed to S. 16 is withdrawn.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 18, S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

Harry Reid, Barbara A. Mikulski, Patty Murray, Sheldon Whitehouse, Mark Begich, Kirsten E. Gillibrand, Jack Reed, Sherrod Brown, Patrick J. Leahy, Robert P. Casey, Jr., Richard J. Durbin, Jeanne Shaheen, Richard Blumenthal, Benjamin L. Cardin, Charles E. Schumer, Barbara Boxer, Debbie Stabenow.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Rollcall Vote No. 27 Leg.]

YEAS—51

Baldwin	Gillibrand	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—49

Alexander	Flake	Murkowski
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hagan	Pryor
Boozman	Hatch	Reid
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Landrieu	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

The PRESIDING OFFICER (Ms. WARREN). On this vote the yeas are 51, the

nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Madam President, I enter a motion to reconsider the vote by which cloture was not invoked on my motion to proceed.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORPORATE JET LOOPHOLE

Mr. MORAN. Madam President, as we all know, our country faces tremendous fiscal challenges. We expect our President, our leaders, and those of us in Congress to engage in a meaningful and honest discussion about debt, deficits, and the direction of our Nation. Unfortunately, I think what Americans—certainly Kansans—are hearing from the White House and from some prominent Democrats is a relentless focus on political gimmicks to solve our problems.

An example of one of those is the so-called corporate jet loophole. We are focused on that instead of a serious plan to address the looming sequestration cuts that threaten to harm our economy. The President's fixation on corporate jets stands in direct contrast with his supposed desire to help the aviation industry and create jobs. Ending the accelerated depreciation schedule for general aviation aircraft will send hundreds if not thousands of hard-working Kansans straight to the unemployment line. My State is blessed with a significant number of people who work in the aviation industry.

This rhetoric is dangerous. It is certainly hypocritical. The 5-year depreciation schedule has been law for nearly a quarter of a century, and it was not created for the benefit of the "rich" or "wealthy" but was created for the benefit of the 1.2 million Americans who make a living building and servicing these airplanes. Accelerated depreciation helps spur manufacturing and creates jobs.

I am disappointed that the President continues his endless campaign to score political points rather than to work toward a real solution to solve our Nation's fiscal challenges. When 23 million Americans are looking for work, our government's first priority should be to create an environment where business can grow and hire additional workers. Increasing taxes on corporate jets and other general aviation aircraft sales will only further stifle economic recovery and result in additional job losses.

According to our Joint Committee on Taxation, closing the "loophole," would only generate \$3 billion in revenue over the next 10 years, less than the government borrows on a single day. Kansans in particular, along with the rest of rural America, would be negatively impacted by any change in the depreciation schedules for non-commercial aircraft. Farmers use general aviation aircraft to dust their crops, and rural small business owners rely on these planes to connect their businesses with the rest of the world. It makes no sense for a commercial jumbo jet liner to be depreciated on the same schedule as a farmer's air tractor.

This distinction between general and commercial aircraft is neither a loophole nor unique, as the 5-year depreciation schedule is applicable to many other depreciable transportation assets, such as cars and trucks. If the President wants Congress to review the depreciation periods associated with certain assets, then why single out one specific industry instead of taking a comprehensive approach? Because attacking corporate jets is apparently a nice political sound bite. But political sound bites don't solve our problems.

Because of the expiration of the Bush tax cuts on January 1 of this year, President Obama received \$600 billion in tax hikes to help fund his vision for government expansion. Yet less than 2 months later he is back on the campaign stump asking American taxpayers for more.

While the amount of revenue our government currently brings in is near historical averages, spending remains well above those historical norms and is projected to escalate dramatically in the years ahead. It is long past time to address the real problem with meaningful spending reductions, and every moment spent talking about corporate jet loopholes is a wasted moment.

Americans expect leadership from their elected officials here in Washington, DC. If we fail to take action now and leave it for a future President and a future Congress to solve, we will reduce the opportunities of the next generation to experience the country we know and love, and we will diminish the chance that every American has the chance to pursue the American dream.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent to speak for 15 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. GRASSLEY. Madam President, the last 2 days in the debate here, a lot has been said about the sequestration that presumably is going to happen tomorrow. I would like to speak on that subject because it is very important, particularly the history of sequestration and what has gone on here in recent weeks as we discuss this issue.

In August 2011 a compromise was reached to grant President Obama's request to raise the debt ceiling by \$2.1 trillion. I believe that was because we had a feeling that there ought to be a \$1 decrease in spending for every \$1 increase in the ceiling. So that adds up to \$2.1 trillion. In exchange for an increase in the debt ceiling, we Republicans in Congress asked for spending reductions. This all added up to the Budget Control Act passed on August 2, 2011. Decisions we are debating today were decided 18 months ago, so if you didn't like them in 18 months, you had an opportunity to change them. But here we are at the last minute talking about some changes.

The Budget Control Act of August 2, 2011, included budget caps to cut about \$900 billion in spending immediately—August 2, 2011—and then it set up a supercommittee to find at least \$1.2 trillion in additional deficit reduction. History shows that the supercommittee could not reach an agreement. So the failure of the supercommittee to reach an agreement led to the sequestration we are now debating and facing tomorrow, which is, as we know, automatic spending reductions of \$1.2 trillion over the next 10 years.

I didn't support the Budget Control Act. I don't criticize those who did, and to be fair, it was a bipartisan vote that got the Budget Control Act adopted. I knew at the time—and one of the reasons I voted against it—that the supercommittee was unlikely to reach an agreement and that it would ultimately only further delay difficult fiscal decisions that needed to be made. But at the end of the day the bipartisan majority in the Senate and the House passed and President Obama signed the Budget Control Act—a bill to bring about \$2.1 trillion in spending reductions over the next 10 years.

Most believe sequestration is a terrible way to reduce spending. I agree.

There are surely better ways to reduce spending by the \$85 billion that is going to happen this year—of which, by the way, only \$44 billion is going to be spent between now and September 30.

When that is done, we are going to have a situation where every year there is going to be some decision made on whether to continue the \$1.2 trillion, and I hope for the good of the country that continues, whether it is by across-the-board automatic cuts or maybe there will be a compromise that can be reached to do it in a more studied way.

The Republican-led House of Representatives, soon after the 2011 decision, recognized that the automatic reductions weren't the best way to do it. So last year they passed two bills to reorganize those cuts in a more structured way. Did the Senate consider those two bills? No. The Democratic-led Senate produced or considered no bill prior to today to avert the sequester.

So I think it is fair to say that for the 18 months we could have been working together to find an agreement, nothing was done after the House of Representatives worked that agreement. Now we have all these crocodile tears flowing from the majority here in the Senate because of the terrible hardship this sequester may cause. Well, where have they been for the last 18 months? Why have they not proposed a single piece of legislation to avert sequestration until this very last minute? The two votes we just had today are an example.

Why has the Senate avoided regular order with such vigor? In other words, regular order—let the committees hold hearings; let the committees debate, amend, vote a bill out; let it come to the Senate floor; debate, amend, and vote it to a conference with the House of Representatives. But no regular order. Under regular order, you work to compromise. But the Senate failed to act after the House acted. So here we are at the eleventh hour to consider an alternative.

Just like their inability to produce a budget in nearly 4 years, this Senate majority has again failed to act. A budget is a very important part of fiscal discipline, but we haven't had a budget debate for 3 years even though the 1974 law requires us to have such debate and passage.

Tomorrow the President is going to meet with leaders in the Congress to see what can be done about sequestration, but why the very same day sequestration is taking place? What has the President been doing?

Well, we have seen him traveling around the country generating mass hysteria about what might happen—and wouldn't have had to do it if we had regular order here in the Senate in the meantime.

I would like to remind my colleagues that not only is the sequester a product

that came from the White House, he explicitly pledged to veto a proposal to replace the cuts sometime when it was brought up in late 2011 and 2012. This is what the President said on November 2011:

Some in Congress are trying to undo these automatic spending cuts. My message to them is simple. No. I will veto any effort to get rid of those automatic spending cuts to domestic and defense spending. There will be no easy off-ramps on this one.

Now the President and the Democrats here in the Senate want us to agree to more tax hikes on the American people rather than to cut the \$3.6 trillion budget by just 2.4 percent, which they agreed to as part of the 2011 deal. Tax hikes were not included in that deal. They weren't included because we know that spending is the problem, not revenues.

The President must be absolutely frustrated. He apparently can't manage a meager 2½-percent reduction even though just a few years ago he stated:

I want to go line by line through every item in the federal budget and eliminate programs that don't work and make sure that those that do work, work better and cheaper.

He must not have had any success because once again he is asking for a tax hike to reduce the deficits rather than addressing the real cause of the problem, which is spending.

Over the past several years we have heard a lot from the other side about increasing taxes on the so-called wealthy. The President and my Democratic colleagues argued that this was necessary to make the rich pay their fair share. Well, on January 1 the other side got their wish. The top statutory tax rate increased from 35 to 39.6 percent. When this statutory rate increase is coupled with the hidden rate increase from reinstituting the personal exemptions phaseout and the limitation on itemized deductions, the top marginal effective tax rate is not 39.6 percent but near 41 percent.

Not only did we see an increase in the income tax on January 1, but we also saw a significant tax increase on capital gains and dividends. The fiscal cliff bill instituted a top 20 percent tax rate on capital gains and dividends. However, this is not the whole story. A provision from the health care reform bill that imposes a 3.8-percent surtax on investment income also went into effect at the start of the year. Thus, the top rate has jumped not from 15 percent to 20 percent but instead to 23.8 percent. That, of course, is nearly a 60-percent rate hike. You would think, after securing these tax hikes on the so-called wealthy, the other side would claim victory and move on. At least one would think they would move on from the tired old rhetoric that the wealthy do not pay their fair share.

Even before the most recent tax hikes, that claim was dubious at best. According to the Congressional Budget

Office—remember, that is a non-partisan study group that gives us basic information on changes of law—they say the top 1 percent already had an average Federal tax rate of 29 percent compared to 11 percent for the middle 20 percent of households. Yet the other side continues their politics of division. They continue to pit American against American and single out politically unpopular industries for tax hikes. While this may be good politics, it does not make good policy. You know, it is the other rule we ought to follow: Good policy is good politics.

The other side has resurrected in addition as part of this package before us the so-called Buffett rule, which would phase in a minimum 30-percent tax rate for taxpayers earning more than \$1 million. This is despite the fact that this proposal was voted down by this body less than a year ago and they know there is no chance of it passing at this point. Moreover, their argument for this provision makes even less sense now, given the tax increases that went into effect on January 1.

It also is not clear to me why, when we are talking about reforming the Tax Code, we are now seeking to add an additional layer of complexity onto a Tax Code we already agree is too complicated.

At the end of the day, all the Buffett rule will accomplish is siphoning off more job-creating capital and investment for Main Street so that we can spend it here in Washington, DC. I hope we all know that government consumes wealth, it does not create wealth. The wealth is created outside of this city of Washington, the seat of our government. We have to take that into consideration. It takes capital to create jobs. If you want to get unemployment down, you do not take capital out of the private sector.

In addition to the Buffett rule, the other side has resurrected another proposal voted down by this body less than a year ago. This proposal has to do with businesses deducting ordinary and necessary business expenses. The rhetoric from the other side is that their proposal would close a loophole that incentivizes companies to ship jobs overseas. The problem is no such provision exists. The deduction for ordinary and necessary business expenses is a mainstay of our Tax Code. It is an income-defining provision that accounts for the cost of doing business. What the proposal before us actually does is target companies doing business on a worldwide scale for a tax hike. This will not create jobs in America. It will not bring jobs that have relocated offshore back home. What it will do is punish businesses that seek to expand in the international markets, which in turn could actually cost us jobs here at home.

The final tax increase included in the other side's proposal today is more of a

budget gimmick than a serious proposal to help pay for the delay in the sequester. The proposal would subject oil from tar sands to taxes that support the oilspill liability trust fund. However, if the revenue raised from this proposal is dedicated to this trust fund, how can it at the same time be dedicated to deficit reduction? If we are going to get serious about deficit reduction, we need to put an end to this double-counting charade.

The only spending the other side is willing to cut is farm subsidies. Using farm subsidies to help pay for sequester replacement puts the Agriculture Committee in quite a tough position. I want to remind my colleagues, though, that when we wrote a farm bill last year that passed the Senate by a bipartisan majority—it didn't pass the House of Representatives—but we cut \$23 billion from that. We did away with direct payments, we maintained the crop insurance program, we put money in other programs and in food stamps as well.

There is broad support for the farm bill here in the Senate from both Democrats and Republicans and there is broad support for making spending reductions. But for Democrats to include cutting subsidies outside the context of a farm bill will make it difficult for us to write a farm bill. As we all know, there has been a lot of history of rural and urban legislators working together on farm and nutrition issues in the farm bill. By cutting farm programs in this sequestration replacement, my Democratic colleagues are undermining the ability of the Agriculture Committee to craft a bill that will gain the needed support to move through the Senate in a bipartisan way as it did last June.

I think the proposal will hurt our agriculture communities and I think those involved in American agriculture will oppose it.

At the end of the day, though, there will be money saved in the farm bill. If, given that opportunity, we can provide savings from a lot of programs, we should. We showed that ability last year. We all know the farm bill faced big challenges in the House last year. The challenges probably still exist in that Chamber, but we should not put ourselves in a position where we cannot even get a bill through the Senate.

For those of us who support the farm bill, we should be very concerned that this plan the Democrats are putting forward to avoid sequestration could seriously undermine the ability to pass a farm bill in either Chamber this time around. We just had an opportunity to vote on the Democrats' tax increase. This was the first vote in the Senate on an alternative to sequestration and the first alternative offered by the Senate majority. Over a period of 18 months, they had an opportunity to offer that

alternative, just as the House Republicans offered us two alternatives we never took up.

We also had the opportunity to vote on one alternative from the Republican side of the aisle, but both of these votes were for show. I hope we can now work together in a bipartisan way, in regular order, to make sensible spending reductions. It is time to end the incessant talk of more tax hikes on Americans when those tax hikes already took place on January 1, when we know that the problem is in fact runaway spending. It is time to end the constant campaigning and do the work the American people expect us to do so we can leave the next generation a better life than the present generation has.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. COONS). The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that the Senator from Louisiana, Mr. VITTER, be allowed to speak following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOO BIG TO FAIL

Mr. BROWN. Mr. President, I welcome Senator VITTER and his cooperation in this matter. I appreciate the work he has done on the issue. He and I are going to address the concentration of the financial system in this country and what that means to the middle class, what it means to business lending for small businesses, and again what it means to the potential of too big to fail, which is something Senator VITTER has been a leader on for a number of years. Both of us are members of the Senate Banking Committee.

More than 100 years ago, in 1889, one of my predecessors, Senator John Sherman, a Republican, and author of the Sherman Antitrust Act—who actually lived in my hometown of Mansfield, OH, and was the only other Senator from that city who served here—said:

I do not wish to single out Standard Oil Company . . . [s]till, they are controlling and can control the market so absolutely as they choose to do it; it is a question of their will. The point for us to consider is whether, on the whole, it is safe in this country to leave the production of property, the transportation of our whole country, to depend upon the will of a few men sitting at their council board in the city of New York, for there the whole machine is operated?

At the time, Senator Sherman was speaking about the trusts—specifically

Standard Oil but other trusts as well—that were large, diverse industrial organizations with outsized economic and political power, not just economic power but also political power. His words are as true then as they are today. Today our economy is being threatened by multitrillion dollar—that is trillion dollar—financial institutions. Wall Street megabanks are so large that should they fail, they could take the rest of the economy with them.

If this were to happen, instead of failure, taxpayers are likely to be asked again to cover their losses and to bail them out just as we did 5 years ago. This is a disastrous outcome because it transfers wealth from the rest of the economy into these megabanks and suspends the rules of capitalism and perpetuates the moral hazard that comes from saving risk-takers from the consequences of their behavior.

Just as Senator Sherman spoke against the trusts in the late 19th century, today people across the political spectrum—both parties and all ideologies—are speaking about the dangers of the large, concentrated wealth of Wall Street megabanks.

In 2009, another Republican—and one a little more familiar to a modern audience—Alan Greenspan said:

If they're too big to fail, they're too big . . . in 1911 we broke up Standard Oil. . . . Maybe that's what we need to do.

If anyone thought the biggest banks were too big to fail before the crisis, then I have bad news: They have only gotten bigger.

These are the six largest banks and their growth patterns in 1995—18 years ago—had combined assets that were 18 percent of GDP. Today they have combined assets over 60 percent of GDP. Over that time, 37 banks merged 33 times to become the top 4 largest behemoths, which now range from \$1.4 trillion in assets to the largest, Bank of America and JPMorgan Chase, which is around \$2.3 or \$2.4 trillion in assets. That is \$2.3 trillion in assets. Since the beginning of the fiscal crisis, three of these four megabanks have grown through mergers by an average of more than \$500 billion.

The 6 largest banks now have twice the combined assets of the rest of the 50 largest U.S. banks. These 6 banks—Morgan Stanley, Goldman Sachs, Wells Fargo, Citigroup, JPMorgan Chase, Bank of America—the combined assets of 6 banks, are larger than the next 50 largest banks. Put another way, if we add up the assets of banks 7 through 50, the bank that resulted would only be half the size of a bank made from the assets of the top 6.

As astonishing as these numbers are, they don't tell the whole story. Many megabank supporters argue that U.S. banks are small relative to international banks.

But as Bloomberg reported last week, FDIC Board member Tom Hoenig has

exposed a double standard in our accounting system that allows U.S. banks to actually shrink themselves on paper. Under the accounting rules applied by the rest of the world, the 6 largest banks are 39 percent larger than we think they are. That is a difference of about \$4 trillion. If that is the case, instead of being 63 percent of GDP under international accounting rules, these 6 banks are actually 102 percent of GDP. Let me say that again. The six biggest banks' combined assets are slightly larger than the entire size of our economy. When measured against the same standard as every other institution in the world, we see the United States has the three largest banks in the world. These institutions are not just big, they are extremely complex.

According to the Federal Reserve Bank of Dallas, the 5 largest U.S. banks now have 19,654 subsidiaries. On average, they have 3,900 subsidiaries each and operate in 68 different countries. These institutions are not just massive and complex—I don't object so much to that—it is they are also risky.

According to their regulator, the Office of the Comptroller of the Currency—and I met with them today—none of these institutions has adequate risk management. Let me say that again. In stress tests, not one of the largest 19 banks has shown adequate risk management.

It is simply impossible to believe that these behemoths will not get into trouble again. We saw what happened with one of the best managed banks with a lot of employees—some 16,000, 17,000, 18,000 employees in my State alone—at one site with 10,000 employees in Columbus: JPMorgan Chase, a well-managed bank with a very competent CEO but a bank that not so long ago lost \$6 billion or \$7 billion.

It is impossible to believe they will not get into trouble again and they will not be unwound in an orderly fashion should they approach the brink of failure.

If you don't believe me, ask Bill Dudley, President of the Federal Reserve Bank of New York. He said recently that “we have a considerable ways to go to finish the job and reduce to intolerable levels the social costs” of a megabank's failure. He said that more drastic steps “could yet prove necessary.”

Governor Dan Tarullo, from the Federal Reserve, threw his support behind a proposal first introduced by the Presiding Officer's predecessor, Senator Ted Kaufman, and me to cap the non-deposit liabilities of the megabanks some 3 years ago in this body.

These men are not radicals; they are some of the Nation's foremost banking experts.

History has taught us we never see the next threat coming until it is too late and almost upon us. When we

passed the Dodd-Frank Act, it contained tools that regulators can use to rein in risk taking.

Unfortunately, many of those rules have stalled, and most will not take effect for years, because it is not just the economic power of the banks but the political powers so often having their way in this city and with regulators all over the country.

Dodd-Frank focuses on improving regulators' ability to monitor risks and enhancing the actions that regulators can take if they believe the risk has grown too great. Over the last 5 years alone we have seen faulty mortgage-related securities, we have seen foreclosure fraud, and we have seen big losses from risky trading, money laundering, and LIBOR rate digging.

Until the Dodd-Frank rules take effect, the rest of us more or less have to stand by idly as megabanks take more risks that almost inevitably and eventually lead to failure.

We shouldn't tolerate business as usual, monitoring risk until we are once again near the brink of disaster. We should learn from our recent history. We should correct our mistakes by dealing with the problem head on. That means preventing the anti-competitive concentration of banks that are too big to fail and whose favored status encourages them to engage in high-risk behavior.

How many more scandals will it take before we acknowledge that we can't rely on regulators to prevent subprime lending, dangerous derivatives, risky proprietary trading, financial instruments that nobody understands, including the people running the banks in many cases, and even fraud and manipulation.

Wall Street has been allowed to run wild for years. We simply cannot wait any longer for regulators to act. These institutions are too big to manage, they are too big to regulate, and they are surely still too big to fail.

We can't rely on the financial market to fix itself because the rules of competitive markets and creative destruction don't apply to Wall Street megabanks as they do to businesses in Louisiana or Delaware or Ohio. Megabanks' shareholders and creditors have no incentive to end too big to fail. As a result, they will engage in ever-riskier behavior. In the end, they get paid out when banks are bailed out.

Taking the appropriate steps will lead to more midsized banks—not a few megabanks—creating competition, increasing lending, and providing incentives for banks to lend the right way.

If there is one thing the people in Washington love, it is community banks. Senator VITTER has been very involved in helping community banks deal with regulations and other kinds of rules. Cam Fine, the head of the Independent Community Bankers of America, is calling for the largest

banks to be downsized because he sees that his members, the community banks—there might be 50 million, 100 million, or less than that in assets—are at a disadvantage.

Just about the only people who will not benefit from reining in these megabanks are a few Wall Street executives. Congress needs to take action now to prevent future economic collapse and future taxpayer-funded liabilities.

Before yielding, I wish to thank Senator VITTER, who recognizes this problem with an acuity that most don't have, and for joining me in doing something about it. I am pleased to announce today that we are working on bipartisan legislation to address this too-big-to-fail problem. It will incorporate ideas put forward by Tom Hoenig, Richard Fisher, and Sheila Bair. Senator VITTER will talk about his views in a moment.

The American public doesn't want us to wait. They want us to ensure that Wall Street megabanks will never again monopolize our Nation's wealth or gamble away the American dream.

To those who say that our work is done, I say we passed seven financial reform laws in the 8 years following the Depression, so it is clear there is precedent for not just one time, one fix, but a continued addressing of this problem until we know we have the strength of the American financial system returned to the way it once was.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am proud to join Senator BROWN on the Senate floor to echo those comments. I agree that too big to fail, unfortunately, is alive and well, and that poses a real threat to all of us—to consumers and citizens everywhere and fundamentally to the American economy.

Coming out of the financial crisis, it seemed to me that the biggest threat and the biggest problem was continuing too big to fail. I think now, several years after the passage of Dodd-Frank, we have objective numbers and evidence that it did not bury too big to fail. Again, they are objective numbers and evidence and pricing in the market that too big to fail is alive and well.

I think the fact that Senator BROWN and I are both here on the floor echoing each other's concerns, virtually repeating each other's arguments, is pretty significant. I don't know if we quite define the political spectrum of the Senate, but we come pretty darn close. Yet we absolutely agree about this threat.

I think Senator BROWN's historical analogy is right. It is like the unfettered growth and power of the trusts in the late 19th century, and there too folks of all sorts of ideologies correctly recognized that threat—liberal Democrats as well as Senator BROWN's Republican predecessor, Senator Sher-

man, and, of course, the biggest Republican trust-buster of all, Teddy Roosevelt. It is the same issue. It is the intense concentration of power. As a conservative, I am very suspicious and nervous about that, whether it is when it is in government or whether it is when it is in the private sector.

I think the sort of bipartisan consensus that, perhaps, we personify on the Senate floor is also growing outside Congress and outside this institution. Senator BROWN alluded to some of it, but let me flesh that out.

We have, for instance, the Federal Reserve Board Governor, Dan Tarullo. He was appointed by President Obama. He was a prominent figure in drafting and implementing Dodd-Frank. He recently lamented:

... to the extent that a growing systemic footprint increases perceptions of at least some residual too-big-to-fail quality in such a firm—

Meaning a megabank—

notwithstanding the panoply of measures in Dodd-Frank and our regulations, there may be funding advantages for the firm, which reinforces the impulse to grow.

In a little more blunt terms, our colleague, Senator ELIZABETH WARREN, who is also a figure in coming up with Dodd-Frank, said recently in our Banking Committee hearing with Chairman Bernanke:

I'd like to go to the question about too-big-to-fail; that we haven't gotten rid of it yet. And so now we have a double problem, and that is that the big banks—big at the time that they were bailed out the first time—have gotten bigger, and at the same time that investors believe that too-big-to-fail out there, that it's safer to put your money into the big banks and not the little banks, in effect creating an insurance policy for the big banks that the government is creating this insurance policy—not there for the small banks.

In a similar way, we have those concerns echoed in the real world outside this body on the right as well.

Recently, George Will said:

By breaking up the biggest banks, conservatives will not be putting asunder what the free market has joined together. Government nurtured these behemoths by weaving an improvident safety net and by practicing crony capitalism.

Peggy Noonan, another well-known conservative, has said:

If you are conservative you are skeptical of concentrated power. You know the bullying and bossism it can lead to. . . . Too big to fail is too big to continue. The megabanks have too much power in Washington and too much weight within the financial system.

So I do think there is a real and growing consensus in this body, in Washington, and in the real world, as I have suggested by those observers' quotes, and I think we need to build on that consensus and act in a responsible way.

Senator BROWN and I have been doing that, first with joint letters to Chairman Bernanke and others, focusing on the need for significantly greater capital requirements for the biggest

banks. We think this would be the best and first way we should try to rein in too big to fail, to put more protection between megabank failure and the taxpayer, more incentive for the megabanks to perhaps diversify, perhaps break up, or at least correctly price their size and risk to the financial system.

We are following up on that initial work that was reflected in letters and specific suggestions to Chairman Bernanke with legislation that is quite far along, and I know we will be talking about more both today and in the near future.

With that, let me invite Senator BROWN to round out his comments, and then I will have a few more words to say.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I know Senator ALEXANDER is waiting to speak. I thank Senator VITTER for his work on this issue. I remember the first discussions Senator VITTER and I had about this when he was asking some tough questions of a couple of regulators—it might have been the Secretary of the Treasury as well as a couple of other regulators—on capital standards and how important it was that, as he just mentioned, these banks have the kinds of capital standards, have the kinds of capital reserves that are so important in making sure these banks are healthy. Probably most of us in our lives have seen the movie “It’s a Wonderful Life,” and we know what happens to a bank that is not capitalized; a small-town example of a bank that served the country in ways that community banks do. It is a very different story today, perhaps.

But I think his insight into the importance of capital reserves and then continuing these discussions, we both came to the realization that, as he pointed out, people all across the political spectrum—some of my more Democratic colleagues, people such as George Will and others—have been very involved as business leaders and speaking out on issues that matter.

So I thank Senator VITTER for his work. We will be working on legislation, and I am hopeful more of my colleagues see how important this issue is so we can continue to work together.

I yield the floor.

Mr. VITTER. Again, I thank Senator BROWN for his partnership. Senator BROWN, with those posters, made crystal clear the facts. The fact is that since the financial crisis, the megabanks have only continued to grow in size, in dominance, and in market share. In fact, that has accelerated significantly.

Some folks will say: Oh, well, that was a preexisting trend. That is because of a number of factors.

It is certainly true there are a number of factors at issue. But the growth has only accelerated since the crisis

and Dodd-Frank. It has not let up. In addition, there have been several recent studies that actually quantify the fact that too big to fail is a market advantage, is, in essence, a taxpayer subsidy, as ELIZABETH WARREN suggested, for the megabanks.

An FDIC study released in September says that. It says:

The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 was explicitly intended to, in part, put an end to the TBTF [too big to fail] de facto policy.

But it concludes that:

The largest banks do, in fact, pay less for comparable deposits. Furthermore, we show that some of the difference in the cost of funding cannot be attributed to either differences in balance sheet risk or any non-risk related factors. The remaining unexplained risk premium gap is on the order of 45 bps [basis points]. Such a gap is consistent with an economically significant “too-big-to-fail” . . . subsidy paid to the largest banks.

Another recent study and working paper is an IMF working paper. It simply attempted to quantify that taxpayer too-big-to-fail subsidy. According to that study, before that financial crisis, the subsidy:

. . . was already sizable, 60 basis points. . . . It increased to 80 basis points by the end [of] 2009.

Then, most recently, Bloomberg has tried to put pen to paper and refine that calculation, and Bloomberg’s calculation is \$83 billion—an \$83 billion subsidy of the five biggest U.S. banks, specifically because of artificially cheap rates created by the market believing they are too big to fail.

I do not like huge size and dominance in market share, period. But certainly—certainly—we should not have government policy that is driving it, that is exacerbating it. It seems to me that should be a solid consensus left and right, Democrat and Republican.

Senator BROWN and I are following up on our previous work and drafting legislation. Of course, we are not ready to introduce that today. But it would fundamentally require significantly more capital for the megabanks and would distinguish between megabanks and other size banks; namely, community banks, midsized banks, and regional banks. The largest banks would have that significantly higher capital requirement.

It would also try to walk regulators away from Basel III and institute new capital rules that do not rely on risk weights and are simple and easy to understand and are transparent and cannot be gamed the way we think Basel III can be manipulated and gamed.

Requiring this would do one or both of two things. It would better ensure the taxpayer against bailouts and/or it would push the megabanks to restructure because they would be bearing more cost of that risk to the financial system.

In addition, we are contemplating and discussing another section of this

bill that would do something that I think is very important to do at the same time: create an easier—not a lax but a more appropriate regulatory framework for clearly smaller and less risky financial institutions such as community banks.

Again, I thank Senator BROWN for his partnership. I thank him for his words today. I look forward to continuing to work on this project, as I believe a true bipartisan consensus continues to grow on this issue.

Mr. BROWN. Mr. President, I will speak briefly, and then I will certainly yield to Senator ALEXANDER.

I appreciate very much Senator VITTER’s words and comments and insight. I wish to expand for 2 or 3 minutes on one thing he said about the subsidy that these largest six banks get.

We can see again on this chart that 18 years ago these six banks’ total assets were 18 percent; 18 years ago it was 18 percent of GDP. Today, through mergers and growth—and I would argue unfair competition in many cases—they are over 60 percent. But what Senator VITTER said, which I think is important to expand on a bit, is the subsidies these banks get—Bloomberg said it was about \$83 billion a year in subsidies they get because of government action or inaction, frankly. It is interesting, that \$83 billion, when we are talking about the sequester today is about \$85 billion, is not relevant, except putting it in some context.

But the reason they have this \$83 billion subsidy, \$85 billion subsidy or so—\$83, \$84, \$85 billion—or they have the advantage, when they go in the capital markets, of getting the advantage of 50, 60, 70, 80 basis points—and 80 basis points is eight-tenths of 1 percent in interest rate advantage—is because the capital markets believe their investments in these banks are not very risky because the markets believe these banks are too big to fail because they have the government backup for them.

So if they have no risk, people are willing to lend money to them at lower interest rates. That is why the Huntington Bank in Columbus, OH, a large regional bank with about \$50 billion in assets, or Key, a larger bank in Ohio—still, though, a regional bank—or banks in Coldwater, OH, or Sycamore, OH, or Third Federal in Cleveland—banks that maybe own only a few tens of millions or even up to \$1 billion in assets—do not have that advantage. They pay higher interest rates when they borrow because the people who lend to them know they are not going to get bailed out if something bad happens.

It is only these six largest banks that have that advantage. So because they can borrow money from the markets at a lower rate, they are, in effect, being subsidized because we have not fixed this too-big-to-fail problem for the Nation’s banks.

So it is not a Senator or a conservative Republican or a progressive Democrat from Louisiana or Ohio making this case that they are getting this advantage; it is the capital markets that have decided, yes, these are too big to fail, so we are going to lend them money at lower rates than we would lend to the Huntington or Key or Third Federal or FirstMerit in Ohio.

Fundamentally, that is the issue; that it is our actions or inactions that have given these banks a competitive edge that nobody through acts of government—whether you are a liberal or a conservative—should believe it should be part of our economic system and our financial system.

I thank Senator VITTER and yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The Senator from Tennessee.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 421 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Ms. MURKOWSKI. Mr. President, I am pleased to stand with so many colleagues not only here on the Senate side but over in the House to recognize an accomplishment—an accomplishment of the Congress. I think it is important to recognize that in these times that are so contentious, where a lot of messages go back and forth but at the end of the day we haven't governed, we haven't done what we had hoped legislatively, we haven't really helped people, today we can be proud that we have worked to help people, particularly women, and that is through final passage of the Violence Against Women Act. It has been a long time coming.

We successfully moved that legislation through this body last year. I was a proud cosponsor, an early cosponsor. This ought not to be a Republican issue or a Democratic issue. It ought not to be a woman's issue. It is an issue that should bother all of us when we cannot stand together and help those who have been victims of domestic violence. If we can't do that as a minimum, we really aren't doing our job, we really aren't doing service to people.

It is exceptionally good news that not only have we seen final passage in the Senate again this Congress with 78 Senators in support, but today the House on a vote of 286 ayes to 138 nays advanced the Violence Against Women Act reauthorization.

I wish to acknowledge the good work of the Judiciary chairman, Senator LEAHY, for his leadership and for continually pushing. Sometimes you need

to keep going at it until it is recognized that the time has long passed, come and gone, that we should act.

I am pleased that we heard the call of some 1,300 organizations representing domestic and sexual violence groups, such as the AWAIC shelter in Anchorage. So many of the shelters across my State—truly, those agencies, those people have done so much to help so many.

There is cause for celebration that the Congress has finally taken the right action to help those victims of domestic violence. I am pleased to acknowledge that accomplishment today.

KING COVE, ALASKA

Mr. President, I want to continue with a story I began a few weeks ago. I stood before this body and decried the actions of the Fish and Wildlife Service when they announced they were moving forward with a no-action alternative in an area of the State of Alaska on the Aleutian chain, in the Aleutians East Borough where the small community of King Cove, a small community of less than 1,000 people, was being denied access to an all-weather airport—an airport that could help relieve the suffering, the anxiety. Truly, there is trauma that comes when there is a medical emergency in your community and you are trapped because of the weather: You can't get a plane, you can't get a boat safely to you. There is an option, and that option would require that a 10-mile stretch of road, a one-lane gravel road designed for non-commercial use, be placed on the edge of the refuge to allow for this Aleut community to access the rest of the world for help, for medical help.

I stood and I told my story, and I wanted to update the Senate as to where we stand today because as much as I would like to say that I was successful down here on floor in encouraging the Secretary of the Interior to act in the best interests of the people who live in King Cove, respect their safety, respect their lives as much as the refuge is being respected—I wouldn't need to update you; I would just say it was a good win for all. The fact is that we are not there yet. So I think it is important that people understand where exactly we are.

I think this is about the sixth visit the people of King Cove have made from King Cove, AK—some 4,000-plus miles—to Washington, DC. They were given an opportunity to meet with Secretary Salazar this morning. I had an opportunity, along with Senator BEGICH, to get an update on that meeting, and I heard that it was good and the Secretary listened. I hope the Secretary listened not only with his ears but with his eyes as he saw the tears of those people, with his soul as he heard their fears, their anxieties. I so hope that the Secretary appreciates that when he says his highest moral responsibility is to the Native and Indian people, he is able to translate that into ac-

tion, into positive action for these people in King Cove.

I would like to share with you in the few minutes I have remaining some of the stories the Secretary heard this morning.

The community of King Cove is out in the Aleutians, about 600 air miles from Anchorage. It is about a \$1,000 roundtrip ticket to get to Anchorage. Why do you need to get to Anchorage? King Cove has a medical clinic, it has a physician's assistant. If you have anything more serious than a need to set a broken bone, for instance, you must leave the village for care in Anchorage, so you need to make that trip.

A community such as King Cove has real mountains. It is tough to get in and out by plane. In fact, the Coast Guard, which was called in to do five rescues last year, says that getting in and out of the King Cove airstrip is one of the worst places in Alaska because of the terrain, the weather, the wind shears that come off the mountains, the turbulence that pushes a helicopter down. It is just a bad-case scenario. Fixed wing, helicopter—it doesn't make any difference. It is tough.

There is an option. King Cove is on the water, but the waters in King Cove are not always calm. In this picture, unfortunately, it seems almost tropical looking with the blue waters. This is the dock in King Cove. You might not be able to see it from where you are sitting, Mr. President, but each one of these rungs up this steep metal ladder is about 2 feet. So if you were down here in your boat, if you had been delivered by crab boat to King Cove—about a 2½ or 3 hour ride across waters that can be about 20 feet high in the blowing gale—you then have an opportunity to come to the dock, and this is the way you get up the dock.

However, if you are like Lonnie's father—Lonnie was here to speak to the Secretary today. His father, a 67-year-old man, had double pneumonia. They had to get him out of King Cove and into Anchorage. In order for this very sick man to get up this ladder, his son, who is right down here, is pushing him up from behind. They have a line from a crab pot around his upper body. This gentleman just had shoulder surgery a couple months prior to this, and they literally hauled him up.

This was several years ago. You might think, well, maybe things have gotten better in King Cove. This picture is an individual being hauled up off the docks in a gurney-type of sled. This dock is where he is being hauled up. This is how we haul the crab pots out of the water. Two weeks ago this gentleman broke his leg in four different places and was in danger of losing his foot if he couldn't be medevaced to Anchorage.

The technology hasn't gotten better. We haven't been able to figure out how to move people safely if they are injured.

There are situations with aircraft where, because of the wind shears and the topography, there are landings like this. This is the landing that Della Trumble, who came back to speak to the Secretary this morning, witnessed as her daughter, who was in this plane, was on approach. All of a sudden gusts came out of nowhere and this aircraft was pushed down, smashed into the runway. Fortunately, there were no fatalities. But Trisha, her daughter, who also came back to talk with the Secretary, is so frightened to fly anymore that it is pretty amazing that she was even able to make the trip back.

The stories are so real, and the stories are so much in the present. We think about those who aren't here to tell the stories. These are some of the individuals who over the course of years have died, whether in an airplane crash some years ago where four individuals died, whether it is Christine or Mary or Ernest or Walter. These are folks who didn't make it out. But what we don't have here are those people living now who have their foot, barely, or who recovered from that double pneumonia, barely. They are living to tell the story or their family members are living to tell the story, but they are horror stories.

There is a simple answer, and a simple answer is a 10-mile, one-lane gravel road with a cable along the length of the road so that you can't go off the road and go joyriding in the refuge.

We are talking about a small community of less than 1,000 people being attached to another community where there are less than 100 people. You are never going to have the volume of traffic you have in your State or that I have in the more urban areas of Alaska. We are talking about a connector road to be used for noncommercial uses.

When a woman like Annette needs to travel up this ladder—I don't care even if it is good weather like this—if a pregnant woman needs to get out of town by getting on a crab boat and going 3 hours across turbulent waters, hauling her up a metal ladder like this to get to an airplane, where she may fly out and make that connection to Anchorage—when you put her through this, you wonder why that pregnant woman is doing that. You cannot deliver a baby in King Cove. We don't have doctors, and we don't have anesthesiologists. Six weeks before your due date, you are told to go to town. "Town" is Anchorage, AK—600 miles away. When they are 8 months pregnant, every pregnant woman in King Cove must get out. This is what we are putting these people through. And the answer is so simple.

So I stand before you today with a call—a call to Secretary Salazar, a call to this administration to listen to the people. Listen to the people who have lived in an area for a thousand-plus

years who want to continue to call this place home and who are looking for very basic accommodations—very basic accommodations.

We have refuges all over this country. I got an e-mail from a friend of mine who said, as I am sending you this text, I am driving through a refuge in Florida—driving through a refuge in Florida. It is a paved road. There are signs along the road. There are two lanes and it is a refuge. We are asking for a 10-mile, 1-lane gravel, basically emergency access road for the people of King Cove.

Sometimes I think because King Cove is so far out of the way—at the end of the world as far as some people are concerned—it is kind of out of sight, out of mind, and that maybe what we do is we say in this part of the country the birds are more important than the people. There is sensitive habitat out there, I agree, and we need to be responsible in how we protect habitat. But we can protect habitat and we can also let the human beings who live there exist or coexist side by side and do it respectfully. The people in King Cove respect the land more than you and I can ever appreciate, because if they fail to respect the land, they do not live.

So when we talk about how we can reach an accommodation, the people of King Cove say, we are asking for a simple level of safety, and in order to gain this level of safety, we are willing to give up our lands. We are willing to give up other lands we own in exchange for this small corridor. So when we are talking about this trade, this land conveyance exchange we signed off on in 2009, it is a 300-to-1 exchange. The Federal Government gets 300 times more than the Aleuts get—300 times more—or basically 56,000-plus acres going to the Federal Government. This will be the first new wilderness created in Alaska since INILKA back in the 1980s.

What is being asked for is this small corridor, basically 206 acres, all told. Yet the Fish and Wildlife Service has said, Nope, 300-to-1 isn't good enough for us. They think there are other alternatives. They say: Well, why can't you have a ferry? Put a lightweight aluminum ferry out there. And do you know what the Fish and Wildlife Service did? They actually went out, when they were looking at the EIS, and they decided they were going to cost out what an aluminum ferry might cost. So when the Director of Fish and Wildlife sat down with me, he said: Senator, there is another alternative out there.

Well, he should talk to the people of King Cove about how viable an across-water alternative is when, during the wintertime, you can't get into these areas because it is all iced over. You can't get into that area. Talk to the people in King Cove about what it means to be very sick, to have double pneumonia, to be 8½ months pregnant,

to have broken bones or a broken body, and have to fight 20-foot waves for 3 hours and then climb up a ladder, such as the one I have shown here, in those elements, to get to an all-weather airport that can get you safely to Anchorage. All they are asking for is a 10-mile gravel road.

I have suggested to the Secretary—and I have suggested this to the President's nominee to be Secretary of the Interior—that sometimes I think there is a double standard; that we allow things to go on in other parts of the country, but in Alaska there is a different standard. The standard for the safety of an American should never be changed. It should not be higher for someone in the eastern part of the country than it is for somebody out in King Cove. We are talking about the safety of Americans, with a reasonable alternative. We shouldn't be having to fight our government this way.

But the people of King Cove are willing to travel all the way to make their case. I thank the Secretary for hearing them out. I think the Secretary is a compassionate man, and my hope is that when he looked in their eyes and he heard their stories his heart was moved to respect the people of King Cove, to respect the Alaska Natives, to respect them as much as he has shown respect for the public lands he has been entrusted to protect these past 4 years. Here is an opportunity to issue this best-interest finding and to reverse the decision from the Fish and Wildlife Service which says that no action is the way we go forward.

No action compromises the safety of these Americans. That is not acceptable.

We will keep working. We will keep fighting. But I believe that in the end, right will prevail and the people of King Cove will have their safety.

With that, Mr. President, I thank the Chair. I yield the floor.

(Mrs. GILLIBRAND assumed the Chair.)

WOMEN'S HISTORY MONTH

Mr. LEAHY. Madam President, tomorrow we will begin commemoration of Women's History Month—an annual occasion to celebrate and honor the many contributions of women to American history, culture, and society. Since our Nation's founding, generations of women have fought injustice and broken down barriers at home, in the workplace, and in their communities in pursuit of the American dream. During Women's History Month, we remember these struggles, celebrate our collective progress, and renew our commitment to protecting the rights of all women.

Earlier this month, the Senate came together in the best tradition of the Chamber to pass the Leahy-Crapo Violence Against Women Reauthorization

Act with a strong bipartisan vote. This bill would not have passed without the strong leadership and support of every woman currently serving in the Senate. And today the House of Representatives passed our bipartisan bill to help survivors of rape, domestic violence, stalking, and human trafficking. On the eve of Women's History month, Congress's actions will prevent terrible crimes and help countless victims rebuild their lives.

A few days from now, on March 3, 2013, we will mark the centennial celebration of the 1913 women's suffrage procession—a watershed moment in the struggle for women's right to vote. On March 3, 1913—the eve of the inauguration of President Woodrow Wilson—more than 5,000 women from every State in the Union assembled in Washington, DC, to march for the right to vote. They did so in the face of widespread opposition to their cause, and some were hospitalized after violence erupted along the parade route. A century later, this courageous public act is recognized as the key turning point that led to the ratification of the 19th amendment to the Constitution, giving women the right to vote in 1920.

In the coming days, we will witness the arc of American history, as thousands of women retrace the steps of the heroines of 1913, by reenacting the Women's Suffrage March. This "Centennial Women's Suffrage March" will be led by the women of Delta Sigma Theta Sorority, Incorporated—the only African-American women's organization to participate in the 1913 march. I commend Delta Sigma Theta Sorority, UniteWomen.org, the American Association of University Women, the Daughters of the American Revolution and the many other women's organizations that will join forces to reenact this historic event. I also commend the many government and private sector institutions that will support this event, including the National Archives and Records Administration, the National Park Service, the National Women's History Museum, and the Smithsonian's National Museum of American History.

Like the many Americans who will commemorate the women's suffrage march this weekend, I celebrate the progress that we have made towards justice, fairness, and equality for women—and for all of our citizens. But, while we have made remarkable strides towards gender equality, gender discrimination still exists. According to a recent study by the American Association of University of Women, full-time working women who are recent college graduates earn, on average, just 82 percent of what their male counterparts earn in the workplace. This gender wage gap directly affects the economic stability of American families. A Center for American Progress report on women in the workplace found that in

2010 nearly two-thirds of all American mothers were either the primary breadwinner for their family or shared that financial responsibility with a spouse or a partner.

As we celebrate Women's History Month, the courageous acts of the American heroines of 1913 should inspire us all to work to eliminate the gender inequalities that still exist in our society today. I join all Americans in celebrating the countless contributions of women to our Nation's history and culture and in working towards a more just and fair society for future generations of American women and girls.

REMEMBERING LORI ACTON

Mr. MCCONNELL. Madam President, it is with deep regret and grief that I inform my fellow senators of the passing of my personal friend, Lori Acton. Mrs. Acton was a dynamic and dedicated woman whose absence in the community of Laurel County will be immediately and acutely felt.

Lori is someone who cannot be replaced. As the executive director of the Laurel County Public Library, she was a passionate leader who was visionary without being reckless, infectiously funny without being frivolous, direct and driven without being rude or mean-spirited, and a tireless worker who fully enjoyed the life and work she participated in. Her work with the library spanned nearly three decades, but the impact of her influence and passion cannot be measured by the usual metrics. Indeed, as one local writer noted, "what people like Lori mean to a community cannot be seen by those who do not know her." She revolutionized the library system through hiring a stellar staff, instituting new, creative, and interesting programs, and constantly improving every issue she addressed.

Lori made an impact on people's lives. Not only did the library benefit from her enthusiastic approach to fostering a love of reading and learning, but her very presence and constant smile became signatures of her community. Countless testimonies from those who knew her speak to what an incredible impact she had as both a librarian and a friend.

At this time, I ask that we join together with the community of Laurel County, KY, in mourning the loss of my friend Mrs. Lori Acton. I believe that others can aspire to emulate Lori's character, enthusiasm, love and involvement with the community she lived in.

I also ask unanimous consent that an article lauding Lori from the Laurel County-area publication the Sentinel Echo appear in today's RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sentinel Echo, Jan. 30, 2013]

LAUREL LIBRARY DIRECTOR DIES MONDAY

(By Jeff Noble)

CORBIN.—For more than a quarter-century, Lori Acton gave people of all ages a window to the world and beyond by opening the doors to them at the Laurel County Public Library.

On Wednesday, her colleagues and friends remembered Acton as a passionate advocate for inspiring others through the library's staff, service, and outreach programs.

Acton, the library's district director since 1985, died Monday at her home in London. She was 57.

"The library was more than a job to Lori—it was her passion, and she worked tirelessly to make the library a place everyone could come and enjoy and learn. From babies to seniors, she wanted this library to offer whatever it could to enrich their lives and the community. We plan on working our hardest to make sure that Lori's vision to the future continues," the library's deputy director, Peggy Mershon, said Wednesday.

Another who knew Acton said she was the driving force in moving the library from its 4th Street location to its present home on College Park Drive in London, which opened in 2003.

"Her visionary leadership, enthusiasm, and energy have been pivotal in creating a model of what a library can become in the 21st century," said R. W. Dyché III, president of the Laurel County Public Library's Board of Trustees.

In a phone interview Wednesday, Dyché said two traits made Acton stand out above the crowd.

"Number one, she was full of enthusiasm. Lori pursued all goals with enthusiasm. It was her determination that led directly to the opening of the new library. Second, she had a lot of strengths. One of them was she was not afraid to hire extremely talented people to work for her. She'll be remembered as a very happy person, so pleased to help people in Laurel and surrounding areas with their educational needs."

To honor her memory, the main library and their branches in Corbin and North London were closed Tuesday.

A picture of Acton, along with the dates of her birth and death in white letters over a black background, was posted on the home page of the library's website.

Kathryn Hardman was one of Acton's closest friends. Together the two worked on improving literacy in the county, and also were active in community activities as members of the London Rotary Club.

She said in a phone interview Wednesday the news of Acton's passing was still echoing over London and Laurel County.

"We're all pretty shocked. It's incomprehensible. She had a lot of friends in the community. She's been a vital part of our community for 28 years. The community mourns this loss," noted Hardman, who is the executive director of Laurel County Adult Education.

Hardman pointed out that because of Acton's direction, the library spearheaded the creation of the program in 1986 to promote adult literacy. Acton was also on the board of directors of the Saint Joseph London Foundation.

There were other roles in Acton's life. Hardman added, "Her most significant role was as mother, wife, daughter, sister, and friend."

"We've been having lunch for 25 years. We talked about our careers, our community, our nation, our families, and of course, politics. We both loved to talk about politics. It

would be fair to say we both had strong opinions."

Acton's role as a Rotary member was extensive. At the time of her passing, she was looking forward to working on the annual Rotary International Dinner, a project Acton had headed for the past five years, and is sponsored by both the London and Corbin Rotary Clubs.

That passion Acton had with the library extended to her planning the dinner and to helping worthy causes, said Corbin Rotary Club member the Rev. John Burkhart.

"Lori had a lot of energy, high spirits, and she laughed a lot. She was very polite, sociable, and was an extraordinary Rotarian. She was lively, she'd ask a lot of questions to the speakers, and was very actively involved. Lori wasn't a wallflower."

Just before noon Wednesday, this message was posted on the library's Facebook page:

"Lori Acton had an unwavering passion for this library, always striving to give her community what she felt was needed and deserved. Her enthusiasm, leadership and commitment will be missed by all of us. Please remember her family and friends in your thoughts and prayers."

Several who knew Acton responded in kind. One person wrote, "Lori was a wonderful librarian and inspired me to become a librarian. I will miss seeing her on my visits home."

Another said, "I smile (through) my tears when I think of Lori. She just ALWAYS had a smile and a laugh when you saw her. Always making you feel real special. How I loved her passion for life."

Lori Holzworth Acton was a native of Sterling, Colorado, located northeast of Denver near the Wyoming border. She is survived by her husband and four children. Her mother, two sisters, and a brother also survive. Visitation is at 11 a.m. Saturday at House-Rowlings Funeral Home in London, with funeral services Saturday at 1 p.m. in the funeral home's chapel with the Rev. Wade Arp officiating. Burial will follow at A.R. Dyche Memorial Cemetery in London, with House-Rowlings Funeral Home in charge of arrangements.

REMEMBERING JACK SIZEMORE

Mr. McCONNELL. Madam President, I rise today to reflect on the loss of Mr. Jack Sizemore, an exemplary citizen of Kentucky and a genuinely good man. Mr. Sizemore, of Laurel County, was laid to rest on February 12, 2013, and is survived by his wife, 7 children, 20 grand-children, 16 great-grandchildren, and two sisters.

The words, "let me tell you what Jack Sizemore did for me" are commonly heard in Jack's beloved town of London, and represent just how sorely his presence will be missed. His legacy of goodwill is firmly established after years working in the Laurel County Detention Center, as he chose to build a reputation as a jailer who "liked the job he was doing and [who] took care of the prisoners in a humane way and with the utmost courtesy." This testimony comes from his former supervisor Edd Parsley, who admits that "you don't find many men like that."

Jack was known to always have people laughing, and the community he loved so much has looked back and

seen all the ways he touched their lives. The health problems that plagued his final years cannot begin to take attention away from his legacy and reputation.

At this time, I ask that my colleagues in this United States Senate join me in honoring Mr. Jack Sizemore. Along with our condolences to his friends and family, we simultaneously offer our gratitude and praise of this truly wonderful man.

I also ask unanimous consent that an article on the life and service of Mr. Jack Sizemore that appeared in the Laurel County-area publication the Sentinel Echo be included in the RECORD.

There being no objection, the following article was ordered to be printed in the RECORD, as follows:

[From the Sentinel Echo, Feb. 15, 2013]

FORMER JAILER REMEMBERED AS 'GOOD MAN'

(By Nita Johnson)

LAUREL COUNTY, KENTUCKY.—A former Laurel County jailer, chief administrator of the jail, and deputy sheriff was laid to rest on Tuesday after ongoing health problems.

Jack Sizemore, 76, died Saturday at his home from frontotemporal dementia, which left him unable to communicate with others. Sizemore left a legacy of goodwill for his family, friends and co-workers.

Edd Parsley worked with Sizemore after Parsley was appointed as jailer in 1997. Sizemore stayed on as chief administrator of the Laurel County Detention Center when Parsley was elected to a four-year term as jailer.

"Jack worked for me for six years as chief administrator of the jail, and he was one of those people that if you told him to do something, you could very well rest assured that he would carry it out," Parsley said. "He liked the job he was doing and he took care of the prisoners in a humane way and with the utmost courtesy. You don't find many men like that."

Describing Sizemore as "a good man," Parsley reviewed Sizemore's background that made him invaluable at the jail.

"He was experienced in law enforcement. He was a deputy under several sheriffs," Parsley said. "He realized what had to be done and did it. He served this county well as a jailer, chief administrator and deputy."

Barb Rudder, who has worked in the booking department of the jail for nearly 20 years, said Sizemore was "a good person to work with."

"He always used to have people laughing and he would tell everyone that I was his babysitter."

After Sizemore retired, Rudder said she visited him during his illness the past two years.

"It's a sad loss for the community and for his family," she said.

That loss is indeed sad for Madgel Miller, who was one of Sizemore's stepchildren.

"Jack was my stepdad, but we didn't use 'step' in our family," Miller said. "He had seven kids, 20 grandchildren, 16 great-grandchildren, some of whom were step. But step was never considered in the family."

Sizemore faced several health issues during the latter part of his life, Miller said, including a quadruple bypass in 2008.

"But he came through that very well and since he did, we were expecting him to have a long retirement."

But other health problems came with the frontotemporal dementia, which affects one's communication skills.

"It is a rare form of dementia, but he and my mother never had a problem communicating," she said. "He loved my mother unconditionally, and they had their own form of communicating."

But the past several months had taken its toll on the former jailer, and Miller said by Christmas, Sizemore was very ill.

"He had a rapid decline from it [dementia]. Last week, he had a real hard time of it, and my mother made a doctor's appointment for him," Miller added. "He was in the hospital Wednesday because the doctor said he was weak and dehydrated. But he was able to walk in the hospital. He went home Friday and had a good night with family, and some friends came over. He couldn't communicate with us. He died in his sleep that night, with Mom and me beside him."

Choking back tears, Miller described Sizemore as a man with "a good heart" who was also "very intelligent."

Miller said many people had come to tell the family how Sizemore had touched their lives.

"It was good to hear people say, 'Let me tell you what Jack Sizemore did for me,' and it was stories that he never told. Jack was always telling stories, but these were about what he did for people," Miller said. "I remember when I was going to college, he would tell me, 'This is a good place to raise kids. This is a good place to live.' He loved this town."

Hearing the impact that her father had had on the people he dealt with during his lifetime, Miller said her opinion of Sizemore's goodwill towards others was reinforced.

"He was a very private person and didn't tell people about the dementia," she said. "He knew how to handle people and how to keep his own life private and personal. We made the arrangements quickly because he would rather be remembered in better times. Knowing Jack Sizemore, he would have had it no other way."

SHELBY COUNTY V. HOLDER

Mr. DURBIN. Madam President, in 2005, I was honored to join Congressman JOHN LEWIS on a trip to Selma, AL, for a ceremonial walk over the Edmund Pettus Bridge to mark the 40th anniversary of what has come to be known as "Bloody Sunday."

In March of 1965, Congressman LEWIS, Rev. Hosea Williams, and 600 other brave civil rights activists led a voting rights march over that bridge.

These courageous men, women, and children were marching for civil rights and voting rights. All they would receive that day, however, were beatings and bruises from police batons as they were turned back and chased down by State troopers.

A few days after "Bloody Sunday," President Johnson addressed the Nation and called on the House and the Senate to pass the Voting Rights Act.

Shortly thereafter, the Voting Rights Act was signed into law, guaranteeing that the fundamental right to vote would never again be canceled out by clever schemes—like poll taxes and literacy tests—devised to keep African Americans from voting.

The Voting Rights Act is the cornerstone of the civil rights movement and one of the most effective laws on the books when it comes to protecting the right to vote for all Americans.

On Wednesday, the Supreme Court heard oral arguments in *Shelby County v. Holder*, a case challenging the constitutionality of section 5, which is the very heart of the Voting Rights Act.

That section requires jurisdictions in all or part of 16 States with a history of discrimination to get approval from the Department of Justice or a Federal court before making any changes to congressional districts or voting procedures.

This is not the first time that the Supreme Court has heard a challenge to the Voting Rights Act. Though it has been subject to four prior Supreme Court challenges, the Voting Rights Act has always emerged intact and on sound legal and constitutional ground.

Each of the four times that the Voting Rights Act has been reauthorized—in 1970, 1975, 1982, and most recently in 2006—Congress has done so with the broad bipartisan support and overwhelming majorities that are all too rare these days.

That is because protecting the right to vote should not be a partisan prerogative. It is not a Democratic or Republican issue. It is a fundamental right for every eligible voter, and it is a core value of our American democracy.

In 2006, the House of Representatives voted 390 to 33 in favor of reauthorizing the law. The Senate voted unanimously, 98 to 0, to reauthorize the law. And the final bill was signed into law by President George W. Bush.

There was good reason for this bipartisan support for reauthorizing the Voting Rights Act. Congress developed an extensive record, holding 21 hearings, reviewing more than 15,000 pages in the CONGRESSIONAL RECORD, and hearing from more than 90 witnesses about the need to reauthorize the law.

Conservative Republican Congressman JIM SENSENBRENNER is one example. Congressman SENSENBRENNER was the chairman of the House Judiciary Committee when Congress reauthorized the Voting Rights Act. He strongly believes that section 5 is constitutional, and he has filed a brief asking the Supreme Court to uphold the law.

My hope is that the Supreme Court will look at the extensive evidence Congress reviewed in 2006 and defer to the judgment of an overwhelming majority of the House and a unanimous Senate.

The Court should affirm the constitutionality of this critical tool for protecting the right to vote.

We all acknowledge the progress that our great country has made on civil rights and voting rights issues. The current occupant of 1600 Pennsylvania Ave., is a symbol and timely reminder that our Nation has indeed grown to be

more perfect—and more inclusive in many ways—than just a few generations ago.

We are not yet, however, a perfect union. And some of the jurisdictions covered by the Voting Rights Act have both a demonstrated history and a contemporary record of implementing discriminatory restrictions on voting.

The Voting Rights Act has been essential in securing the progress we have made as a nation over the last five decades.

And as my Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights found during a series of hearings last Congress, the Voting Rights Act remains a relevant and critical tool in protecting the right to vote.

After a careful analysis of new voter ID laws in Texas and South Carolina, the Department of Justice used its authority under section 5 of the Voting Rights Act to object to the implementation of new photo identification requirements.

In Texas, according to the State's own data, more than 790,000 registered voters did not have the ID required to vote under the new Texas law.

That law would have had a disproportionate impact on Latino voters because 38.2 percent of registered Hispanic voters did not have the type of ID required by the law.

In South Carolina, the State's own data indicated that almost 240,000 registered voters did not have the identification required to vote under the State's new law.

That included 10 percent of all registered minorities in South Carolina who would not be able to vote under the new law.

That is more than 1 million registered voters who would have been turned away from the polls in Texas and South Carolina if the Department of Justice did not have the authority to object to those photo identification laws under the Voting Rights Act.

Opponents of the Voting Rights Act claim that some of the jurisdictions covered by the law should no longer be subject to it.

They rarely mention, however, that the Voting Rights Act itself contains a provision allowing jurisdictions to "bail out" or be excused from coverage under the law if they demonstrate compliance with the law for the previous 10 years.

In 2006, the Supreme Court clarified and expanded this bailout provision.

As a result, more than 190 jurisdictions have bailed out of coverage under the Voting Rights Act. The fact that so many jurisdictions have been excused from coverage under the law proves two very important points.

First, the Voting Rights Act is having its intended effect. States and localities that previously had a record of discriminating against minority voters

are no longer doing so thanks to the scrutiny of the Voting Rights Act.

Second, the Voting Rights Act is not over-inclusive. Jurisdictions that can prove they are not discriminating—over a reasonable period of time—will be excused from coverage under the law.

The Voting Rights Act is not about who wins an election. It is not about political advantage. It is about ensuring that every eligible American can vote and that their vote will be counted.

As long as there continues to be evidence that some people are being denied the right to vote, we have an obligation to remedy that problem.

The Voting Rights Act has done its job of protecting the right to vote for almost 50 years. Congress did its job in 2006 by developing an extensive record and reauthorizing the law in an overwhelming and bipartisan manner.

It is my hope the Supreme Court will now do its job and affirm the constitutionality of this critical law.

SOUTHERN ILLINOIS TORNADO ONE-YEAR ANNIVERSARY

Mr. DURBIN. Madam President, this week marks the 1-year anniversary of the deadly tornado that devastated the towns of Harrisburg and Ridgway in Saline and Gallatin Counties.

I visited both of those towns right after the tornado.

I have seen my fair share of tornado damage in my life. But when I visited Harrisburg and Ridgway, I saw some things I have never seen before. I expected to see some trees blown down and shingles torn off roofs. Instead, I saw entire houses lifted from their concrete foundation and tossed on top of the neighboring house.

The loss of homes and property was really difficult to bear, but the real tragedy lies in the lives that were claimed by this tornado. Eight people died as a result of this violent storm: Randy Rann, Donna Rann, Jaylynn Ferrell, Mary Osman, Linda Hull, Greg Swierk, Don Smith and R. Blaine Mauney.

But despite this incredible loss, when I visited Harrisburg and Ridgway, what I didn't see were broken spirits. Instead, from the very minute this disaster took place, people came together to rebuild the community. The outpouring of support was amazing almost 6,000 people pitched in before it was all over.

And I can't say enough about the tireless efforts the emergency personnel who were there from the minute that the sirens went off. They were there to help under the most extraordinary circumstances.

I went to Harrisburg 5 weeks after my first visit and I was amazed at how much better the community looked.

Today, both communities have made incredible progress moving forward,

thanks again to everyone engaged in the rescue and cleanup at every level, and during this entire past year.

I also want to recognize the hard work and dedication of: Jonathan Monken, head of the Illinois Emergency Management Agency; Eric Gregg, Mayor of Harrisburg; Becky Mitchell, Mayor of Ridgway; State Senator Gary Forby; and State Representative Brandon Phelps. They were there when their constituents and their communities needed them the most.

Today, when I see how much the residents of Harrisburg and Ridgway have done to rebuild their communities over the past year, I am proud to be from Illinois and proud to be part of this great Nation.

TRIBUTE TO DIANNE JONES

Mr. DURBIN. Madam President, I rise today to pay tribute to a friend and exceptional Illinoisan who recently passed away.

In 1949, a young woman from New York moved to Chicago to attend college at Roosevelt University. Her name was Dianne Jones, and she stayed for the next 63 years.

After graduating from Roosevelt, Dianne decided she wanted to teach, and she began planting her roots in the civil rights and labor communities. Along with her husband Linzey, she fought for civil rights and equality by helping to organize two Chicago-area chapters of the NAACP. Dianne then led the successful effort to desegregate the city's Rainbow Beach, and she even attended the 1963 March on Washington where Martin Luther King, Jr. delivered his famous "I Have a Dream" speech.

As a teacher, Dianne established herself as an advocate for educators and children by helping to found one of the first teachers unions in Illinois. She later served as that union's local president, as well as vice president of the Illinois Federation of Teachers. As a teacher and an advocate, Dianne spent her life fighting to promote equality, justice, civil rights and education in Illinois. And she enjoyed it.

Once, when asked about her career, Dianne said, "Everyone should get to work at what they would volunteer to do."

Dianne Jones was one of the lucky people who got to do just that. Those roots that she planted 50 years ago have continued to grow and multiply ever since.

COMMITTEE ON APPROPRIATIONS

RULES OF PROCEDURE

Ms. MIKULSKI. Madam President, the Senate Appropriations Committee has adopted rules governing its procedures for the 113th Congress. Pursuant

to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SHELBY, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE ON APPROPRIATIONS COMMITTEE RULES—113TH CONGRESS

I. MEETINGS

The Committee will meet at the call of the Chairman.

II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of sworn testimony by any subcommittee, one member shall constitute a quorum.

III. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

VI. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee's consideration of said bill and report.

VII. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

VIII. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

SPECIAL COMMITTEE ON AGING

RULES OF PROCEDURE

Mr. NELSON. Madam President, the Special Committee on Aging has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Special Committee on Aging be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SPECIAL COMMITTEE ON AGING

JURISDICTION AND AUTHORITY

S. Res. 4, §104, 95th Congress, 1st Session (1977)

(a)(1) There is established a Special Committee on Aging (hereafter in this section referred to as the "special committee") which shall consist of nineteen Members. The Members and chairman of the special committee shall be appointed in the same manner and at the same time as the Members and chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the special committee are initially appointed on or affect the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the Membership of the special committee, the number of Members of the special committee shall be reduced by one until the number of Members of the special committee consists of nine Senators.

(2) For the purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)-(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)-(d), and 2(a) and (d) of rule XXVII of the Standing Rules of the Senate; and the purposes of section 202(I) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

(b)(1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(2) The special committee shall, from time to time (but not less than once a year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

(c)(1) For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold

hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the service of individual consultants or organizations thereof (as authorized by section 202(I) of the Legislative Reorganization Act of 1946, as amended) and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the special committee or any Member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any Member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the Member signing the subpoena.

(d) All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, Eighty-seventh Congress, are transferred to the special committee.

RULES OF PROCEDURE

I. CONVENING OF MEETINGS

1. *Meetings.* The Committee shall meet to conduct Committee business at the call of the Chairman. The Members of the Committee may call additional meetings as provided in Senate Rule XXVI (3).

2. *Notice and Agenda:*

(a) *Written or Electronic Notice.* The Chairman shall give the Members written or electronic notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(b) *Shortened Notice.* A meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting on shortened notice. An agenda will be furnished prior to such a meeting.

3. *Presiding Officer.* The Chairman shall preside when present. If the Chairman is not present at any meeting, the Ranking Majority Member present shall preside.

II. CONVENING OF HEARINGS

1. *Notice.* The Committee shall make public announcement of the date, place and subject matter of any hearing at least one week before its commencement. A hearing may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing on shortened notice.

2. *Presiding Officer.* The Chairman shall preside over the conduct of a hearing when present, or, whether present or not, may delegate authority to preside to any Member of the Committee.

3. *Witnesses.* Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least 48 hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

4. *Oath.* All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any Member, may request and administer the oath.

5. *Testimony.* At least 48 hours in advance of a hearing, each witness who is to appear

before the Committee shall submit his or her testimony by way of electronic mail, in a format determined by the Committee and sent to an electronic mail address specified by the Committee, unless the Chairman and Ranking Minority Member determine that there is good cause for a witness's failure to do so. A witness shall be allowed no more than five minutes to orally summarize his or her prepared statement. Officials of the federal government shall file 40 copies of such statement with the clerk of the Committee 48 hours in advance of their appearance, unless the Chairman and the Ranking Minority Member determine there is good cause for noncompliance.

6. *Counsel.* A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his or her rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from the government, corporation, or association.

7. *Transcript.* An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in closed sessions and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting his or her transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious errors of fact. The Chairman or a staff officer designated by him shall rule on such request.

8. *Impugned Persons.* Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record; and

(b) request the opportunity to appear personally before the Committee to testify in his or her own behalf.

9. *Minority Witnesses.* Whenever any hearing is conducted by the Committee, the Ranking Member shall be entitled to call at least one witness to testify or produce documents with respect to the measure or matter under consideration at the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the hearing.

10. *Conduct of Witnesses, Counsel and Members of the Audience.* If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts him or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative or any law enforcement official to eject said person from the hearing room.

III. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. *Procedure.* All meetings and hearings shall be open to the public unless closed. To

close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern Committee investigations or matters enumerated in Senate Rule XXVI(5)(b). Immediately after such discussion, the meeting or hearing or portion thereof may be closed by a vote in open session of a majority of the Members of the Committee present.

2. *Witness Request.* Any witness called for a hearing may submit a written or an electronic request to the Chairman no later than twenty-four hours in advance for his or her examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. *Confidential Matter.* No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Ranking Minority Member.

IV. BROADCASTING

1. *Control.* Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

2. *Request.* A witness may request of the Chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his or her testimony cameras, media microphones, and lights shall not be directed at him or her.

V. QUORUMS AND VOTING

1. *Reporting.* A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. *Committee Business.* A third shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present.

3. *Hearings.* One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

4. *Polling:*

(a) *Subjects.* The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) Committee rules changes and (3) other Committee business which has been designated for polling at a meeting.

(b) *Procedure.* The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls. If the Chairman determines that the polled matter is one of the areas enumerated in Rule III(1), the record of the poll shall be confidential. Any Member may request a Committee meeting following a poll for a vote on the polled decision.

VI. INVESTIGATIONS

1. *Authorization for Investigations.* All investigations shall be conducted on a bipartisan basis by Committee staff. Investigations may be initiated by the Committee staff upon the approval of the Chairman and the Ranking Minority Member. Staff shall keep the Committee fully informed of the progress of continuing investigations, except where the Chairman and the Ranking Minority Member agree that there exists temporary cause for more limited knowledge.

2. *Subpoenas.* The Chairman and Ranking Minority Member, acting together, shall authorize a subpoena. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation.

3. *Investigative Reports.* All reports containing findings or recommendations stemming from Committee investigations shall be printed only with the approval of a majority of the Members of the Committee.

VII. DEPOSITIONS AND COMMISSIONS

1. *Notice.* Notices for the taking of depositions in an investigation authorized by the Committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. *Counsel.* Witnesses may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of Rule II(6).

3. *Procedure.* Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted by the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member overrules the objection, he or she may refer the matter to the Committee or the Member may order and direct the witness to answer the question, but the Committee shall not initiate the procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Committee.

4. *Filing.* The Committee staff shall see that the testimony is transcribed or electronically recorded.

5. *Commissions.* The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use.

VIII. SUBCOMMITTEES

1. *Establishment.* The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote. The Chairman of the full Committee and the Ranking Minority Member shall be ex officio Members of all subcommittees.

2. *Jurisdiction.* Within its jurisdiction as described in the Standing Rules of the Senate, each subcommittee is authorized to conduct

investigations, including use of subpoenas, depositions, and commissions.

3. *Rules.* A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee Membership, and for hearings shall be one Member.

IX. REPORTS

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of a majority of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: "Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee."

X. AMENDMENT OF RULES

The rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed or via polling, subject to Rule V(4)

HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 28, 2013, a majority of the members of the Homeland Security and Governmental Affairs Committee's Subcommittee on Financial and Contracting Management adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Financial and Contracting Oversight.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

(1) *SUBCOMMITTEE RULES.*—The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

(2) *QUORUMS.*—For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the admin-

istering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that one member of the minority is present. Proxies shall not be considered for the establishment of a quorum.

(3) *TAKING TESTIMONY.*—All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

(4) *SUBCOMMITTEE SUBPOENAS.*—Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with the approval of the Ranking Minority Member of the Subcommittee, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 24 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Homeland Security and Governmental Affairs Committee's Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**RULES OF PROCEDURE OF THE COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL
AFFAIRS**

**SUBCOMMITTEE ON THE EFFICIENCY AND EFFEC-
TIVENESS OF FEDERAL PROGRAMS AND THE
FEDERAL WORKFORCE**

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Governmental Affairs any measures, matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

**SUBCOMMITTEE ON EMERGENCY
MANAGEMENT, INTERGOVERN-
MENTAL RELATIONS, AND THE
DISTRICT OF COLUMBIA**

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Homeland Security and Governmental Affairs Committee's Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**RULES OF PROCEDURE OF THE COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL
AFFAIRS**

**SUBCOMMITTEE ON EMERGENCY MANAGEMENT,
INTERGOVERNMENTAL RELATIONS, AND THE
DISTRICT OF COLUMBIA**

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Governmental Affairs any measures, matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

**PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS**

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on Investigations adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**RULES OF PROCEDURE FOR THE SENATE
PERMANENT SUBCOMMITTEE ON IN-
VESTIGATIONS OF THE COMMITTEE
HOMELAND SECURITY AND GOVERN-
MENTAL AFFAIRS**

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or the approval of a Majority of the Members of the Subcommittee. In all cases, notification to all Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chairman and notice of such approval to the Ranking Minority Member or the Minority counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chairman or Chief Counsel. Investigations may be undertaken upon the approval of the Chairman of the Subcommittee

and the Ranking Minority Member with notice of such approval to all Members.

No public hearing shall be held if the Minority Members unanimously object, unless the full Committee on Homeland Security and Governmental Affairs by a majority vote approves of such public hearing.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, they may file in the office of the Subcommittee, a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Subcommittee Members may file in the office of the Subcommittee their written notice that a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at

Arms of the Senate, his or her representative or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing, and to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Subcommittee Chairman may rule that representation by counsel from the government, corporation, or association, or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing other witnesses. This rule shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such a manner so as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

9. Depositions.

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chairman. The Chairman of the full Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or such Subcommittee Member as designated by him or her. If the Chairman or designated Member overrules the objection, he or she may refer the matter to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Subcommittee.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the

witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chief Counsel or Chairman of the Subcommittee 48 hours in advance of the hearings at which the statement is to be presented unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during the testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his or her expense if he or she so requests.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to the Chairman of the Subcommittee questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Subcommittee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame him or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chairman of the Subcommittee

or its counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chairman and the Ranking Minority Member waive this requirement.

If a person requests the filing of his or her sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in his or her sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff members and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff members shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff members shall work under the direction and supervision of the Ranking Minority Member. The Chief Counsel for the Minority shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chairman and Ranking Minority Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

DOD APPROPRIATIONS

Ms. COLLINS. Madam President, I rise to discuss an amendment I have filed to the bills dealing with sequestration. I am pleased that Senator KING has joined me as a cosponsor.

Our amendment is the fiscal year 2013 Department of Defense appropriations bill that was approved by the Senate Appropriations Committee by a bipartisan vote of 30 to 0 on August 2, 2012.

There is no doubt we must find a way to avoid the meat-ax approach to budgeting that will occur under sequestration.

At the same time, we must recognize that a continuing resolution also presents real challenges for those trying to carry out the necessary functions of the Federal Government, including

providing for the national defense. Continuing resolutions have become far too routine. This familiarity, however, should not blind us from the harm these stop-gap measures cause to the effective and efficient functioning of government.

A yearlong continuing resolution would be just as devastating as sequestration. I am not alone in that judgment. After a New York Times editorial that claimed the Pentagon can easily absorb the cuts of sequestration, Deputy Secretary of Defense Ash Carter wrote the following in a letter published on February 27, 2013:

Good management is undermined by sequestration and by something that your editorial does not mention but that is as much of a problem—the fact that we have no new appropriations bills and are living under last year's law. These two factors together lead to dangerous absurdities like having to curtail soldiers' training, ships' sailing, and airplanes' flying. Our military will therefore not be fully ready to meet contingencies other than Afghanistan.

Secretary of Defense Leon Panetta and the service chiefs have also repeatedly warned that the effects of sequestration or a yearlong continuing resolution will be devastating to our national security and defense industrial base.

On January 14, 2013, the Chairman of the Joint Chiefs of Staff and the heads of each military service signed a letter warning that “the readiness of our Armed Forces is at a tipping point” and the unfolding budget conditions, including the continuing resolution, are causing this readiness crisis.

Regardless of what happens with sequestration, a continuing resolution presents two major problems.

First, the readiness of our military will be put at risk unless the Department of Defense is able to transfer funds from investment accounts into readiness accounts. Under the continuing resolution, the Department cannot do this. That is why the letter signed by seven four-star generals said the current budget uncertainty will “inevitably lead to a hollow force.”

Second, a yearlong continuing resolution prevents the Pentagon from performing three responsibilities crucial for national security: increasing production rates for existing weapons, starting new programs not previously funded the year before, and signing multiyear procurement contracts that provide significant savings while reducing the unit cost for taxpayers.

There are several examples of these multiyear procurement contracts that cannot move forward without an appropriations bill. For example, Congress authorized the Navy to procure 10 destroyers during the next 5 years in the Fiscal Year 2013 National Defense Authorization Act. The Navy has the bids for these ships in hand and the Navy is ready to sign, but the Navy cannot sign these contracts without an appropri-

tions bill. We risk throwing away savings on the order of hundreds of millions of dollars if we do not enact the fiscal year 2013 appropriations bill.

The ramifications of inaction on a full-year appropriations bill are not limited to the 6 months remaining in this fiscal year. Failing to enact a full-year appropriations bill that allows new starts and cost-saving multiyear procurement contracts will jeopardize the long-term stability in the shipbuilding industrial base that the Congress and the Navy have worked long and hard to preserve.

When I questioned Deputy Secretary Carter on February 14, 2013, at a Senate Appropriations Committee hearing about what the continuing resolution means for shipbuilding, he testified that “we’re in the absurd position where we’re five months into the fiscal year and we have the authority to build the ships that we built last year and no authority to build the ships that we plan to build this year. That’s crazy. . . . And that has nothing to do with sequester, by the way, that’s the C.R.”

The existing continuing resolution expires on March 27. That deadline is just 4 weeks away, but each week that passes puts our military increasingly at risk and makes it less prepared.

I know the chairwoman of the Senate Appropriations Committee and its ranking member, Senator MIKULSKI and Senator SHELBY, share my concern that continuing resolutions are not the way to govern. I am also encouraged about reports that the House of Representatives may consider a bill next week which includes a full-year defense and a full-year veterans affairs and military construction budget.

At least as far back as 1974, Congress has never failed to pass a Department of Defense appropriations bill. Now is not the time, with troops in the field and the looming threat of sequestration, to establish a dangerous precedent of denying our military services the support they need to accomplish the mission we have asked them to perform.

This year's continuing resolution hurts our military readiness now and, even more, in the future.

It is time to show the American people that we can act responsibly before the very last minute. The men and women who serve our country are performing every task we have asked of them. It is long overdue for the Congress to do the same, so I urge the Senate to act to replace the current CR with a full-year Department of Defense appropriations bill as our amendment would provide.

TRIBUTE TO RICHARD D. DEBOBES

Mr. MCCAIN. Madam President, today I honor an exceptional public servant and patriot. After a lifetime of

service to our Nation, Richard D. “Rick” DeBobes is retiring from his position as staff director of the Senate Armed Services Committee, effective February 28, 2013. On this occasion, it is fitting to recognize Rick’s 50 years of uniformed and civilian service to our Nation.

Rick began his career as a naval officer, serving 26 exemplary years in jobs that included directing the International Negotiations Branch of the Navy’s Judge Advocate General, commanding the Naval Legal Service Office, and finally serving as the legal adviser and legislative assistant to the Chairman of the Joint Chiefs of Staff, where he helped craft policies that have shaped our modern joint military force. Such a career, in and of itself, illustrates a commitment to causes greater than self-interest.

Rick’s devotion to service and excellence continued long after he left active duty. Upon his retirement from the Navy, he joined the Senate Armed Services Committee as counsel, advising committee members on issues relating to national security strategy, defense policy, foreign affairs, and Department of Defense organization and management. Rick’s authoritative analysis and counsel to members distilled complex issues and often served as a basis for common understanding and problem solving. Few were surprised then, when in 2003 he was asked by Senator CARL LEVIN to be the committee’s staff director. Ten years on, the wisdom of that selection is evident. Rick’s steady management of the committee, amidst strong personalities and throughout the occasionally animated policy debates, has yielded the admiration of his professional colleagues in Congress and the Department of Defense, and a long record of legislative success. Thoughtful leaders throughout government will feel his absence.

I join many past and present members of the Senate Armed Services Committee in my gratitude to Rick DeBobes for his outstanding leadership in uniform and in Congress, and his unceasing support for members of the Armed Forces. I wish him and his wife Margaret “fair winds and following seas.”

RETIREMENT OF WAYNE LEONARD

Ms. LANDRIEU. Mr. President, I rise today to honor Wayne Leonard, who served as Entergy’s chief executive officer from 1999 and chairman/CEO from 2006 until January 2013. Over the course of those years, his visionary leadership as Entergy’s top executive also encompassed impassioned advocacy for issues such as climate change, poverty and social justice. To a great extent, his compassion for people from all walks of life and his desire to protect the environment for future generations came to define his tenure at Entergy.

When Leonard was named CEO in 1999, he began calling for action by business, community, and political leaders to break the cycle of poverty that has stunted economic growth in the mid-South region for generations. Since that time, Entergy has donated more than \$50 million to charitable initiatives and advocacy efforts that successfully helped move low-income residents toward self-sufficiency. Among them were campaigns to improve early childhood education programs and financial support of a matched-savings program that has helped 19,000 people and created an economic impact of \$69 million over the last decade.

Leonard pioneered the pursuit of sustainability within his industry. Early on, he recognized the importance to the industry’s future of operating in an economically, environmentally, and socially sustainable manner. His achievements include a number of landmarks that set the standard and shaped the future for the energy industry. Under his leadership, in 2001 Entergy became the first utility in the United States to commit to voluntarily reduce greenhouse gas emissions. At the same time, work force safety, customer satisfaction, and strong regulatory relationships were always top priorities for Leonard. Entergy has delivered top-quartile shareholder return—the overarching financial goal Leonard set for the company—since he was announced as CEO in 1998.

After the devastation of Hurricane Katrina in 2005, Leonard led the restoration not just of a company but also a city and its surrounding region. Entergy and its charitable foundation donated more than \$20 million to non-profits working to rebuild the physical, intellectual, and cultural assets of New Orleans. When Katrina’s damages prompted Entergy to consider relocating its corporate headquarters, Leonard lobbied to keep Entergy in New Orleans and take a lead role in the city’s revitalization and renewal.

Leonard has personally received numerous national honors in recognition of his outstanding leadership, including Platts Global Energy CEO of the Year, the Anti-Defamation League Torch of Liberty Award, and the National Wildlife Federation Achievement Award. During his tenure, Entergy was named to the Dow Jones Sustainability Index for 11 consecutive years for demonstrating strong financial performance and outstanding leadership in environmental and social commitment.

Leonard’s passionate commitment to building a strong, sustainable company, community, and energy industry never wavered in 14 years. In honor of his legacy, Entergy endowed a \$5 million charitable fund upon his retirement to continue his work on climate change, poverty, and social justice issues. The fund is being endowed through shareholder-funded donations

to the Entergy Charitable Foundation, with Leonard serving as an adviser.

While I will miss working with Wayne to improve both New Orleans and Louisiana, I applaud the work he has done to leave my city and my State stronger, healthier, and on the path to a brighter future.

Mr. CASEY. Mr. President, today I rise to honor and remember the full life of Marlene “Linny” Fowler for her exceptional service to her community, commonwealth and country.

Marlene was born in New York City, the oldest child of Harold and Miriam Oberkotter. Though she was raised in Harrington Park, NJ, Marlene spent her adult life living in Pennsylvania. Marlene, known affectionately as Linny, was a renowned philanthropist, artist and a pillar of her adopted community. Today I wish to honor her as such.

As a philanthropist, her influence can be seen across Northeast Pennsylvania, particularly in Bethlehem, the city she had called home since 1965. Upon the passing of her father Harold, a late UPS chief executive, Marlene became one of the wealthiest individuals in the Lehigh Valley. Choosing to eschew large homes or fancy cars, Marlene instead gave generously to support the arts, education and children. She helped to establish a childcare center and Hispanic Youth Center at Northampton County Community College as well as the college’s Southside campus, which proudly bears her family name. Her generosity also helped send hundreds of students to colleges and universities that they would otherwise have been unable to afford to attend. Even with her health failing, Marlene worked hard to maintain her involvement with the community up until her passing. Although she kept the total of her generosity a secret, by her own admission she gave away tens of millions of dollars over the course of her life.

As an artist, Marlene was trained in the art of stained glass, which she taught throughout her life. She also maintained a studio at the Banana Factory in Bethlehem, an institution she helped fund. As a pillar of her community, Marlene made sure her philanthropic efforts always had a human touch. She met with needy families and non-profit directors in the living room of her own home, investing herself as much as her money. Even as recent economic difficulties forced her to scale back some of her giving, she still continued to keep track of all the youth she helped send to school.

As Marlene’s family and friends mourn her loss, I pray that they will be comforted by the knowledge that this great Nation will never forget the generosity of Marlene “Linny” Fowler. May she rest in peace.

ADDITIONAL STATEMENTS

STEM EDUCATION

• Mrs. BOXER. Madam President, I rise today to speak about the great work that afterschool and summer learning programs in California and across the country are doing to engage children and youth in science, technology, engineering, and mathematics, STEM, education.

Afterschool and summer programs are a vital part of our country's education tapestry. They provide engaging, hands-on learning experiences that stimulate student interest, develop crucial skills, and drive home the relevance of STEM to our daily lives. Out-of-school learning opportunities help children develop the academic and life skills, such as problem-solving and determination, which are crucial in STEM fields. Additionally, these programs provide key opportunities for mentors and role models to engage with children.

High-quality afterschool STEM learning programs are having a significant impact on the young people who participate in them. A recent study shows participants in afterschool and summer programs have improved attitudes toward STEM fields and careers, increased STEM capacities and skills, and a higher likelihood of graduating from high school and pursuing a STEM major in college.

One of these exemplary programs is the Woodcraft Rangers Program in Los Angeles, CA. Woodcraft Rangers exposes middle school students to cutting-edge STEM activities, including robotics. This highly engaging program allows students to configure high-tech robotics, enhancing their STEM skills, unlocking their imaginations, and exposing them to real-world problem-solving situations. Afterschool and summer programs are uniquely positioned to deliver valuable enrichment activities like robotics that help children gain valuable creativity, critical thinking, and team-building skills.

In addition to programs that serve children and youth directly, organizations such as the Afterschool Alliance are working to advance policies, research, and partnerships so that all children can access rich STEM education experiences through out-of-school programs.

Private companies are also embarking on efforts, such as Time Warner Cable's Connect a Million Minds, CAMM, initiative, to promote youth interest and performance in STEM fields during out-of-school time. Businesses like Time Warner Cable know that investing in STEM education now helps ensure a robust workforce in the future, and they know that afterschool, summer, and other out-of-school programs are key venues for students to develop the problem-solving, team-building,

and creative thinking skills necessary for a strong STEM workforce.

I applaud the afterschool and summer learning programs, advocacy organizations, and community partnerships across the country that are working to advance our students' STEM achievement and our country's future through enriching out-of-school learning. To support the work of these organizations, I hope that the Senate can come together to reauthorize the 21st Century Community Learning Centers Program—the only Federal program dedicated to supporting afterschool and summer learning. ●

TRIBUTE TO JIM SYMINGTON

• Mrs. McCASKILL. Madam President, I ask the Senate to join me today in honoring the work of Jim Symington, a friend and dedicated public servant who is retiring this year. In the summer of 1974 I came to Washington as an intern for Congressman Jim Symington. That experience, and the lessons I learned from this great leader were instrumental in my success as a political candidate and public official.

As a member of a family steeped in public service, and as the son of the great United States Senator Stuart Symington, Jim did not hesitate to take up the mantle of serving his country. Jim started his career serving others when he enlisted in the Marine Corps as a high school graduate. Following his military service, Jim earned his Bachelor's degree from Yale University and his law degree from Columbia Law School.

Jim served for 2 years following law school as the assistant city counselor for St. Louis before going into private practice. In 1958, Jim entered the Foreign Service where he served as assistant to the United States ambassador for the United Kingdom. Upon his return to Washington, DC Jim served our Government in various positions including administrative assistant to Attorney General Robert Kennedy and the Chief of Protocol for the Department of State.

In 1968 Jim was elected to represent St. Louis, Missouri's 2nd Congressional District, where he served four terms. During his time in Congress, Jim served on the House Commerce Committee and the Committee on Science and Technology. He also served as the chair of the Subcommittees on Space Science and Applications; Science, Research & Technology; and International Cooperation. He was an active voice on space exploration during a time when space exploration was a central topic. Upon leaving Congress in 1977, Jim returned to private law practice, and has had a distinguished legal career at Nossaman LLP/O'Connor & Hannan here in Washington, DC.

However Jim Symington has never been an ordinary practicing lawyer. He

and his wife Sylvia have been friends, mentors, and highly respected members of a small group of true leaders in our America's Capitol for many years. They are always in high demand as dinner partners or leaders of a civic endeavor. Together, their wit, intelligence, and musical prowess has constantly reminded the most powerful in our Nation that there is always more to learn and it is very dangerous to take yourself too seriously.

It is my honor to call Jim a mentor and friend. Like no other man I know, I also realize that the number of people who count on his friendship would be a record for a town where Harry Truman famously noted that if you wanted a friend you should turn to a canine. I am thankful for his friendship, advice and service to Missouri and this great country. While these comments mark his retirement from the practice of law, I'm confident that he will continue to be a bright light of intellect, humor, and friendship for many years to come in our Nation's Capital.

I ask that the Senate join me in honoring Jim Symington on this occasion of his retirement from the practice of law. ●

ALASKA LEGISLATURE CENTENNIAL

• Ms. MURKOWSKI. Madam President, I rise today to mark a significant event in Alaska's history as we commemorate the 100th anniversary of the convening of the Alaska State Legislature.

Compared to the States that my colleagues represent, Alaska is a relatively young State, so it is remarkable that our legislature has existed for only 100 years. However, creating our State's legislative body was not an easy process. Secretary of State William H. Seward acquired Alaska from Russia for \$7,200,000 on March 30, 1867. The First Organic Act of 1884 established the District of Alaska and provided us with a Governor and judicial branch but no legislative body to be the people's voice. It was not until after several petitions by Alaskans of all backgrounds that Congress passed the Second Organic Act giving Alaska territorial status and a legislative body. Our first elections were held November 12, 1912. They produced the first of many civil servants who would have the honor to serve in the Alaska Legislature. We did not yet have a capitol building, so eight senators and 16 representatives convened at the Elk's Lodge in Juneau, AK. That year, the first territorial legislature passed 83 laws—laws that began building our State and uniting us as Alaskans.

While Alaska may have been just a territory and seen by many as a vast wilderness separated from the rest of the country, our territorial legislature led the Nation in passing the first law in the Nation giving women the right

to vote. This was 1913. The 19th amendment wouldn't be ratified for another 7 long years. The great Nell Scott was the first woman to serve in the first territorial legislature, way before other daughters of this country would. The territorial legislature also led the nation in the civil rights movement as it passed an antidiscrimination bill providing for full and equal enjoyment of public accommodations for all Alaskans. It is noteworthy that before statehood, Alaska's Legislature acted in response to the passionate advocacy of Roy and Elizabeth Peratrovich long before Congress would on Dr. Martin Luther King and Rosa Parks' advocacy. Before a territorial referendum in 1946 that began the legal quest for statehood, the Alaska Legislature had been advocating admission as early as 1913.

This past January, the 28th Session of the Alaska State Legislature convened, consisting of 20 senators and 40 representatives. Under house speaker Mike Chenault, and senate president Charlie Huggins, they continue to provide representation to an estimated 731,449 residents of Alaska. The Alaska Legislature has worked for the past 100 years to give Alaskans the opportunity to enjoy life, liberty, and the pursuit of happiness, and they will continue to do so for the many years to come. I extend my congratulations and heartfelt appreciation to the senators and representatives as well as all support staff to our legislature on this special anniversary.●

MESSAGE FROM THE HOUSE

At 2:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

The message also announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. SMITH of New Jersey, Co-Chairman.

The message further announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the British-American Interparliamentary Group: Mr. PETRI of Wisconsin, Mr. CRENSHAW of Florida, Mr. LATTA of Ohio, Mr. ADERHOLT of Alabama, and Mr. WHITFIELD of Kentucky.

The message also announced that pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), and the order of the House of January 3, 2013, the Speaker appoints the fol-

lowing individual on the part of the House of Representatives to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ms. Heather Wilson of Albuquerque, New Mexico.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-505. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—March 2013 (corrected)" (Rev. Rul. 2013-7) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Finance.

EC-506. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dual-Use Notice" (Notice 2013-13) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Finance.

EC-507. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Temporary Shelter for Individuals Displaced by Hurricane Sandy" (Notice 2013-9) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Finance.

EC-508. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Census Counts for Sections 42(h) and 146" (Notice 2013-15) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Finance.

EC-509. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "25 Year Average Segment Rates and Adjusted 24-Month Average Segment Rates Used for Pension Funding for Plan Years Beginning in 2013" (Notice 2013-11) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Finance.

EC-510. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Permitted Disparity in Employer-Provided Contributions or Benefits" (Rev. Rul. 2013-2) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Finance.

EC-511. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Eurex Deutschland" (Rev. Rul. 2013-5) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Finance.

EC-512. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal

Rates—March" (Rev. Rul. 2013-7) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Finance.

EC-513. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update to Notice 2000-45" (Rev. Proc. 2013-20) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Finance.

EC-514. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of List of Plants, Grown in Commercial Quantities in the United States, Having a Preproductive Period in Excess of Two Years Based on the Nationwide Weighted Average Preproductive Period for Such Plant" (Notice 2013-18) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Finance.

EC-515. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revised Exhibit: Sample Notice to Interested Parties" (Announcement 2013-15) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Finance.

EC-516. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Modification of the Port Limits of Green Bay, WI" (CBP Dec. 13-2) received in the Office of the President of the Senate on December 5, 2012; to the Committee on Finance.

EC-517. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report responding to a GAO report entitled "Agencies Could Benefit from a Shared and More Comprehensive Database on U.S. Efforts"; to the Committee on Foreign Relations.

EC-518. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-010); to the Committee on Foreign Relations.

EC-519. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Azerbaijan; to the Committee on Foreign Relations.

EC-520. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2013 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC-521. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period October 1, 2012 through November 30, 2012; to the Committee on Foreign Relations.

EC-522. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-001); to the Committee on Foreign Relations.

EC-523. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-020); to the Committee on Foreign Relations.

EC-524. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-021); to the Committee on Foreign Relations.

EC-525. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-006); to the Committee on Foreign Relations.

EC-526. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-013); to the Committee on Foreign Relations.

EC-527. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-025); to the Committee on Foreign Relations.

EC-528. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13-007); to the Committee on Foreign Relations.

EC-529. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0014—2013-0031); to the Committee on Foreign Relations.

EC-530. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Generic Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-531. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-532. A communication from the Secretary of Health and Human Services, trans-

mitting, pursuant to law, a report on the Developmental Disabilities Programs for fiscal years 2009-2010; to the Committee on Health, Education, Labor, and Pensions.

EC-533. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Prescription Drug User Fee Act (PDUFA) for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-534. A communication from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting, pursuant to law, a report that includes recommendations for improving federally and privately funded Alzheimer's programs; to the Committee on Health, Education, Labor, and Pensions.

EC-535. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, (2) two reports relative to vacancies in the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC-536. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Reorganization and Delegation of Authority: Technical Amendments" received in the Office of the President of the Senate on February 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-537. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Control of Communicable Diseases: Foreign—Requirements for Importers of Nonhuman Primates (NHP)" (RIN0920-AA23) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-538. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Control of Communicable Diseases: Interstate; Scope and Definitions" (RIN0920-AA22) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-539. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Control of Communicable Diseases: Foreign; Scope and Definitions" (RIN0920-AA12) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-540. A communication from the Assistant General Counsel for Regulations, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Assistance to States for the Education of Children With Disabilities" (RIN1820-AB64) received on February 27, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-541. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States"; to the Committee on the Judiciary.

EC-542. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled

"Report to Congress on the Refugee Resettlement Program for Fiscal Year 2009"; to the Committee on the Judiciary.

EC-543. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Indiana Uplands Viticultural Area and Modification of the Ohio Valley Viticultural Area" (RIN1513-AB46) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on the Judiciary.

EC-544. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Elkton Oregon Viticultural Area" (RIN1513-AB88) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on the Judiciary.

EC-545. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of Privacy Act System of Records of the Department of Justice, Bureau of Prisons, Inmate Central Records System (JUSTICE/BOP-005)" (CPCLO Order No. 001-2013) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on the Judiciary.

EC-546. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes To Implement the First Inventor To File Provisions of the Leahy-Smith America Invents Act" (RIN0651-AC77) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on the Judiciary.

EC-547. A communication from the Deputy Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2012; to the Committee on Veterans' Affairs.

EC-548. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Grants for the Rural Veterans Coordination Pilot (RVCP)" (RIN2900-AO35) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Veterans' Affairs.

EC-549. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Homeless Providers Grant and Per Diem Program" (RIN2900-AN81) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 64. An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013.

EXECUTIVE REPORTS OF
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Shelly Deckert Dick, of Louisiana, to be United States District Judge for the Middle District of Louisiana.

William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California.

Nelson Stephen Roman, of New York, to be United States District Judge for the Southern District of New York.

David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2018.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GRASSLEY, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, and Mr. WICKER):

S. 399. A bill to protect American job creation by striking the Federal mandate on employers to offer health insurance; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. MERKLEY):

S. 400. A bill to amend the Federal Lands Recreation Enhancement Act to include the Corps of Engineers as a Federal land management agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. COONS, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. BROWN, Mr. REED, Mr. KING, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. COWAN, Mr. CARDIN, and Ms. WARREN):

S. 401. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 402. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

By Mr. CASEY (for himself and Mr. KIRK):

S. 403. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 404. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness

of the Mount Baker-Snoqualmie National Forest; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. CORNYN, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 405. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. HARKIN, Mr. ROCKEFELLER, and Mr. DURBIN):

S. 406. A bill to amend the Higher Education Act of 1965 to provide for new program review requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. LANDRIEU, and Ms. KLOBUCHAR):

S. 407. A bill to provide funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. REED, and Mr. WHITEHOUSE):

S. 408. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

By Mr. BURR (for himself and Mrs. BOXER):

S. 409. A bill to add Vietnam Veterans Day as a patriotic and national observance; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 410. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. WYDEN, and Mr. MORAN):

S. 411. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. CHAMBLISS, Mr. MURPHY, Mr. VITTER, Mr. MENENDEZ, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. LAUTENBERG, Ms. WARREN, Ms. HIRONO, Mr. ISAKSON, Mr. NELSON, Mr. BLUMENTHAL, and Mr. COWAN):

S. 412. A bill to authorize certain major medical facility leases for the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. PORTMAN, and Ms. KLOBUCHAR):

S. 413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. NELSON:

S. 414. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Environment and Public Works.

By Ms. LANDRIEU (for herself, Mr. COCHRAN, Mrs. GILLIBRAND, and Mr. PRYOR):

S. 415. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business con-

cerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 416. A bill to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; to the Committee on Indian Affairs.

By Mr. COBURN (for himself and Mrs. SHAHEEN):

S. 417. A bill to reduce the number of non-essential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER (for himself and Mr. BLUMENTHAL):

S. 418. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 419. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

By Mr. ENZI (for himself and Mr. TESTER):

S. 420. A bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule; to the Committee on Finance.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. CORKER, and Mr. PAUL):

S. 421. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. MORAN, Mr. BROWN, Mr. GRASSLEY, Mr. HARKIN, Mr. SCHUMER, Mr. TESTER, and Mr. WHITEHOUSE):

S. 422. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ:

S. 423. A bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. WICKER, Mr. BLUMENTHAL, Mr. BLUNT, Ms. COLLINS, Mr. PORTMAN, and Mr. WHITEHOUSE):

S. 424. A bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. GRASSLEY, Ms. CANTWELL, and Mr. MENENDEZ):

S. 425. A bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BAUCUS):

S. 426. A bill to amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. PRYOR, Mr. MORAN, Mr. COATS, Mr. ROBERTS, Mr. THUNE, and Mr. INHOFE):

S. 427. A bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BEGICH:

S. 428. A bill to expedite the development of Arctic deepwater ports and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. BLUNT, Mr. MANCHIN, and Mrs. MCCASKILL):

S. 429. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Mr. MANCHIN):

S. 430. A bill to amend title 38, United States Code, to enhance treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN:

S. 431. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 432. A bill to extend certain trade preferences to certain least-developed countries in Asia and the South Pacific, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. KIRK):

S. 433. A bill to establish and operate a National Center for Campus Public Safety; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY (for himself and Mr. CASEY):

S. Res. 63. A resolution encouraging the Navy to commission the USS Somerset (LPD-25) in Philadelphia, Pennsylvania; to the Committee on Armed Services.

By Mr. SCHUMER:

S. Res. 64. An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; from the Committee on Rules and Administration; placed on the calendar.

By Mr. GRAHAM (for himself, Mr. MENENDEZ, Ms. AYOTTE, Mr. SCHUMER, Mr. CORNYN, Mrs. BOXER, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, Mr. CRAPO, Mr. CARDIN, Ms. COLLINS, Mr. BEGICH, Mr. BLUNT, Mr. BROWN, Mr. WYDEN, Mr. PORTMAN, Mr. MANCHIN, and Mr. LAUTENBERG):

S. Res. 65. A resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation; to the Committee on Foreign Relations.

By Mr. BAUCUS (for himself, Mr. TESTER, Mrs. BOXER, Mrs. MURRAY, Mr. REID, Mr. DURBIN, and Mr. ISAKSON):

S. Res. 66. A resolution designating the first week of April 2013 as "National Asbestos Awareness Week"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 16, a bill to provide for a sequester replacement.

S. 19

At the request of Mr. CORNYN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 113

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 119

At the request of Mrs. BOXER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 210

At the request of Mr. HELLER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 226

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 240

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 254

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 254, a bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families.

S. 294

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Oklahoma

(Mr. INHOFE), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 315

At the request of Ms. KLOBUCHAR, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 320

At the request of Mr. JOHANNIS, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 320, a bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of agency guidance documents.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 345

At the request of Mrs. SHAHEEN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 370

At the request of Mr. COCHRAN, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Mississippi (Mr. WICKER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade

12 teachers offered through institutions of higher education.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN (for himself and Mr. MERKLEY):

S. 400. A bill to amend the Federal Lands Recreation Enhancement Act to include the Corps of Engineers as a Federal land management agency, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOZMAN. Mr. President, today Senator MERKLEY and I are introducing the Corps of Engineers Recreation Improvement Act. This legislation enables the U.S. Army Corps of Engineers to reinvest recreation fees to improve facilities where the funds are collected. Our bill creates an incentive for the Corps to maintain good facilities and provide quality recreational opportunities on our public lands. The Corps currently collects recreation fees at many sites. This legislation would not change the way the Corps determines use fee rates. Existing law provides that users of specialized sites, facilities, equipment, or services provided by Federal expense shall be assessed fair and equitable fees. Section 210 of the Flood Control Act of 1968 also provides that no entrance fees shall be charged by the Corps. Our bill is not intended to and does not make any changes in that regard.

In Arkansas, recreation on our public Corps-operated lands is an important driver of economic activity, job opportunities, and tourism. In fiscal year 2012, over \$4.2 million in revenue was collected at Corps recreation sites in Arkansas. When citizens spend money at Corps recreation sites in Arkansas, Oregon, or other States, many of them expect that their money will be invested on-site to improve facilities and create recreation opportunities. Our bill would ensure those expectations are met.

The Corps of Engineers Recreation Improvement Act would also enable the Corps to participate in the interagency America the Beautiful Pass program to allow customers an alternative payment option at sites where entrance or amenity fees are charged. This includes the distribution and sale of the passes and the retention of a portion of the revenue for the sales of those passes. It would also allow the Corps to distribute Military Passes. This will make it easier for our men and women in uniform and their families to acquire passes. The Corps currently honors these passes but the Corps is not allowed to distribute the passes. Providing the ability for the Corps to offer passes to customers is a commonsense solution that will encourage continued use of Federal recreation sites.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 402. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

Mr. WYDEN. Mr. President, today I rise to introduce a bill that will address a cumbersome and time consuming process in place under existing law within the Bureau of Indian Affairs. This piece of legislation will streamline the land acquisition process for the Confederated Tribes of Siletz Indians. The current process for taking land into trust is simply not working, and I believe there are changes that need to be made in the existing process. I am pleased to be joined by Senator MERKLEY in this effort. I want to note that I introduced similar legislation last Congress that was stalled at the Committee level due to certain language in that bill—language that, at the time, we thought was needed but found later was unnecessary and was preventing the bill from moving forward. In the bill I am introducing today, I took that language out to resolve the needs of the various stakeholders and to ensure the bill has a chance to pass the Committee and be signed into law.

The original Siletz Coastal Treaty Reservation, established by the Executive Order on November 9, 1855, was diminished and then eliminated by the Federal Government's allotment and termination policies. Tribal members and the tribal government have worked to rebuild the Siletz community since the Western Oregon Termination Act of August 1954 stripped the Siletz people of Federal tribal recognition. Since then the tribe has been struggling to rebuild its land base. This legislation would work to facilitate the tribe's land into trust process within the original Siletz coast reservation to overcome chronic agency delays in processing applications. Instead of having two cumbersome processes to bring each piece of former reservation land back into the reservation after purchase, one to bring the land into trust and another to make it reservation land, my legislation would allow the tribe to combine the process.

In this case, because the original reservation was disassembled, and the tribe terminated and provided a very small land base upon restoration, virtually every tract of land the tribe seeks to place into trust today is considered by the Bureau of Indian Affairs, BIA, pursuant to off-reservation fee-trust procedures. Off-reservation requests would mean that, according to the regulations, the "... secretary gives greater scrutiny to the tribe's justification of anticipated benefits. . ."

By applying the on-reservation fee-to-trust criteria for lands within the Siletz Tribe's original reservation, this

legislation allows the Tribe to take land into trust that will ultimately provide for vital tribal programs such as housing, government administration, and jobs—for both tribal and county residents. In addition, the bill emphasizes the importance and the intent of the Indian Reorganization Act of 1934—which allows the Secretary of Interior, in his or her discretion, to take land into trust for the benefit of an Indian tribe or of individual Indians. Essentially, reversing the loss of tribal lands and restoring some of the tribe's original land base by allowing the Tribe to take land into trust under the same provisions as other Indian tribes within their reservations.

This bill underscores the importance of economic stability and self-determination for the Confederated Tribes of Siletz Indians and its members. Due to failed Termination Era policies, Oregon Tribal communities suffer some of the greatest hurdles, whether it is health care, education, or crime on reservations. This bill would alleviate much of the cost and much needed resources associated with the bureaucratic hoops the tribe has had to jump through for years—which mean a significant savings of time and resources.

The Siletz Tribe has approached all the involved counties and has developed great communication and working relationships with them. This legislation establishes and confirms a positive and beneficial partnership between the Federal Government, Siletz Tribe and local counties Lincoln, Lane, Tillamook, Yamhill, Benton, and Douglas.

That is why I am introducing this legislation. The process remains cumbersome and costly and I recognize the need for more action. It is always great to see tribes and local counties work together to come up with proactive solutions for their communities to tackle challenging economic conditions.

I want to express my thanks to all the citizens and community and tribal leaders who have worked to build their communities. They represent the pioneering spirit and vision that defines my state.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF CERTAIN PROPERTY OF THE SILETZ TRIBE OF THE STATE OF OREGON.

Section 7 of the Siletz Tribe Indian Restoration Act (25 U.S.C. 711e) is amended by adding at the end the following:

“(f) TREATMENT OF CERTAIN PROPERTY.—

“(1) IN GENERAL.—

“(A) TITLE.—The Secretary may accept title to any additional number of acres of

real property located within the boundaries of the original 1855 Siletz Coast Reservation established by Executive Order dated November 9, 1855, comprised of land within the political boundaries of Benton, Douglas, Lane, Lincoln, Tillamook, and Yamhill Counties in the State of Oregon, if that real property is conveyed or otherwise transferred to the United States by or on behalf of the tribe.

“(B) TRUST.—Land to which title is accepted by the Secretary under this paragraph shall be held in trust by the United States for the benefit of the tribe.

“(2) TREATMENT AS PART OF RESERVATION.—All real property that is taken into trust under paragraph (1) shall—

“(A) be considered and evaluated as an on-reservation acquisition under part 151.10 of title 25, Code of Federal Regulations (or successor regulations); and

“(B) become part of the reservation of the tribe.

“(3) PROHIBITION ON GAMING.—Any real property taken into trust under paragraph (1) shall not be eligible, or used, for any gaming activity carried out under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).”

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. CORNYN, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 405. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Sunshine in the Courtroom Act, a bipartisan bill which permits judges at all federal court levels to open their courtrooms to television cameras and radio broadcasts.

Openness in our courts improves the public's understanding of what happens inside our courts. Our judicial system remains a mystery to too many people across the country. That doesn't need to continue. Letting the sun shine in on federal courtrooms will give Americans an opportunity to better understand the judicial process. Courts are the bedrock of the American justice system. I believe that granting the public greater access to an already public proceeding will inspire greater faith in and appreciation for our judges who pledge equal and impartial justice for all.

For decades, States such as my home state of Iowa have allowed cameras in their courtrooms with great results. As a matter of fact, only the District of Columbia prohibits trial and appellate court coverage entirely. Nineteen states allow news coverage in most courts; sixteen allow coverage with slight restrictions; and the remaining fifteen allow coverage with stricter rules.

The bill I am introducing today, along with Senator SCHUMER and five other cosponsors from both sides of the aisle, including Judiciary Chairman LEAHY, will greatly improve public access to federal courts by letting federal judges open their courtrooms to tele-

vision cameras and other forms of electronic media.

The Sunshine in the Courtroom Act is full of provisions that ensure that the introduction of cameras and other broadcasting devices into courtrooms goes as smoothly as it has at the state level. First, the presence of the cameras in Federal trial and appellate courts is at the sole discretion of the judges, it is not mandatory. The bill also provides a mechanism for Congress to study the effects of this legislation on our judiciary before making this change permanent through a three-year sunset provision. The bill protects the privacy and safety of non-party witnesses by giving them the right to have their faces and voices obscured. The bill prohibits the televising of jurors. Finally, it includes a provision to protect the due process rights of each party.

We need to open the doors and let the light shine in on the Federal Judiciary. This bill improves public access to and therefore understanding of our Federal courts. It has safety provisions to ensure that the cameras won't interfere with the proceedings or with the safety or due process of anyone involved in the cases. Our states have allowed news coverage of their courtrooms for decades. It is time we join them.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 405

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sunshine in the Courtroom Act of 2013”.

SEC. 2. FEDERAL APPELLATE AND DISTRICT COURTS.

(a) DEFINITIONS.—In this section:

(1) PRESIDING JUDGE.—The term “presiding judge” means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term “appellate court of the United States” means any United States circuit court of appeals and the Supreme Court of the United States.

(b) AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.—

(1) AUTHORITY OF APPELLATE COURTS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the presiding judge of an appellate court of the United States may, at the discretion of that judge, permit the

photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(B) EXCEPTION.—The presiding judge shall not permit any action under subparagraph (A), if—

(i) in the case of a proceeding involving only the presiding judge, that judge determines the action would constitute a violation of the due process rights of any party; or

(ii) in the case of a proceeding involving the participation of more than 1 judge, a majority of the judges participating determine that the action would constitute a violation of the due process rights of any party.

(2) AUTHORITY OF DISTRICT COURTS.—

(A) IN GENERAL.—

(i) AUTHORITY.—Notwithstanding any other provision of law, except as provided under clause (iii), the presiding judge of a district court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(ii) OBSCURING OF WITNESSES.—Except as provided under clause (iii)—

(I) upon the request of any witness (other than a party) in a trial proceeding, the court shall order the face and voice of the witness to be disguised or otherwise obscured in such manner as to render the witness unrecognizable to the broadcast audience of the trial proceeding; and

(II) the presiding judge in a trial proceeding shall inform each witness who is not a party that the witness has the right to request the image and voice of that witness to be obscured during the witness' testimony.

(iii) EXCEPTION.—The presiding judge shall not permit any action under this subparagraph—

(I) if that judge determines the action would constitute a violation of the due process rights of any party; and

(II) until the Judicial Conference of the United States promulgates mandatory guidelines under paragraph (5).

(B) NO MEDIA COVERAGE OF JURORS.—The presiding judge shall not permit the photographing, electronic recording, broadcasting, or televising of any juror in a trial proceeding, or of the jury selection process.

(C) DISCRETION OF THE JUDGE.—The presiding judge shall have the discretion to obscure the face and voice of an individual, if good cause is shown that the photographing, electronic recording, broadcasting, or televising of the individual would threaten—

(i) the safety of the individual;

(ii) the security of the court;

(iii) the integrity of future or ongoing law enforcement operations; or

(iv) the interest of justice.

(D) SUNSET OF DISTRICT COURT AUTHORITY.—The authority under this paragraph shall terminate 3 years after the date of the enactment of this Act.

(3) INTERLOCUTORY APPEALS BARRED.—The decision of the presiding judge under this subsection of whether or not to permit, deny, or terminate the photographing, electronic recording, broadcasting, or televising of a court proceeding may not be challenged through an interlocutory appeal.

(4) ADVISORY GUIDELINES.—The Judicial Conference of the United States may promulgate advisory guidelines to which a presiding judge, at the discretion of that judge, may refer in making decisions with respect to the management and administration of

photographing, recording, broadcasting, or televising described under paragraphs (1) and (2).

(5) MANDATORY GUIDELINES.—Not later than 6 months after the date of enactment of this Act, the Judicial Conference of the United States shall promulgate mandatory guidelines which a presiding judge is required to follow for obscuring of certain vulnerable witnesses, including crime victims, minor victims, families of victims, cooperating witnesses, undercover law enforcement officers or agents, witnesses subject to section 3521 of title 18, United States Code, relating to witness relocation and protection, or minors under the age of 18 years. The guidelines shall include procedures for determining, at the earliest practicable time in any investigation or case, which witnesses should be considered vulnerable under this section.

(6) PROCEDURES.—In the interests of justice and fairness, the presiding judge of the court in which media use is desired has discretion to promulgate rules and disciplinary measures for the courtroom use of any form of media or media equipment and the acquisition or distribution of any of the images or sounds obtained in the courtroom. The presiding judge shall also have discretion to require written acknowledgment of the rules by anyone individually or on behalf of any entity before being allowed to acquire any images or sounds from the courtroom.

(7) NO BROADCAST OF CONFERENCES BETWEEN ATTORNEYS AND CLIENTS.—There shall be no audio pickup or broadcast of conferences which occur in a court proceeding between attorneys and their clients, between co-counsel of a client, between adverse counsel, or between counsel and the presiding judge, if the conferences are not part of the official record of the proceedings.

(8) EXPENSES.—A court may require that any accommodations to effectuate this Act be made without public expense.

(9) INHERENT AUTHORITY.—Nothing in this Act shall limit the inherent authority of a court to protect witnesses or clear the courtroom to preserve the decorum and integrity of the legal process or protect the safety of an individual.

By Mr. DURBIN (for himself, Mr. REED, and Mr. WHITEHOUSE):

S. 408. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

Mr. DURBIN. Mr. President, last week TIME Magazine published an extensive piece that took a close look at the hidden costs within our health care system and how the Medicare program, which is widely disparaged these days, is effective in controlling costs.

We as a nation will spend \$2.8 trillion this year on health care. That is on average 27 percent more than what is spent per capita in other developed countries.

According to the TIME article, many hospitals routinely overcharge patients and reap profits at the expense of American families. As one former hospital billing officer put it, "hospitals all know the bills are fiction."

Too many families are put on the path to financial ruin because of hospital bills.

Another thing the TIME piece highlighted was that Medicare is much more effective at controlling costs than private sector providers, whether non-profit or for-profit.

Because Medicare sets the prices it is willing to pay providers in advance, patients with Medicare coverage are charged substantially less than patients with private health insurance who have received the same services.

In fact, projected Medicare spending over the 2011-2020 period is more than \$500 billion lower since late 2010 than CBO projected.

But we can do more. Every day, 10,000 Americans turn 65 and become eligible for Medicare. In 11 years, Medicare's hospital insurance fund will start paying out more in benefits than it takes in.

Meaningful reforms that lead to better health care at lower costs are good for America's seniors—and for our entire health care system. And that should start with changes to Part D.

Today, I am introducing with Senators WHITEHOUSE and JACK REED the Medicare Prescription Drug Savings and Choice Act.

Our bill would save taxpayer dollars by giving Medicare beneficiaries the choice to participate in a Medicare Part D prescription drug plan run by Medicare, not private insurance companies.

Seniors want the ability to choose a Medicare-administered drug plan, so let's give them this option.

In 2010, Americans spent approximately \$260 billion on prescription drugs. That figure is projected to double over the next decade. However, patients in the United States spend 50 percent more than other developed countries for the same drugs.

The average monthly price of cancer drugs has doubled over the past 10 years, from about \$5,000 to more than \$10,000.

Of the 12 new cancer drugs approved by the FDA last year, 11 were priced above \$100,000 a year.

About 77 percent of all cancers are diagnosed in persons 55 years of age and older.

As these people enter the program, Medicare should be allowed to control how much it pays for these prescription drugs.

While the Affordable Care Act does a lot to control costs in the private insurance market, current law handcuffs Medicare beneficiaries from obtaining competitive prices for their prescription drugs.

For all other Medicare programs, beneficiaries can choose whether to receive benefits directly through Medicare or through a private insurance plan.

The overwhelming majority of seniors choose the Medicare-run option for their hospital and physician coverage.

Our bill requires the Secretary of HHS to develop at least one nationwide prescription drug plan.

Why? Because we should take advantage of the Federal Government's purchasing power.

The Veterans Administration uses this type of negotiating authority and has cut drug prices by as much as 50 percent for our Nation's veterans.

Savings from negotiating on behalf of seniors in Medicare could be used to further reduce costs in the program and ensure the program is there for future generations.

America's health care system is burdening families and hindering our ability to invest in the future.

The Affordable Care Act takes important steps to begin bringing down costs in the private market and in Medicare, but there is more we can do. This proposal is a simple and common sense option that should be available for seniors.

Allowing Medicare to manage a prescription drug plan and negotiate prices, taxpayers will save money and seniors will get high quality drug coverage.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Prescription Drug Savings and Choice Act of 2013".

SEC. 2. ESTABLISHMENT OF MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION.

(a) IN GENERAL.—Subpart 2 of part D of title XVIII of the Social Security Act is amended by inserting after section 1860D-11 (42 U.S.C. 1395w-111) the following new section:

"MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION

"SEC. 1860D-11A. (a) IN GENERAL.—Notwithstanding any other provision of this part, for each year (beginning with 2014), in addition to any plans offered under section 1860D-11, the Secretary shall offer one or more Medicare operated prescription drug plans (as defined in subsection (c)) with a service area that consists of the entire United States and shall enter into negotiations in accordance with subsection (b) with pharmaceutical manufacturers to reduce the purchase cost of covered part D drugs for eligible part D individuals who enroll in such a plan.

"(b) NEGOTIATIONS.—Notwithstanding section 1860D-11(i), for purposes of offering a Medicare operated prescription drug plan under this section, the Secretary shall negotiate with pharmaceutical manufacturers with respect to the purchase price of covered part D drugs in a Medicare operated prescription drug plan and shall encourage the use of more affordable therapeutic equivalents to the extent such practices do not override medical necessity as determined by the prescribing physician. To the extent practicable and consistent with the previous sentence,

the Secretary shall implement strategies similar to those used by other Federal purchasers of prescription drugs, and other strategies, including the use of a formulary and formulary incentives in subsection (e), to reduce the purchase cost of covered part D drugs.

"(c) MEDICARE OPERATED PRESCRIPTION DRUG PLAN DEFINED.—For purposes of this part, the term 'Medicare operated prescription drug plan' means a prescription drug plan that offers qualified prescription drug coverage and access to negotiated prices described in section 1860D-2(a)(1)(A). Such a plan may offer supplemental prescription drug coverage in the same manner as other qualified prescription drug coverage offered by other prescription drug plans.

"(d) MONTHLY BENEFICIARY PREMIUM.—

"(1) QUALIFIED PRESCRIPTION DRUG COVERAGE.—The monthly beneficiary premium for qualified prescription drug coverage and access to negotiated prices described in section 1860D-2(a)(1)(A) to be charged under a Medicare operated prescription drug plan shall be uniform nationally. Such premium for months in 2014 and each succeeding year shall be based on the average monthly per capita actuarial cost of offering the Medicare operated prescription drug plan for the year involved, including administrative expenses.

"(2) SUPPLEMENTAL PRESCRIPTION DRUG COVERAGE.—Insofar as a Medicare operated prescription drug plan offers supplemental prescription drug coverage, the Secretary may adjust the amount of the premium charged under paragraph (1).

"(e) USE OF A FORMULARY AND FORMULARY INCENTIVES.—

"(1) IN GENERAL.—With respect to the operation of a Medicare operated prescription drug plan, the Secretary shall establish and apply a formulary (and may include formulary incentives described in paragraph (2)(C)(ii)) in accordance with this subsection in order to—

"(A) increase patient safety;

"(B) increase appropriate use and reduce inappropriate use of drugs; and

"(C) reward value.

"(2) DEVELOPMENT OF INITIAL FORMULARY.—

"(A) IN GENERAL.—In selecting covered part D drugs for inclusion in a formulary, the Secretary shall consider clinical benefit and price.

"(B) ROLE OF AHRQ.—The Director of the Agency for Healthcare Research and Quality shall be responsible for assessing the clinical benefit of covered part D drugs and making recommendations to the Secretary regarding which drugs should be included in the formulary. In conducting such assessments and making such recommendations, the Director shall—

"(i) consider safety concerns including those identified by the Federal Food and Drug Administration;

"(ii) use available data and evaluations, with priority given to randomized controlled trials, to examine clinical effectiveness, comparative effectiveness, safety, and enhanced compliance with a drug regimen;

"(iii) use the same classes of drugs developed by the United States Pharmacopeia for this part;

"(iv) consider evaluations made by—

"(I) the Director under section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003;

"(II) other Federal entities, such as the Secretary of Veterans Affairs; and

"(III) other private and public entities, such as the Drug Effectiveness Review Project and State plans under title XIX; and

"(v) recommend to the Secretary—

"(I) those drugs in a class that provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that should be included in the formulary;

"(II) those drugs in a class that provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that should be excluded from the formulary; and

"(III) drugs in a class with same or similar clinical benefit for which it would be appropriate for the Secretary to competitively bid (or negotiate) for placement on the formulary.

"(C) CONSIDERATION OF AHRQ RECOMMENDATIONS.—

"(i) IN GENERAL.—The Secretary, after taking into consideration the recommendations under subparagraph (B)(v), shall establish a formulary, and formulary incentives, to encourage use of covered part D drugs that—

"(I) have a lower cost and provide a greater clinical benefit than other drugs;

"(II) have a lower cost than other drugs with the same or similar clinical benefit; and

"(III) drugs that have the same cost but provide greater clinical benefit than other drugs.

"(ii) FORMULARY INCENTIVES.—The formulary incentives under clause (i) may be in the form of one or more of the following:

"(I) Tiered copayments.

"(II) Reference pricing.

"(III) Prior authorization.

"(IV) Step therapy.

"(V) Medication therapy management.

"(VI) Generic drug substitution.

"(iii) FLEXIBILITY.—In applying such formulary incentives the Secretary may decide not to impose any cost-sharing for a covered part D drug for which—

"(I) the elimination of cost sharing would be expected to increase compliance with a drug regimen; and

"(II) compliance would be expected to produce savings under part A or B or both.

"(3) LIMITATIONS ON FORMULARY.—In any formulary established under this subsection, the formulary may not be changed during a year, except—

"(A) to add a generic version of a covered part D drug that entered the market;

"(B) to remove such a drug for which a safety problem is found; and

"(C) to add a drug that the Secretary identifies as a drug which treats a condition for which there has not previously been a treatment option or for which a clear and significant benefit has been demonstrated over other covered part D drugs.

"(4) ADDING DRUGS TO THE INITIAL FORMULARY.—

"(A) USE OF ADVISORY COMMITTEE.—The Secretary shall establish and appoint an advisory committee (in this paragraph referred to as the 'advisory committee')—

"(i) to review petitions from drug manufacturers, health care provider organizations, patient groups, and other entities for inclusion of a drug in, or other changes to, such formulary; and

"(ii) to recommend any changes to the formulary established under this subsection.

"(B) COMPOSITION.—The advisory committee shall be composed of 9 members and shall include representatives of physicians, pharmacists, and consumers and others with expertise in evaluating prescription drugs. The Secretary shall select members based on their knowledge of pharmaceuticals and the Medicare population. Members shall be deemed to be special Government employees

for purposes of applying the conflict of interest provisions under section 208 of title 18, United States Code, and no waiver of such provisions for such a member shall be permitted.

“(C) CONSULTATION.—The advisory committee shall consult, as necessary, with physicians who are specialists in treating the disease for which a drug is being considered.

“(D) REQUEST FOR STUDIES.—The advisory committee may request the Agency for Healthcare Research and Quality or an academic or research institution to study and make a report on a petition described in subparagraph (A)(i) in order to assess—

“(i) clinical effectiveness;

“(ii) comparative effectiveness;

“(iii) safety; and

“(iv) enhanced compliance with a drug regimen.

“(E) RECOMMENDATIONS.—The advisory committee shall make recommendations to the Secretary regarding—

“(i) whether a covered part D drug is found to provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that is currently included in the formulary and should be included in the formulary;

“(ii) whether a covered part D drug is found to provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that is currently included in the formulary and should not be included in the formulary; and

“(iii) whether a covered part D drug has the same or similar clinical benefit to a drug in the same class that is currently included in the formulary and whether the drug should be included in the formulary.

“(F) LIMITATIONS ON REVIEW OF MANUFACTURER PETITIONS.—The advisory committee shall not review a petition of a drug manufacturer under subparagraph (A)(i) with respect to a covered part D drug unless the petition is accompanied by the following:

“(i) Raw data from clinical trials on the safety and effectiveness of the drug.

“(ii) Any data from clinical trials conducted using active controls on the drug or drugs that are the current standard of care.

“(iii) Any available data on comparative effectiveness of the drug.

“(iv) Any other information the Secretary requires for the advisory committee to complete its review.

“(G) RESPONSE TO RECOMMENDATIONS.—The Secretary shall review the recommendations of the advisory committee and if the Secretary accepts such recommendations the Secretary shall modify the formulary established under this subsection accordingly. Nothing in this section shall preclude the Secretary from adding to the formulary a drug for which the Director of the Agency for Healthcare Research and Quality or the advisory committee has not made a recommendation.

“(H) NOTICE OF CHANGES.—The Secretary shall provide timely notice to beneficiaries and health professionals about changes to the formulary or formulary incentives.

“(f) INFORMING BENEFICIARIES.—The Secretary shall take steps to inform beneficiaries about the availability of a Medicare operated drug plan or plans including providing information in the annual handbook distributed to all beneficiaries and adding information to the official public Medicare website related to prescription drug coverage available through this part.

“(g) APPLICATION OF ALL OTHER REQUIREMENTS FOR PRESCRIPTION DRUG PLANS.—Except as specifically provided in this section,

any Medicare operated drug plan shall meet the same requirements as apply to any other prescription drug plan, including the requirements of section 1860D-4(b)(1) relating to assuring pharmacy access.”

(b) CONFORMING AMENDMENTS.—

(1) Section 1860D-3(a) of the Social Security Act (42 U.S.C. 1395w-103(a)) is amended by adding at the end the following new paragraph:

“(4) AVAILABILITY OF THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—A Medicare operated prescription drug plan (as defined in section 1860D-11A(c)) shall be offered nationally in accordance with section 1860D-11A.”

(2)(A) Section 1860D-3 of the Social Security Act (42 U.S.C. 1395w-103) is amended by adding at the end the following new subsection:

“(c) PROVISIONS ONLY APPLICABLE IN 2006 THROUGH 2013.—The provisions of this section shall only apply with respect to 2006 through 2013.”

(B) Section 1860D-11(g) of such Act (42 U.S.C. 1395w-111(g)) is amended by adding at the end the following new paragraph:

“(8) NO AUTHORITY FOR FALLBACK PLANS AFTER 2013.—A fallback prescription drug plan shall not be available after December 31, 2013.”

(3) Section 1860D-13(c)(3) of the Social Security Act (42 U.S.C. 1395w-113(c)(3)) is amended—

(A) in the heading, by inserting “AND MEDICARE OPERATED PRESCRIPTION DRUG PLANS” after “FALLBACK PLANS”; and

(B) by inserting “or a Medicare operated prescription drug plan” after “a fallback prescription drug plan”.

(4) Section 1860D-16(b)(1) of the Social Security Act (42 U.S.C. 1395w-116(b)(1)) is amended—

(A) in subparagraph (C), by striking “and” after the semicolon at the end;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) payments for expenses incurred with respect to the operation of Medicare operated prescription drug plans under section 1860D-11A.”

(5) Section 1860D-41(a) of the Social Security Act (42 U.S.C. 1395w-151(a)) is amended by adding at the end the following new paragraph:

“(19) MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—The term ‘Medicare operated prescription drug plan’ has the meaning given such term in section 1860D-11A(c).”

SEC. 3. IMPROVED APPEALS PROCESS UNDER THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.

Section 1860D-4(h) of the Social Security Act (42 U.S.C. 1305w-104(h)) is amended by adding at the end the following new paragraph:

“(4) APPEALS PROCESS FOR MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—

“(A) IN GENERAL.—The Secretary shall develop a well-defined process for appeals for denials of benefits under this part under the Medicare operated prescription drug plan. Such process shall be efficient, impose minimal administrative burdens, and ensure the timely procurement of non-formulary drugs or exemption from formulary incentives when medically necessary. Medical necessity shall be based on professional medical judgment, the medical condition of the beneficiary, and other medical evidence. Such appeals process shall include—

“(i) an initial review and determination made by the Secretary; and

“(ii) for appeals denied during the initial review and determination, the option of an external review and determination by an independent entity selected by the Secretary.

“(B) CONSULTATION IN DEVELOPMENT OF PROCESS.—In developing the appeals process under subparagraph (A), the Secretary shall consult with consumer and patient groups, as well as other key stakeholders to ensure the goals described in subparagraph (A) are achieved.”

ALLIANCE FOR A JUST SOCIETY,

February 28, 2013.

Reduce Pharmaceutical Prices—Do Not Cut Benefits

DEAR PRESIDENT OBAMA AND SENATOR/REPRESENTATIVE: We have noted with great concern that federal budget discussions have included the possibility of cuts to Medicare and Medicaid. We wish to be clear: We strongly oppose such an approach and believe it to be both unnecessary and a no-growth policy for an economy that remains stagnant.

Medicare and Medicaid not only provide critical protections against the economic deprivation caused by illness, especially for older Americans; they also create jobs and boost an economy that is slumbering. Cutting these programs leads this country in the wrong direction.

We cannot continue to unravel these critical programs for working families, the elderly, and the poor. If the Congress is unable to move forward without some compromise that reduces our national commitment to quality Medicare and Medicaid programs, there is a source for reductions that will not harm beneficiaries: the cost of prescription drugs.

The U.S. pays more for prescriptions than any nation in the world. Medicare and Medicaid beneficiaries pay more for medicines than do our veterans and the clients of the National Indian Health Service. Why do these differences in cost persist? They do so because other countries, the VA, and the IHS negotiate the prices for prescriptions, while Medicare and Medicaid programs do not.

According to the Center for Economic and Policy Research, savings to the federal government over the next decade would be as high as \$541.3 billion. The saving to the states would be as high as \$72.7 billion, and beneficiaries would save \$112.4 billion. These amounts are far in excess of the demand for expenditure reductions being suggested by the most strident deficit reduction advocates.

We are more than 275 national and state organizations, and we are opposed to cutting health care benefits for the elderly and the poor. However, saving money by negotiating drug prices would be beneficial to the entire health care system, in addition to saving money for the federal government and the states. We urge you to pursue this policy as a major part of efforts to reduce health care costs.

Sincerely,

NATIONAL

9to5, AFL-CIO, AFSCME (American Federation of State, County and Municipal Employees), Alliance for a Just Society, Alliance for Retired Americans, Association of Asian Pacific Community Health Organizations, Campaign for America's Future, Campaign for Community Change, Center for Popular Democracy, Coalition on Human Needs, Community Action Partnership, Community Organizations in Action, Grassroots

Policy Project, HCAN (Health Care for America Now!), Institute for Policy Studies, Break the Chain Campaign, Jobs With Justice, Leadership Center for Common Good, National Domestic Workers Alliance, National Education Association.

National Legislative Association on Prescription Drug Prices—20 signers (see attached letter): Rep. Sharon Engle Treat (ME), Rep. Nickie Antonia (OH), Rep. Sheryl Briggs (ME), Sen. Capri Cafaro (OH), Rep. Michael Foley (OH), Sen. Dede Feldman (NM), Assemblyperson Richard N. Gottfried (NY), Sen. Jack Hatch (IO), Sen. Karen Keiser (WA), Sen. Sue Malek (MT), Sen. Kevin Mullin (VT), Rep. Don Perdue (WV), Rep. Elizabeth B. Ritter (CT), Rep. Cindy Rosenwald (NH), Rep. Linda Sanborn (ME), Rep. Shay Shual-Berke (MD), Sen. Michael J. Skindell (OH), Rep. Peter Stuckey (ME), Rep. Roy Takumi (HI), Rep. Joan Welsh (ME).

National Health Care for the Homeless Council, National Health Law Program, National Korean American Service & Education Consortium, National People's Action, National Women's Health Network, New Bottom Line, PICO National Network.

Progressive Democrats of America, Racial and Ethnic Health Disparities Coalition, Raising Women's Voices for the Health Care We Need, Rights to the City, Service Employees International Union, Social Security Works, UAW (United Auto Workers), Universal Health Care Action Network, USAction, Working America, AFL-CIO, Working Families Party.

ALABAMA

Federation Of Child Care Centers of Alabama.

ARKANSAS

Arkansas Community Organizations.

CALIFORNIA

9to5 California, Alliance of Californians for Community Empowerment, Center for Third World Organizing, People Organized for Westside Renewal, PICO California, San Diego Organizing Project, California Childcare Coordinators Association, California PIRG, Children's Defense Fund—California, Community Health Council, Elsdon, Inc., Greenlining Institute, Molina Healthcare of California, National Association of Social Workers, CA Chapter.

COLORADO

9to5 Colorado, Colorado Progressive Coalition, Colorado Organization for Latina Opportunity and Reproductive Rights, Together Colorado.

CONNECTICUT

Connecticut Citizen Action Group.

FLORIDA

Central Florida Jobs with Justice, Community Business Association, Florida CHAIN, Florida Chinese Federation, Florida Civic Rights Association—Asian American Affairs, Florida Coalition on Black Civic Participation (FCBCP), Florida Consumer Action Network, Florida Consumer Action Network Foundation, Florida Institute for Reform & Empowerment, Florida New Majority, Florida Watch Action, Labor Council for Latin American Advancement of Central Florida (LCLAA of CF), National Congress of Black Women, Organization of Chinese Americans—South Florida Chapter, Organize Now, South Florida Jobs with Justice, United Chinese Association of Florida.

GEORGIA

9to5 Atlanta, Georgia Rural Urban Summit.

HAWAII

Faith Action for Community Equity.

IDAHO

Idaho Community Action Network, Idaho Main Street Alliance, Indian People's Action, United Action for Idaho, United Vision for Idaho.

ILLINOIS

AFSCME Council 31, Chicago Federation of Labor, AFL-CIO, Citizen Action Illinois, Coalition of Labor Union Women (CLUW), Illinois Alliance for Retired Americans (IARA), Illinois Indiana Regional Organizing Network, Jane Addams Senior Caucus, Lakeview Action Coalition, Northside P.O.W.E.R., Public Action Foundation.

INDIANA

Northwest Indiana Federation of Interfaith Organizations.

IOWA

Iowa Citizen Action Network, Iowa Citizen Action Network Foundation, Iowa Citizens for Community Improvement, Iowa Main Street Alliance.

LOUISIANA

Micah Project—New Orleans, PICO Louisiana.

MAINE

Consumers for Affordable Healthcare, Maine Equal Justice Partners, Maine People's Alliance, Maine People's Resource Center, Maine Small Business Coalition, MSEA-SEIU Local 1989, Prescription Policy Choices.

MARYLAND

Maryland Communities United.

MASSACHUSETTS

Disability Policy Consortium.

MICHIGAN

Harriet Tubman Center—Detroit, Metropolitan Coalition of Congregations, Metro Detroit, Michigan Citizen Action, Michigan Citizen Education Fund, Michigan Organizing Collaborative.

MINNESOTA

AFSCME Council 5, CWA Minnesota State Council, Health Care for All—Minnesota, ISALAH, Jewish Community Action, Minnesota AFL-CIO, Minnesotans for a Fair Economy, Moveon.org Twin Cities Council, Physicians for a National Health Plan—Minnesota, SEIU Local 284, SEIU Minnesota State Council, Take Action Minnesota, UFCW Local 1189, Universal Health Care Action Network—Minnesota.

MISSOURI

Communities Creating Opportunity, GRO (Grass Roots Organizing), Metropolitan Congregations United, Missouri Progressive Vote Coalition, Missouri Citizen Education Fund, Missouri Jobs with Justice, Missourians Organizing for Change, Missourians Organizing for Reform and Empowerment, Missouri Rural Crisis Center, Progress Missouri.

MONTANA

AFSCME Council 9, Big Sky CLC—Helena, Greater Yellowstone CLC—Billings, Indian People's Action, MEA-MFT, Missoula Area CLC, Montana Alliance for Retired Americans, Montana Organizing Project, Montana Small Business Alliance, MT AFL-CIO State Federation, MT-HCAN, SEIU Healthcare 775 NW, Southcentral Montana CLC—Bozeman, Southwestern Montana CLC—Butte.

NEBRASKA

Nebraska Urban Indian Health Clinic.

NEVADA

Dream Big Las Vegas, Nevada Immigration Coalition, PLAN Action, Progressive Leader-

ship Alliance of Nevada, Uniting Communities of Nevada.

NEW HAMPSHIRE

Granite State Organizing Project, New Hampshire Citizens Alliance, New Hampshire Citizens Alliance for Action.

NEW JERSEY

New Jersey Citizen Action, New Jersey Citizen Action Education Fund, PICO New Jersey, New Jersey Communities United.

NEW MEXICO

Organizers in the Land of Enchantment (OLE).

NEW YORK

Center for Independence of the Disabled—NY, Citizen Action of New York and Public Policy and Education Fund, Community Service Society of New York, Health Care for All New York, Institute of Puerto Rican/Hispanic Elderly Inc. Make the Road New York, Medicaid Matters New York, Metro New York Health Care for All Campaign, New York Communities for Change, New Yorkers for Accessible Health Coverage, Professional Staff Congress at CUNY Local 2334—AFT, Public Policy and Education Fund of New York, Small Business United, Syracuse United Neighbor.

NORTH CAROLINA

Action North Carolina, Disability Rights NC, North Carolina Fair Share, North Carolina Justice Center, Unifour OneStop Collaborative.

OHIO

Communities United for Action, Contact Center, Fair Share Research and Education Fund, Mahoning Valley Organizing Collaborative, Ohio Alliance for Retired Americans Educational Fund, Ohio Organizing Collaborative, Progress Ohio, Progressive Democrats of America—Ohio Chapter, The People's Empowerment Coalition of Ohio, Toledo Area Jobs with Justice & Interfaith Worker Justice Coalition, UHCAN Ohio.

OREGON

Asian Pacific American Network of Oregon, Center for Intercultural Organizing, Fair Share Research and Education Fund, Main Street Alliance of Oregon, Oregon Action, Oregon Women's Action for New Directions, Rural Organizing Project, Portland Jobs with Justice, Urban League.

PENNSYLVANIA

ACHIEVA, ACTION United, Be Well! Pittsburgh, Beaver County NOW, Consumer Health Coalition, Lutheran Advocacy Ministry of Pennsylvania, Maternity Care Coalition, New Voices Pittsburgh: Women of Color for Reproductive Justice, Pennsylvania Alliance for Retired Americans, Philadelphia Unemployment Project, Women's Law Project.

RHODE ISLAND

Ocean State Action, Ocean State Action Fund.

TENNESSEE

Tennessee Citizen Action, Tennessee Citizen Action Alliance.

VIRGINIA

SEIU Virginia 512, Virginia AFL-CIO, Virginia New Majority, Virginia Organizing.

WASHINGTON

AFGE Local 3937, Asian Pacific Islander Americans for Civic Empowerment, FUSE Washington, Health Care for All Washington, Main Street Alliance of Washington, OneAmerica, Physicians for a National Health Program—Western Washington,

Puget Sound Advocates for Retirement Action, SEIU Healthcare 1199NW, SEIU Local 6, SEIU Local 775, SEIU Healthcare 775NW, Spokane Peace and Justice Action League, Washington CAN! Education and Research Fund, Washington CARE Campaign, Washington Community Action Network Education, Washington Fair Trade Coalition, Washington State Labor Council AFL-CIO, Working Washington.

WEST VIRGINIA

West Virginia Citizen Action Group, West Virginia Citizen Action Education Fund.

WISCONSIN

9to5 Wisconsin, Citizen Action of Wisconsin, Citizen Action of Wisconsin Education Fund, Coalition of Wisconsin Aging Groups, M&S Clinical Services Assessment Center, Milwaukee Teachers Education Association (NEA), SEIU Healthcare Wisconsin, SOPHIA—Stewards of Prophetic, Hopeful, Intentional Action (Gamaliel), Wisconsin Federation of Nurses and Health Professionals (AFT).

NATIONAL COMMITTEE TO PRESERVE

SOCIAL SECURITY & MEDICARE,

Washington, DC, February 28, 2013.

Hon. DICK DURBIN,

U.S. Senate, Hart Office Building, Washington, DC.

Hon. JANICE SCHAKOWSKY,

House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR SENATOR DURBIN AND REPRESENTATIVE SCHAKOWSKY: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I am writing to express our support for the Medicare Prescription Drug Savings and Choice Act. We applaud this effort because it would improve the Medicare program for beneficiaries and reduce federal spending on prescriptions drugs.

We understand that your legislation would create one or more Medicare-administered drug plans with uniform premiums, providing seniors with the opportunity to purchase drugs directly through the Medicare program. In addition, your legislation would require the federal government to use its purchasing power to negotiate lower prices on prescription drugs for beneficiaries who enroll in the Medicare-administered plan. The Department of Veterans Affairs and many state governments are able to deliver lower drug prices because of price negotiation, and we believe that the federal government should be able to receive the best price available for Medicare prescription drugs. Finally, we appreciate that your legislation establishes an advisory committee to assess a public formulary and streamlines the Medicare Part D appeals process, which will help all beneficiaries.

Thank you for your continued leadership on Medicare, particularly for identifying ways to reduce Medicare spending without shifting costs to beneficiaries. We look forward to working with you to enact this important legislation.

Sincerely,

MAX RICHTMAN,
President and CEO.

By Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. WYDEN, and Mr. MORAN):

S. 411. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am joining my colleagues Sen-

ators, CRAPO, WYDEN, and MORAN in introducing the Short Line Railroad Rehabilitation and Investment Act of 2013, legislation to extend for 3 years the Section 45G short line freight railroad tax credit.

In the 112th Congress, I introduced a 6-year extension of this credit. Despite the often contentious atmosphere of the 112th Congress, during which my colleagues found little they could agree on, the short line rail credit was a bipartisan success story, with my legislation attracting more than 50 bipartisan cosponsors.

“Short line” railroads are small freight rail companies responsible for bringing goods to communities that are not directly served by large, transcontinental railroads. Supporting small railroads allows the communities surrounding them to attract and maintain businesses and create jobs. The evidence of the success of this credit can be found in communities across America.

This credit has real impact for the people of my state. West Virginia is the second biggest producer of railroad ties in the country. Since the credit was enacted, it is estimated 750,000 railroad ties have been purchased above what would have otherwise been purchased with no incentive. Those railroad ties translate directly into jobs. This credit does not create just West Virginia jobs though. The ties, spikes, and rail this credit helps fund are almost entirely American made.

Over 12,000 rail customers across America depend on short lines. This credit creates a strong incentive for short lines to invest private sector dollars on private-sector freight railroad track rehabilitation and improvements. Unfortunately, it is now scheduled to expire at the end of 2013.

We were unable to enact a full 6-year extension of this important tax credit last Congress, but I was pleased that this credit was extended through the end of 2013 as part of the December 31st fiscal cliff deal.

This Congress I want to do more. This credit, and the short line railroads that serve all of our constituents, deserve a meaningful extension. If this credit is allowed to expire at the end of the year, private-sector investments in infrastructure in our communities will fall by hundreds of millions of dollars.

This bill would extend the 45G credit through 2016, providing the important long-term planning certainty necessary to maximize private-sector transportation infrastructure investment. Over 50 members of this body sponsored legislation in the last Congress extending this credit and I hope there will be similar support again this year. I ask my colleagues to join me in supporting this important legislation.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. PORTMAN, and Ms. KLOBUCHAR):

S. 413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 413

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Human Trafficking Reporting Act of 2013”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 “severe forms of trafficking in persons” means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department’s 2012 Trafficking in Persons report found that—

(A) the United States is a “source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking;” and

(B) the United States needs to “improve data collection on human trafficking cases at the federal, state and local levels”.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments world-wide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that “the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time”.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the

Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation's Uniform Crime Report.

SEC. 3. HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.

Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

“(i) **PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.**—For purposes of this section, the term ‘part 1 violent crimes’ shall include severe forms of trafficking in persons, as defined in section 103(8) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)).”.

By Ms. LANDRIEU (for herself, Mr. COCHRAN, Mrs. GILLIBRAND, and Mr. PRYOR):

S. 415. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on an issue that is of great importance to my home State of Louisiana: Federal disaster assistance. As you know, along the Gulf Coast, we keep an eye trained on the Gulf of Mexico during hurricane season. This is following the devastating one-two punch of Hurricanes Katrina and Rita of 2005 as well as Hurricanes Gustav and Ike in 2008. Unfortunately, our region also has had to deal with the economic and environmental damage from the Deepwater Horizon disaster in 2010 and more recently Hurricane Isaac. For this reason, as Chair of the Senate Committee on Small Business and Entrepreneurship ensuring Federal disaster programs are effective and responsive to disaster victims is one of my top priorities. While the Gulf Coast is prone to hurricanes, other parts of the country are no strangers to disaster. For example, the Midwest has tornadoes, California experiences earthquakes and wildfires, and the Northeast sees crippling snowstorms. So no part of our country is spared from disasters—disasters which can and will strike at any moment. This certainly hit home when the northeast was struck by Hurricane Sandy in October of last year. With this in mind, we must ensure that the Federal government is better prepared and has the tools necessary to respond quickly, effectively following a disaster.

In order to give the U.S. Small Business Administration, SBA, better tools to respond after a future disaster, I am proud that to file the Small Business Disaster Reform Act of 2013. I want to thank my colleague Senator THAD COCHRAN for cosponsoring the bill and

for helping me to make improvements. I am also appreciative that Senator KIRSTEN GILLIBRAND and Senator MARK PRYOR also have cosponsored the legislation. This bill will make two important improvements to SBA's disaster assistance programs for businesses. The first provision builds off of SBA disaster reforms enacted in 2008 and ensures that SBA is responsive to the needs of small businesses seeking smaller amounts of disaster assistance. These are the businesses that are burdened the most by liens on their primary personal residential homes when they could conceivably provide sufficient business assets as collateral for the loan. The second provision in the bill also authorizes the SBA Administrator to allow out-of-state Small Business Development Centers, SBDCs, to provide assistance in to small businesses located in Presidentially-declared disaster areas. This provision removes a limitation that, for disasters such as Hurricane Katrina or Hurricane Sandy, would allow experienced SBDC counselors to come in to a disaster area while local SBDCs are being stood back up following a catastrophic disaster. Lastly, to ensure that out-of-state SBDCs are not left paying out of pocket for assisting in these disaster areas, there also is legislative language in Section 4 encouraging the SBA to ensure it reimburses SBDCs for these disaster-related expenses provided they were legitimate and there are funds available to do so.

In particular, Section 2 of the bill that I am filing today would clarify that, for SBA disaster business loans less than \$200,000 that SBA is required to utilize assets other than the primary residence if those assets are available to use as collateral towards the loan. The bill is very clear though that these assets should be of equal or greater value than the amount of the loan. Also, to ensure that this is a targeted improvement, the bill also includes additional language that this bill in no way requires SBA to reduce the amount or quality of collateral it seeks on these types of loans. I want to especially thank my former Ranking Member Olympia Snowe for working with me to improve upon previous legislation on this particular issue. The provision that I am re-introducing, as part of this disaster legislation, is a direct result of discussions with both her and other stakeholders late last year. I believe that this bill is better because of improvements that came out of these productive discussions.

I note that this provision is similar to Section 204 of S. 2731, the Small Business Administration Disaster Recovery and Reform Act of 2009 that Senator BILL NELSON and I introduced during the 111th Congress. A similar provision also passed the House of Representatives twice that Congress. H.R. 3854, which included a modified collat-

eral requirement under Section 801, passed the House on October 29, 2009 by a vote of 389-32. The provision also passed the House again on November 6, 2009 by a voice vote as Section 2 of H.R. 3743. During the 112th Congress, this provision passed the Senate on December 28, 2012 by a vote of 62-32 as part of H.R. 1, the Senate-passed Disaster Relief Appropriations Act. However, it was not included in H.R. 152, the House-passed Disaster Relief Appropriations Act that subsequently was enacted into law. Despite the setback earlier this year, I remind my colleagues that this provision has a history of bipartisan Congressional support and has previously passed both chambers of Congress.

Section 2 addresses a key issue that is serving as a roadblock to business owners interested in applying for smaller SBA disaster loans. After the multiple disasters that hit the Gulf Coast, my staff has consistently heard from business owners, discouraged from applying for SBA disaster loans. When we have inquired further on the main reasons behind this hesitation, the top concern related to SBA requiring business owners to put up their personal home as collateral for smaller SBA disaster loans for their business. This requirement is understandable for large loans between \$750,000 and \$2 million. However, business owners complained about this requirement being instituted for loans of \$200,000 or less. I can understand their frustration. Business owners, in many cases who have just lost everything, are applying to SBA for a \$150,000 loan for their business. SBA then responds by asking them to put up their \$400,000 personal home as collateral when the business may have sufficient business assets available to collateralize the loan. While I also understand the need for SBA to secure the loans, make the program cost effective, and minimize risk to the taxpayer, SBA has at its disposal multiple ways to secure loans.

Furthermore, SBA has repeatedly said publicly and in testimony before my committee that it will not decline a borrower for a lack of collateral. According to a July 14, 2010 correspondence between SBA and my office, the agency notes that “SBA is an aggressive lender and its credit thresholds are well below traditional bank standards . . . SBA does not decline loans for insufficient collateral.” SBA's current practice of making loans is based upon an individual/business demonstrating the ability to repay and income. The agency declines borrowers for an inability to repay the loan. In regards to collateral, SBA follows traditional lending practices that seek the “best available collateral.” Collateral is required for physical loans over \$14,000 and Economic Injury Disaster Loans, EIDL, loans over \$5,000. SBA takes real estate as collateral when it is available, but as I stated, the agency will

not decline a loan for lack of collateral. Instead it requires borrowers to pledge what is available. However, in practice, SBA is requiring borrowers to put up a personal residence worth \$300,000 or \$400,000 for a business loan of \$200,000 or less when there are other assets available for SBA.

This provision does not substantively change SBA's current lending practices and it will not have a significant cost. I believe that this legislation would not trigger direct spending nor would it have a significant impact on the subsidy rate for SBA disaster loans. Currently for every \$1 loaned out, it costs approximately 10 cents on the dollar. Most importantly, this bill will greatly improve the SBA disaster loan programs for businesses ahead of future disasters. If a business comes to the SBA for a loan of less than \$200,000 to make immediate repairs or secure working capital, they can be assured that they will not have to put up their personal home if SBA determines that the business has other assets to go towards the loan. However, if businesses seek larger loans than \$200,000 or if their business assets are not suitable collateral, then the current requirements will still apply. This ensures that very small businesses and businesses seeking smaller amounts of recovery loans are able to secure these loans without significant burdens on their personal property. For the business owners we have spoken to, this provides some badly needed clarity to one of the Federal government's primary tools for responding to disasters.

To be clear though, while I do not want to see SBA tie up too much of a business' collateral, I also believe that if a business is willing and able to put up business assets towards its disaster loan, SBA should consider that first before attempting to bring in personal residences. It is unreasonable for SBA to ask business owners operating in very different business environments post-disaster to jeopardize not just their business but also their home. Loans of \$200,000 or less are also the loans most likely to be repaid by the business so personal homes should be collateral of last resort in instances where a business can demonstrate the ability to repay the loan and that it has other assets.

As previously mentioned, there are also safeguards in the provision that ensures that this provision will not reduce the quality of collateral required by SBA for these disaster loans nor will it reduce the quality of the SBA's general collateral requirements. These changes will assist the SBA in cutting down on waste, fraud and abuse of these legislative reforms. In order to further assist the SBA, I believe it is important to clarify what types of business assets we understand they should review. For example, I understand that SBA's current lending prac-

tices consider the following business assets as suitable collateral: commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

Section 3 of this bill removes an unnecessary prohibition in the Small Business Act that currently prohibits SBDCs from other states to help out in areas impacted by disasters. In particular, this provision authorizes the SBA Administrator to allow out-of-state SBDCs to provide assistance in to small businesses located in Presidentially-declared disaster areas. This is because, as you may know, SBDCs are considered to be the backbone of the SBA's Office of Entrepreneurial Development efforts, and are the largest of the agency's OED programs. SBDCs are the university based resource partners that provide counseling and training needs for more than 600,000 business clients annually. From 2007 to 2008, the counseling and technical assistance services they offered lead to the creation of 58,501 new jobs, at a cost of \$3,462 per job. Additionally, they estimate that their counseling services helped to save 88,889 jobs. These centers are even more critical following natural or manmade disasters. That is because SBDCs help impacted businesses in navigating Federal disaster programs, insurance programs, and in creating new business plans following a disaster. For that reason, we must ensure that there is continuity to have SBDC counselors on the ground in disaster areas.

For example, right after Hurricane Katrina our SBDCs in Louisiana were severely limited in what they could do because of the widespread damage to homes and facilities utilized by their counselors. On the other hand, their counterparts at the Florida SBDCs had a wealth of disaster expertise and were willing to assist but were prohibited from providing assistance to small businesses outside their geographic area. In 2012, we experienced similar challenges following Hurricane Sandy but SBDCs in Louisiana, Florida or elsewhere were prohibited from helping their counterparts in the Northeast even if they wanted to help recovery in New York or New Jersey and doing so would not impact their operations back home. For smaller scale disasters, local SBDCs will respond to disasters in their own areas. However, for large scale, catastrophic disasters, this provision could make a significant difference for impacted small businesses.

In fact, on December 13, 2012, my committee received excellent testimony from Jim King, Chair of the Association of Small Business Development Centers, ASBDCs, and State Director of New York State Small Business Development Center. Mr. King outlined the symbiotic relationship between different SBDC state chapters and how they currently assist each

other after disasters. He specifically noted that, "I was also privileged to have the opportunity to work with the SBDC in Louisiana following Hurricane Katrina in 2005 and visited New Orleans as one of five State Directors invited to share thoughts with my counterpart there, Mary Lynn Wilkerson, to evolve a strategy for recovery. I should note that Mary Lynn has returned the favor many times over since Hurricane Sandy devastated our area, with materials, information and support, which has been greatly appreciated." He also later noted that "Starting almost immediately after the disaster, staff in other states and programs began reaching out with offers of assistance and words or experiences of support . . . The experiences gained from disasters in Florida, Texas, Colorado, Louisiana and many other places reinforce the value of the SBDC network in meeting the needs of small business in times of disaster." I believe that these current relationships will be further strengthened by enacting this legislation. C.E. "Tee" Rowe, President/CEO of ASBDC noted this in his February 10, 2013 letter to my office, noting that, "Allowing SBDCs to share resources across state lines or other boundaries for the purposes of disaster recovery is a common sense proposal, little different from utilities sharing linemen." At the same time, however, I encourage SBDC chapters across the country to establish more of these partnerships pre-disaster so that their SBDC counterparts can be there post-disaster. SBDC chapters that are, unfortunately, battle hardened from multiple disasters should not be the only chapters that bear fruit from these partnerships with their counterparts.

Furthermore, I note that Section 3 of the bill has previously been passed out of committee and has been approved by the full Senate during past sessions of Congress. So this provision has a strong record of bipartisan support. During the 110th Congress, this provision was approved unanimously by the Small Business and Entrepreneurship Committee on May 7, 2007 as Section 104 of S. 163, the "Small Business Disaster Response and Loan Improvements Act of 2007." S. 163 was subsequently passed by the full Senate by unanimous consent on August 3, 2007. Unfortunately, this provision was not enacted into law before the adjournment of the 110th Congress. In the 111th Congress, this provision was again approved unanimously by the Small Business and Entrepreneurship Committee on July 2, 2009 as Section 607 of S. 1229, the "Entrepreneurial Development Act of 2009" but was not enacted into law before the adjournment of that Congress. Lastly, during the 112th Congress, the provision received 57 strong bipartisan votes on July 12, 2012 as Section 433 of Senate Amendment 2521 to S. 2237, the "Small Business Jobs and

Tax Relief Act of 2012.” My Republican colleagues Senators SNOWE, COLLINS, VITTER, Scott Brown, and HELLER all voted in support of the amendment. Although it was not ultimately enacted into law, the provision was subsequently included in separate pieces of legislation introduced by Senator Olympia Snowe and myself. This provision was included as Section 433 of S. 3442, the “SUCCESS Act of 2012” that I introduced on July 25, 2012 as well as Section 433 of S. 3572, the “Restoring Tax and Regulatory Certainty to Small Business Act of 2012” that Senator Snowe introduced on September 9, 2012.

Lastly, Section 4 is a new provision that I worked with my colleague Senator COCHRAN to include in the legislation. This section addresses past instances where SBDCs were not sufficiently reimbursed post-disaster by the SBA for disaster-related expenses. Section 3 provides clear Congressional intent that, in authorizing the SBA to allow out-of-state SBDCs to assist in disaster areas outside their geographic location, the agency must also ensure that out-of-state SBDCs are not left paying out of pocket for assisting in these disaster areas. If the SBA approves for these SBDCs to deploy staff or resources to a disaster area, the agency must in turn ensure that it reimburses SBDCs for these expenses provided they were legitimate and there are funds available to do so. I thank Senator COCHRAN for bringing this to my attention on behalf of his local SBDCs, and look forward to working closely with him to enact this provision into law.

In closing, I believe that these commonsense disaster reforms will greatly benefit businesses impacted by future disasters. First, the major proposals in this legislation are neither new nor untested. Next, this approach has already received support from the following groups from across the country: the Association of Small Business Development Centers, the International Economic Development Council, the Southwest Louisiana Economic Development Alliance, the St. Tammany Economic Development Foundation, the Northeast Louisiana Economic Partnership, and the Bay Area Houston Economic Partnership. With that in mind, the Senate should not make the perfect the enemy of the good. If we can make these reforms today and help one business impacted by a disaster tomorrow, we will have done what our constituents sent us here to do: make good laws.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Disaster Reform Act of 2013”.

SEC. 2. CLARIFICATION OF COLLATERAL REQUIREMENTS.

Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended by inserting after “which are made under paragraph (1) of subsection (b)” the following: “: *Provided further*, That the Administrator, in obtaining the best available collateral for a loan of not more than \$200,000 under paragraph (1) or (2) of subsection (b) relating to damage to or destruction of the property of, or economic injury to, a small business concern, shall not require the owner of the small business concern to use the primary residence of the owner as collateral if the Administrator determines that the owner has other assets with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: *Provided further*, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral”.

SEC. 3. ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.

Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking “(3) At the discretion” and inserting the following:

“(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.—

“(A) IN GENERAL.—At the discretion”; and

(2) by adding at the end the following:

“(B) DISASTER RECOVERY ASSISTANCE.—

“(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide assistance, as described in subsection (c), to a small business concern located outside of the State, without regard to geographic proximity, if the small business concern is located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), during the period of the declaration.

“(ii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the small business development center otherwise provides services.

“(iii) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.”.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that, subject to the availability of funds, the Administrator of the Small Business Administration shall, to the extent practicable, ensure that a small business development center is appropriately reimbursed for any legitimate expenses incurred in carrying out activities under section 21(b)(3)(B) of the Small Business Act (15 U.S.C. 648(b)(3)(B)), as added by this Act.

ASSOCIATION OF SMALL BUSINESS

DEVELOPMENT CENTERS,

Burke, VA, February 10, 2013.

Hon. MARY LANDRIEU,

Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: Thank you for giving the Association of Small Business Development Centers (ASBDC) the opportunity to comment on your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.).

While Congress has taken a significant step in addressing the resource issues following Sandy and other disasters there are still restrictions in the SBDC assistance authority and the US Small Business Administration's loan making authority that could complicate future disaster recovery efforts. We applaud your efforts to deal with those issues.

Under section 21(b)(3) of the Small Business Act (15 USC 648(b)(3)) SBDCs are limited in their ability to provide services across state lines. This prevents SBDCs dealing with disaster recovery, like New York and New Jersey, from being able to draw upon the resources available in our nationwide network of nearly 1,000 centers with over 4,500 business advisors. It likewise prevents states with great experience in disaster recovery assistance like Louisiana and Florida, from providing assistance to their colleagues.

Your proposed legislation amends that SBDC geographic service restriction for the purposes of providing disaster support and assistance. Our Association wholeheartedly endorses that change. Allowing SBDCs to share resources across state lines or other boundaries for the purpose of disaster recovery is a common sense proposal, little different from utilities sharing linemen. In addition, we would like to note that this provision has been supported by the Senate Committee on Small Business and Entrepreneurship twice in previous Congresses.

In addition, the ASBDC wishes to express its support for your proposals to amend the collateral requirements in the disaster loan program for loans under \$200,000. SBDCs routinely assist small business owners with their applications for disaster loan assistance and have often faced clients with qualms about some of those requirements.

We share a common goal of putting small business on the road to recovery after disaster strikes and getting capital flowing is a key factor in meeting that goal. To that end, ASBDC supports your efforts to ease collateral requirements and help improve the flow of disaster funds to small business applicants. We believe your proposal to limit the use of personal homes as collateral on smaller loans is consistent with the need to get capital flowing to affected businesses and ease the stress on these businesses. We also agree that this change will not undermine the underwriting standards of the disaster loan program.

Thank you again for kind attention and continuing support of small business.

Sincerely,

C.E. “TEE” ROWE,
President/CEO, ASBDC.

INTERNATIONAL ECONOMIC
DEVELOPMENT COUNCIL,
Washington, DC, February 13, 2013.

Hon. MARY L. LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate.

Hon. JAMES E. RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU AND SENATOR RISCH: On behalf of the International Economic Development Council (IEDC), please accept our appreciation for this opportunity to provide comments related to proposed changes to federal disaster assistance programs offered by the United States Small Business Administration (SBA). Your continuing support of these critical programs is worthy of praise and we thank you for your leadership.

IEDC has a strong history of supporting disaster planning and recovery. Our organization, with a membership of over 4,000 dedicated professionals, responded to communities in need following the 2005 hurricane season, the BP Gulf oil spill and other disaster-related incidents by providing economic development recovery assistance. We have continued our work in this area through technical assistance projects and partnerships with federal agencies and other non-governmental organizations. Our profession is invested in helping our country prepare for and respond to disasters, much the same as you and your colleagues on the Committee on Small Business and Entrepreneurship. To this end, we support proposed changes that will allow SBA to more effectively deliver disaster recovery assistance to local businesses in need of federal aid.

Rebuilding the local economy must be a top priority following a disaster, second only to saving lives and homes. IEDC supports the targeted changing of the current collateral requirements that state a business owner must place their home up as collateral in order to secure an SBA disaster business loan of \$200,000 or less. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Consequently, SBA loans put in place to help businesses rebuild following a disaster go underutilized. As lawmakers, you have a responsibility to protect the taxpayer, which is why we understand the need for posting collateral of equal or greater value to the amount of the loan. The proposed targeted change that eliminates the specific requirement of using a home as collateral to guarantee a loan of \$200,000 or less, and instead allowing business assets to act as collateral, will promote greater utilization of the loans. This is an idea we can all get behind; one that will lead to greater, faster economic recovery.

When disaster strikes, we should do everything in our power to bring the full resources of the federal government to bear in the impacted community. This includes, most especially, bringing in top experts who can immediately begin helping businesses and local economies recover. The national network of over 1,100 Small Business Development Centers (SBDC) could be an excellent resource to stricken communities. Unfortunately, current rules prevent SBDC's from assisting their counterparts in other jurisdictions. For example, those communities in the mid-Atlantic and New England impacted by Sandy are not able to benefit from the enormous amount of knowledge and experience in storm recovery held by SBDCs in Florida and

the Gulf region. Certainly, we can all agree that disasters warrant an extraordinary response and that response must include qualified expertise from all corners of the federal government.

Forty to sixty percent of small businesses that close as a result of a disaster do not reopen. This is an unacceptably high number. We would not accept that level of loss in homes and we cannot accept that level of loss in jobs; our communities cannot sustain such losses and duty dictates we make certain they don't have to. By enacting common sense legislation, like that which is under consideration here, and freeing the flow of capital and expertise, we are taking concrete steps to give our small businesses and local economies the greatest chance to recover.

IEDC is your partner in the work of job creation. We thank you for your leadership in support of small business and stand ready to offer our assistance in this and future efforts.

Sincerely,

PAUL L. KRUTKO,
Chairman, International Economic
Development Council
and President and
CEO, Ann Arbor
SPARK.

ST. TAMMANY
ECONOMIC DEVELOPMENT FOUNDATION,
Mandeville, LA, February 19, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: The St. Tammany Economic Development Foundation thanks you for the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 US 631 et seq.). As we learned from Hurricanes Katrina, Rita and most recently Isaac, the sooner our small businesses are able to recover, the better it is for the region, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than \$200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Allowing business assets to act as collateral will promote greater utilization of the loans; leading to faster economic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide services across state lines. This prevents SBDCs in affected areas from being able to draw upon the resources available from their colleagues nationwide. Louisiana SBDCs have great experience in disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

We applaud your efforts to protect small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf. After all, small businesses are the lifeblood of our great nation.

Sincerely,

BRENDA BERTUS,
Executive Director, St. Tammany
Economic Development Foundation.

NORTH LOUISIANA
ECONOMIC PARTNERSHIP,
February 26, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: The North Louisiana Economic Partnership thanks you for the opportunity to comment on the proposed changes to the disaster assistance programs offered by the United States Small Business Administration. The proposed amendments to the Small Business Act (15 USC 631 et seq.) will greatly enhance federal assistance to small businesses recovering from disasters. NLEP applauds your efforts to support our small businesses which make up the backbone of the American economy.

As a regional economic development organization promoting North Louisiana, NLEP often works with businesses impacted by natural or manmade disasters. The impact of these disasters can temporarily or permanently shut down small businesses, leaving both small business owners and their employees without a livelihood. The SBA disaster programs offer a real lifeline to these impacted businesses which have very few options available to them. The proposed amendment to Section 1 of the bill regarding collateral for business disaster loans would allow more small businesses to utilize the disaster loan programs. If approved, small business owners would no longer have to use their primary residence as collateral toward a SBA disaster business loan of less than \$200,000, if other assets are available. During a widespread disaster, the primary residence of business owners may also be impacted and requiring them to use their home as collateral would create an onerous burden and/or be financially unfeasible. Eliminating this collateral requirement opens up assistance to those businesses most impacted by disaster, speeding recovery for businesses and a region's economy.

The second proposed change to Section 2 of the Small Business Act would allow Small Business Development Centers (SBDCs) to provide technical assistance to impacted small businesses beyond the current 250 mile limitation. The Louisiana Small Business Development Centers (LSBDCs) have successfully worked with countless small businesses devastated by Hurricanes Katrina, Rita, Gustav and Ike, and most recently the BP oil spill. The experience and expertise that the LSBDC could have shared with the SBDCs in the New York and New Jersey area would have enhanced their capabilities to cope with Superstorm Sandy. In times of disaster, it is essential to collaborate and pool resources in order to speed up delivery of much needed assistance.

For these reasons, the North Louisiana Economic Partnership fully endorses the proposed amendments to the current SBA legislation that would open up, enhance and efficiently deliver disaster assistance to small businesses.

Sincerely,

SCOTT MARTINEZ,
President, North Louisiana
Economic Partnership.

BAY AREA HOUSTON,
ECONOMIC PARTNERSHIP,
Houston, TX, February 13, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: The Texas economy has outperformed the rest of the country not only over the long term but also during the recent recession. Our pro-business

climate has been a huge contributing factor to that, and so have Texas' small businesses. From 2002–2009, small businesses of fewer than 10 employees fueled the Texas employment engine, adding nearly 800,000 new jobs. When disaster strikes the Gulf Coast, as it did with Hurricanes Katrina, Rita, Gustav, and Ike, our small businesses are hit hard. The sooner they are able to recover the better it is for the region, the state, and the nation.

This is why I am writing to support your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.). Section 1 of the bill addresses collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than \$200,000 if other assets are available of equal or greater value than the amount of the loan. This would certainly help to reduce anxiety on the part of small business owners and their families who have already experienced enough stress through damage to or total destruction of their businesses.

Section 2 of the bill includes the provision that authorizes the Small Business Administration to allow out-of-state small business development centers to provide assistance in presidentially-declared disaster areas, which is currently not allowed. When Hurricane Ike devastated our region in September 2008, we welcomed any and all kinds of disaster relief. The northeast just experienced a similar disaster with Hurricane Sandy. Utility crews from across the nation responded quickly to each. State lines should never be used to prevent aid from reaching disaster victims. The majority of the membership of our organization is comprised of small businesses. On their behalf, we fully endorse this provision.

Thank you for working to keep America's small businesses strong and helping them to recover from major storms that we know will strike again.

Sincerely,

BOB MITCHELL,
*President, Bay Area Houston
Economic Partnership.*

SWLA ECONOMIC
DEVELOPMENT ALLIANCE,
Lake Charles, LA, February 25, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU, The Southwest Louisiana Economic Development Alliance welcomes the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.). As we learned from Hurricanes Rita and Ike, the sooner our small businesses are able to recover, the better it is for the region, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than \$200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Allowing business assets to act as collateral will promote greater utilization of the loans; leading to faster economic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide service across state lines. This prevents SBDCs in affected areas from being able to draw upon the resources available from their colleagues nationwide. Louisiana SBDCs have great experience in disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

About 85% of the members of the Chamber SWLA are small businesses. We applaud your efforts to protect small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf.

Sincerely,

GEORGE SWIFT,
*President/CEO,
SWLA Economic Development Alliance.*

By Mr. ROCKEFELLER (for himself and Mr. BLUMENTHAL):

S. 418. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to introduce the Do-Not-Track Online Act of 2013. This bill is a critical step towards furthering consumer privacy. It empowers Americans to control their personal information online and provides them with the ability to prevent online companies from collecting and using that information for profit.

Do-not-track is a simple concept. It allows consumers, with a simple click of the mouse, to tell every company that participates in the vast online ecosystem, "Do not collect information about me. I care about my privacy. My personal information is not for sale. And I do not want my information used in ways I do not expect or approve." Under this bill, online companies would have to honor that user declaration or face penalties enforced by the Federal Trade Commission, FTC, or State Attorneys General.

This bill is necessary because the privacy of Americans is increasingly under assault as more and more of their daily lives are conducted online. Whether it is a person at home searching for a new job or home, a parent researching her sick child's symptoms and treatments using a health application, or a teenager using her smartphone while riding the subway, online companies are collecting massive amounts of information, often without consumers' knowledge or consent. A vast array of companies that consumers have never heard of are surreptitiously collecting this information in numerous ways: third-party advertising networks place "cookies" on computer web-browsers to track the websites that consumers have visited; analytic and marketing companies

identify individual computers by recognizing the unique configuration, or "fingerprint," of web-browsers; and software applications installed on mobile devices, colloquially known as "apps," collect, use, and share information about consumers' precise locations, contact lists, photographs, and other personal matters. All of this information can be combined and stored on computer servers around the world and used for a variety of purposes, ranging from website analytics to online behavioral advertising to the creation of comprehensive dossiers by data brokers that build and sell personal profiles about hundreds of millions of individual Americans.

My bill would empower consumers, if they so choose, to stem the tide. It would give them the means to prohibit the collection of their information from the start. Consumers would be able to tell companies collecting their personal information that they want those collection practices to stop. At the same time, the bill would preserve the ability of those online companies to conduct their business and deliver the content and services that consumers have come to expect and enjoy. The bill would grant the FTC rule-making authority to use its expertise to protect the privacy interests of consumers while addressing the legitimate needs of industry.

The key to this bill is its simplicity. For over a decade in the Senate Commerce Committee, which I chair, we have tried to determine how online companies can provide clear and conspicuous notice to consumers about their information practices and—once this notice has been given—further determine how consumers can either opt-in or opt-out of those information collection practices. Yet today, privacy policies are still far too long, too complicated, and too full of technical legalese for any reasonable consumer to read, let alone understand. The failures of these notices are even clearer when placed on the exploding number of mobile devices on which consumers have grown to rely. My bill avoids this messy "rabbit hole" of policy considerations and creates an easy mechanism that gives consumers the opportunity to simply say "no thank you" to anyone and everyone collecting their online information. Period.

Let me also say a few words about what this bill does not do. My bill would not "break the Internet," as I am sure we will hear from opponents. The truth is that my bill makes every necessary accommodation for online companies to continue providing content and services to consumers. For instance, websites and applications would still be able collect data to deliver the content and functionality that consumers have requested, perform internal analytics, improve performance, and prevent fraud. My bill

would also allow online companies to collect and maintain consumer information when it has been voluntarily provided by the consumer. They could also collect data that is truly anonymous. Finally, consumers could allow companies they trust to collect and use their information by giving specific consent that overrides a general do-not-track preference. But, when consumers say that they do not want to be tracked, online companies would no longer be allowed to ignore this request and collect and use this information for any extraneous purpose. Moreover, these companies would be obligated to immediately destroy or anonymize the information once it is no longer needed to provide the service requested.

I think it is worth noting that since 2010, the FTC has called for a do-not-track solution. The commission has stated that any effective do-not-track system should be simple, easy to use, and persistent, and that, if implemented, it should prevent the collection of consumers' online data. The private sector has also taken notice and similarly recognized the utility of do-not-track for its users. Nearly every popular web browser now allows consumers to affirmatively declare a do-not-track preference to websites. The problem is that online companies have no legal obligation to honor this request and, in fact, many have gone so far as to outright refuse to do so. In February 2012, industry leaders stood at the White House and publicly declared their commitment to honor do-not-track requests from web browsers. Yet since that time, industry has failed to live up to those commitments. The online advertising industry has articulated huge exemptions to its pledge to limit the collection of information—exceptions that undermine the very self-regulatory programs the industry has promoted as effective. This industry has emphasized consumer choice yet has made statements publicly refusing to honor new do-not-track browser features. My bill would put an end to this gamesmanship and nonsense.

My bill is only part of the ongoing discussion on consumer privacy in Congress. It is simple, yet powerful. It allows consumers, if they choose, and I should emphasize that many will not make such a choice, to stop the mind-boggling number of online companies that are collecting vast amounts of their information. It gives consumers an easy-to-use tool that will implement their choices effectively in a complex, rapidly-changing online world. It prohibits those lurking in the cyber-shadows from profiting off of the personal, private information of ordinary Americans. I look forward to working with my colleagues on this and other privacy legislative efforts in the Commerce Committee and on the Senate floor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Do-Not-Track Online Act of 2013”.

SEC. 2. REGULATIONS RELATING TO “DO-NOT-TRACK” MECHANISMS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall promulgate—

(1) regulations that establish standards for the implementation of a mechanism by which an individual can simply and easily indicate whether the individual prefers to have personal information collected by providers of online services, including by providers of mobile applications and services; and

(2) rules that prohibit, except as provided in subsection (b), such providers from collecting personal information on individuals who have expressed, via a mechanism that meets the standards promulgated under paragraph (1), a preference not to have such information collected.

(b) EXCEPTION.—The rules promulgated under paragraph (2) of subsection (a) shall allow for the collection and use of personal information on an individual described in such paragraph, notwithstanding the expressed preference of the individual via a mechanism that meets the standards promulgated under paragraph (1) of such subsection, to the extent—

(1) necessary to provide a service requested by the individual, including with respect to such service, basic functionality and effectiveness, so long as such information is anonymized or deleted upon the provision of such service; or

(2) the individual—

(A) receives clear, conspicuous, and accurate notice on the collection and use of such information; and

(B) affirmatively consents to such collection and use.

(c) FACTORS.—In promulgating standards and rules under subsection (a), the Federal Trade Commission shall consider and take into account the following:

(1) The appropriate scope of such standards and rules, including the conduct to which such rules shall apply and the persons required to comply with such rules.

(2) The technical feasibility and costs of—

(A) implementing mechanisms that would meet such standards; and

(B) complying with such rules.

(3) Mechanisms that—

(A) have been developed or used before the date of the enactment of this Act; and

(B) are for individuals to indicate simply and easily whether the individuals prefer to have personal information collected by providers of online services, including by providers of mobile applications and services.

(4) How mechanisms that meet such standards should be publicized and offered to individuals.

(5) Whether and how information can be collected and used on an anonymous basis so that the information—

(A) cannot be reasonably linked or identified with a person or device, both on its own and in combination with other information; and

(B) does not qualify as personal information subject to the rules promulgated under subsection (a)(2).

(6) The standards under which personal information may be collected and used, subject to the anonymization or deletion requirements of subsection (b)(1)—

(A) to fulfill the basic functionality and effectiveness of an online service, including a mobile application or service;

(B) to provide the content or services requested by individuals who have otherwise expressed, via a mechanism that meets the standards promulgated under subsection (a)(1), a preference not to have personal information collected; and

(C) for such other purposes as the Commission determines substantially facilitates the functionality and effectiveness of the online service, or mobile application or service, in a manner that does not undermine an individual's preference, expressed via such mechanism, not to collect such information.

(d) RULEMAKING.—The Federal Trade Commission shall promulgate the standards and rules required by subsection (a) in accordance with section 553 of title 5, United States Code.

SEC. 3. ENFORCEMENT OF “DO-NOT-TRACK” MECHANISMS.

(a) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of a rule promulgated under section 2(a)(2) shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Except as provided in subparagraph (C), any person who violates this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) NONPROFIT ORGANIZATIONS.—The Federal Trade Commission shall enforce this Act with respect to an organization that is not organized to carry on business for its own profit or that of its members as if such organization were a person over which the Commission has authority pursuant to section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)).

(b) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to a rule promulgated under section 2(a)(2) in a practice that violates the rule, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such rule by such person;

(B) to compel compliance with such rule;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) **CALCULATION.**—Subject to subparagraph (B), for purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person that violates a rule promulgated under section 2(a)(2), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with the rule by an amount not greater than \$16,000.

(B) **MAXIMUM TOTAL LIABILITY.**—The total amount of civil penalties that may be imposed with respect to a person that violates a rule promulgated under section 2(a)(2) shall not exceed \$15,000,000 for all civil actions brought against such person under paragraph (1) for such violation.

(C) **ADJUSTMENT FOR INFLATION.**—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraphs (A) and (B) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) **NOTICE TO FEDERAL TRADE COMMISSION.**—

(i) **IN GENERAL.**—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action.

(ii) **CONTENTS.**—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) **EXCEPTION.**—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) **INTERVENTION BY FEDERAL TRADE COMMISSION.**—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) **INVESTIGATORY POWERS.**—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) **PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.**—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of a rule promulgated under section 2(a)(2), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) **VENUE.**—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) **SERVICE OF PROCESS.**—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) **IN GENERAL.**—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) **SAVINGS PROVISION.**—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

SEC. 4. BIENNIAL REVIEW AND ASSESSMENT.

Not later than 2 years after the effective date of the regulations initially promulgated under section 2, the Federal Trade Commission shall—

(1) review the implementation of this Act;

(2) assess the effectiveness of such regulations, including how such regulations define or interpret the term “personal information” as such term is used in section 2;

(3) assess the effect of such regulations on online commerce; and

(4) submit to Congress a report on the results of the review and assessments required by this section.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 419. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my friend and colleague from Vermont, Senator LEAHY to introduce the Cluster Munitions Civilian Protection Act of 2013.

Our legislation places common sense restrictions on the use of cluster munitions. It prevents any funds from being spent to use cluster munitions that have a failure rate of more than one percent.

In addition, the rules of engagement must specify that the cluster munitions will only be used against clearly defined military targets; and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

Our legislation also includes a national security waiver that allows the President to waive the prohibition on the use of cluster munitions with a failure rate of more than one percent, if he determines it is vital to protect

the security of the United States to do so.

However, if the President decides to waive the prohibition, he must issue a report to Congress within 30 days on the failure rate of the cluster munitions used and the steps taken to protect innocent civilians.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual “bomblets.”

They are intended for attacking enemy troop and armor formations spread over a half mile radius.

But, in reality, they pose a deadly threat to innocent civilians.

In Afghanistan, between October 2001 and November 2002, 127 civilians lost their lives due to cluster munitions, 70 percent of them under the age of 18.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed by cluster munitions since 1991.

During the 2006 war in Lebanon, Israeli cluster munitions, many of them manufactured in the U.S., injured and killed 343 civilians.

Sadly, Syria is just the latest example.

According to Human Rights Watch, the Syrian military has used air-dropped and ground-based cluster munitions near or in civilian areas.

In October, residents of Taftanaz and Tamane reported that helicopters dropped cluster munitions on or near their towns. One resident told Human Rights Watch:

On October 9, I heard a big explosion followed by several smaller ones coming from Shelakh field located at the north of Taftanaz. We went to see what happened. We saw a big [bomb] cut in half and several [bomblets] that were not detonated. I personally found one that was not exploded. There were small holes in the ground. The holes were dispersed and spread over 300 meters.

Another resident reported that an air-dropped cluster munitions released bomblets that landed between two neighboring schools.

Last month, Human Rights Watch issued another report that Syrian forces used “notoriously indiscriminate” ground-based cluster munitions near Idlib and Latamneh, a town near Hama.

Not surprisingly, the residents of these towns also reported that many of the bomblets were dispersed over a wide area, failed to explode, and killed or maimed innocent civilians.

One resident of Latamneh told Human Rights Watch:

I heard a big explosion followed by smaller ones. . . . I saw wounded people everywhere and small bombs covering the streets. The damage caused to the buildings was minimal. I saw a lot of unexploded bomblets.

One civilian was killed during the attack and 15 more, including women and children, were wounded. Another civilian was later killed by an unexploded bomblet. One video shows a baby with shrapnel along his right arm.

Videos taken after the incident also show that the civilians who came across the munitions were unaware of the deadly power of an unexploded bomb.

Men, and even children, can be seen handling these weapons as if they were toys or simply souvenirs from the war.

Now, the United States has rightly condemned the Syrian military's use of cluster munitions against innocent civilians.

However, our moral leadership is hampered by the fact that we continue to maintain such a large arsenal of these deadly weapons and our continued resistance to international efforts to restrict their use.

In fact, the United States maintains an estimated 5.5 million cluster munitions containing 728 million submunitions. These bomblets have an estimated failure rate of between 5 and 15 percent.

According to the most recent data, only 30,900 of these 728 million submunitions have self-destruct devices that would ensure a less than one percent failure rate.

That accounts for only 0.00004 percent of the U.S. arsenal.

So, the technology exists for the U.S. to meet the one percent standard, but our arsenal still overwhelmingly consists of cluster bombs with high failure rates.

How then, do we convince Syria not to use these deadly weapons?

While we wait, the international community has taken action.

On August 1, 2010, the Oslo Convention on Cluster Munitions—which would prohibit the production, use, and export of cluster munitions and requires signatories to eliminate their arsenals within eight years—formally came into force. To date, it has been signed by 111 countries and ratified by 77 countries.

This group includes key NATO allies such as Canada, the United Kingdom, France, and Germany, who are fighting alongside our troops in Afghanistan.

It includes 33 countries that have produced or used cluster bombs.

But it does not include the United States.

The United States chose not to participate in the Oslo process or sign the treaty.

This is unacceptable.

Instead, the Pentagon continues to assert that cluster munitions are “legitimate weapons with clear military utility in combat.”

Recognizing that the United States could not remain silent in the face of widespread international efforts to restrict the use of cluster munitions, Secretary of Defense Robert Gates issued a new policy on cluster munitions in June, 2008 stating that, after 2018, the use, sale, and transfer of cluster munitions with a failure rate of more than 1 percent would be prohibited.

This policy is a step in the right direction, but would still allow the Pentagon to use cluster bombs with high failure rates for five more years.

That runs counter to our values. I believe the administration should take another look at this policy.

In fact, on September 29, 2009, Senator LEAHY and I were joined by 14 of our colleagues in sending a letter to President Obama urging him to conduct a thorough review of U.S. policy on cluster munitions.

On April 14, 2010, we received a response from then National Security Advisor Jim Jones stating that the administration will undertake this review following the policy review on U.S. landmines policy.

The administration should complete this review without delay.

Until then, we are still prepared to use these weapons with well-known failure rates and significant risks to innocent civilians?

What does that say about us?

The fact is, cluster munition technologies already exist that meet the one percent standard. Why do we need to wait until 2018?

This delay is especially troubling given that in 2001, former Secretary of Defense William Cohen issued his own policy on cluster munitions stating that, beginning in fiscal year 2005, all new cluster munitions must have a failure rate of less than one percent.

Unfortunately, the Pentagon was unable to meet this deadline and Secretary Gates' policy essentially postpones any meaningful action until 2018.

If we do nothing, close to twenty years will have passed since the Pentagon first recognized the threat these deadly weapons pose to innocent civilians.

We can do better.

First, it should be noted that in 2007, Congress passed, and President Bush signed into law, the FY 2008 Consolidated Appropriations Act, which included a provision that prohibits the sale and transfer of cluster bombs with a failure rate of more than one percent.

That ban has been renewed on an annual basis and remains on the books.

Our legislation simply moves up the Gates policy by five years and extends the ban on the sale and transfer of cluster munitions with high failure rates to our own arsenal.

For those of my colleagues who are concerned that it may be too soon to enact a ban on the use of cluster munitions with failure rates of more than 1 percent, I point out again that our bill allows the President to waive this restriction if he determines it is vital to protect the security of the United States to do so.

I would also remind my colleagues that the United States has not used cluster munitions in Iraq since 2003 and has observed a moratorium on their use in Afghanistan since 2002.

In conclusion, let me say that Senator LEAHY and I remain as committed as ever to raising awareness about the threat posed by cluster munitions and to pushing the United States to enact common-sense measures to protect innocent civilians. This body constantly talks about America's moral leadership, and this is the perfect opportunity to exercise it.

Senator LEAHY and I continue our efforts for people like Phongsavath Souliyalat.

Last year, former Secretary of State Hillary Rodham Clinton traveled to Laos and met Phongsavath, a 19-year old Lao man who lost his eyesight and his hands to a bomb just three years before.

The bomb that injured Phongsavath was dropped more than 30 years ago during the Vietnam War. It lay unexploded, a de facto landmine, until his 16th birthday.

Sadly, he is not alone. The U.S. dropped 270 million bomblets over Laos, and 30 percent failed to explode.

According to an article from the Los Angeles Times, civilians in one-third of Laos are threatened by unexploded ordnance, and only one percent of that area has been cleared.

Since the Vietnam War, more than 20,000 people have been killed or injured by these deadly weapons. All of them were innocent civilians that the United States did not intend to target.

After Phongsavath described the suffering of those who, like him, had been injured by unexploded bomblets, Secretary Clinton replied: “We have to do more.”

I agree wholeheartedly. As a first step, Congress should pass the Cluster Munitions Civilian Protection Act of 2013. I urge my colleagues to support this important initiative.

Mr. LEAHY. Mr. President, I am pleased to join with my friend from California, Senator FEINSTEIN, in introducing the Cluster Munitions Civilian Protection Act of 2013. It is identical to the bill that she and I have introduced in prior years, and I commend her for her persistence on this important humanitarian issue.

I come to this issue having devoted much effort over many years to shining a spotlight on and doing what can be done to help innocent victims of war. In the last century, and continuing into this new century, noncombatants increasingly have borne the brunt of the casualties in armed conflicts across the globe. Limiting the use of weapons that are inherently indiscriminate, such as landmines, and that have indiscriminate effects, such as cluster munitions, are tangible, practical, meaningful things we can do to reduce these unnecessary casualties.

Cluster munitions, like any weapon, have some military utility. But anyone who has seen the indiscriminate devastation that cluster munitions cause

over wide areas understands the unacceptable threat they pose to non-combatants. These are not the laser guided weapons the Pentagon showed destroying their targets during the invasion of Baghdad. To the contrary. Cluster munitions can kill and maim anyone within the 360 degree range of flying shrapnel.

There is the horrific problem of cluster munitions that fail to explode as designed and remain as active duds, like landmines, until they are triggered by whoever comes into contact with them. Often it is an unsuspecting child, or a farmer.

Even now, in Laos today people are still being killed and maimed by millions of U.S. cluster munitions left from the 1970s. That legacy, resulting from years of secret bombing of a peaceful, agrarian people who posed no threat to the United States, contaminated more than a third of Laos' agricultural land and cost countless innocent lives. It is shameful that we have contributed less in the past 35 years to clean up these deadly remnants of war than we spent in a few days of bombing.

Current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets.

The Pentagon continues to insist that the United States should retain the ability to use millions of cluster munitions in its arsenal which have estimated failure rates of 5 to 20 percent. It has pledged to meet the 1 percent failure rate for U.S. use of cluster munitions in 2018.

Like Senator FEINSTEIN I reject the notion that the United States can justify using antiquated weapons that so often fail, so often kill and injure innocent people including children, and which many of our allies have renounced. That is not the kind of leadership the world needs and expects from the United States. If we have learned anything from Afghanistan it is that harming civilians, even unintentionally, creates enemies among those whose support we need, and undermines the mission of our troops.

Senator FEINSTEIN's and my bill would apply the 1 percent failure rate to U.S. use of cluster munitions beginning on the date of enactment. However, our bill permits the President to waive the 1 percent requirement if the President certifies that it is vital to protect the security of the United States. I would hope the Pentagon would recognize that this is in its best interest, and will work with us by supporting this reasonable step.

Since December 3, 2008, when the Convention on Cluster Munitions opened for signature in Dublin, at least

111 countries have signed the treaty including Great Britain, Germany, Canada, Norway, Australia and other allies of the United States. However, the Bush Administration did not participate in the negotiations that culminated in the treaty, and the Obama Administration has not signed it.

Some have dismissed the Cluster Munitions Convention as a pointless exercise, since it does not yet have the support of the United States and other major powers such as Russia, China, Pakistan, India and Israel. These are some of the same critics of the Ottawa treaty banning antipersonnel landmines, which the United States and the other countries I named have also refused to sign. But that treaty has dramatically reduced the number of landmines produced, used, sold, and stockpiled—and the number of mine victims has fallen sharply. Any government that contemplates using landmines today does so knowing that it will be condemned by the international community. I suspect it is only a matter of time before the same is true for cluster munitions.

It is important to note that the United States today has the technological ability to produce cluster munitions that meet the requirements of our bill, as well as of the treaty. What is lacking is the political will to act. There is no excuse for continuing to use cluster munitions that cause unacceptable harm to civilians.

I urge the Obama administration to review its policy on cluster munitions and put the United States on a path to join the treaty as soon as possible. In the meantime, our legislation would be an important step in the right direction.

I want again to thank and commend Senator FEINSTEIN, who has shown such passion and steadfastness in raising this issue and seeking every opportunity to protect civilians from these indiscriminate weapons.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. CORKER, and Mr. PAUL):

S. 421. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Environment and Public Works.

Mr. ALEXANDER. Mr. President, today I am introducing legislation along with Senator MCCONNELL, Senator PAUL, and Senator CORKER, to prevent the U.S. Army Corps of Engineers from restricting fishing rights in some of the best fishing areas in the States of Tennessee and Kentucky below 10 dams along the Cumberland River.

I have talked with the Corps several times about this. They have told me the only solution is legislation. I am hoping there is some other solution by reasonable compromise.

But I am taking the Corps's advice. On Tuesday, Congressman ED WHITFIELD, of Kentucky, introduced legislation on this matter, and so I am introducing similar legislation today.

I have also drafted language that could be included in an appropriations bill that would prevent the Corps of Engineers from using any funds to restrict fishing in what is called the tailwaters below these 10 Corps of Engineers dams on the Cumberland River.

Today I spoke with the Secretary of the Army, John McHugh. I urged him to have the Corps give Congress enough time to consider this matter, perhaps to work out something with the Corps by compromise or, if not, to pass legislation.

On Monday, I am meeting with the Assistant Secretary of the Army, JoEllen Darcy, who is in charge of the Corps of Engineers, to ask that the Corps stop taking any further action to build physical barriers along the Cumberland River.

Earlier, I met with James DeLapp, the colonel who is the commander of the Nashville District. Then I met, along with Congressman WHITFIELD and Congressman COOPER of Nashville, TN, with MG Michael Walsh, who is the deputy commanding general. I have had a number of meetings on this subject, and I am determined to get some result, one way or the other.

I am delighted to have the Republican leader, Senator MCCONNELL, my colleague, Senator CORKER from Tennessee, and Senator RAND PAUL of Kentucky as cosponsors on the legislation.

One may say, with a large number of problems facing our country—from Iran to the sequester—why is a Senator—in fact, four, and a number of Congressmen interested in fishing?

There are 900,000 Tennesseans who have fishing licenses, and one of my jobs is to represent them. I know and they know these are some of the best fishing areas in our State.

This is an area where grandfathers and grandsons and granddaughters go on Saturdays and go during the week. There are lots of Tennesseans who consider these prize properties and their lands. These are public lands, and they feel they have a right to be there.

The problem is that the Corps of Engineers wants to erect physical barriers below the dams to keep the fishermen out of the area that is just below the dam.

The Corps' goal is laudable. The goal is to improve safety, they say. We all support safety, but there are much better solutions than this.

Let me give an analogy. When you have a railroad crossing, you do not keep the gate down at the railroad crossing 100 percent of the time. The track is not dangerous if the train is not coming.

The water comes through these dams only 20 percent of the time, and the

water is not dangerous if the water is not spilling through the dams. So if we kept the gate down at the railroad crossing 100 percent of the time, we would never be able to travel anywhere. That is the same sort of reasoning we have here.

From Washington, the Department of the Army is saying they have a policy, which they have had since 1996—which they have never applied on the Cumberland River—that suddenly they have decided, after all these years, they have to close the fishing area 100 percent of the time, even though it might be dangerous only 20 percent of the time.

I am not the only one who thinks this is an unreasonable policy.

Last week, I went to Old Hickory Dam, near Nashville. About 150 fishermen were there with me on the banks of the Cumberland River. I met with the Corps officials. They turned the water on so I could see it spilling through the dam. Then they turned it off. I met with Ed Carter, the director of the Tennessee Wildlife Resources Agency. I met with Mike Butler, the chief executive of the Tennessee Wildlife Federation. I have talked with the Kentucky wildlife people and this is what they say. They think the Corps' plans to improve safety are so unreasonable that the wildlife agencies will not even help them enforce it. But they say, on the other hand, there are reasonable ways to improve safety; that is, to treat the waters below the dam the way the Tennessee Valley Authority does, for example, which is to erect large signs—some of which already exist at Old Hickory Dam—blow the siren when the water is coming through. You can close the parking lot. You could patrol the area. There are lots of ways to put the gate down, in effect, on these fishing areas 20 percent of the time. That makes a lot of sense, and the local agencies are willing to help do that.

Our legislation makes clear that for purposes of this act, installing and maintaining sirens, strobe lights, and signage for alerting the public of hazardous waters shall not be considered a part of the prohibition. It makes no sense to take these public lands and say to people: Well, the lawyers came in and said we need to be careful. Of course we need to be careful; however, being careful does not mean you keep the gate down over the railroad crossing 100 percent of the time, and it doesn't mean you close the area to fishing 100 percent of the time when it is dangerous only 20 percent of the time.

I am also concerned about the \$2.6 million the Corps needs to transfer from other parts of its budget to put up these physical barriers. Where is the money coming from? I thought we were in the middle of a big sequester, a big budget crunch. I thought we were out

of money. One of the areas which has some of the most difficult problems to deal with is the Department of the Army. This is no time to be wasting money building barriers that the wildlife people in Tennessee and Kentucky, whose job it is to encourage boat safety, think are unreasonable.

I am doing what the Corps has said needs to be done, which is to provide legislation. I look forward to continuing to work with the Corps of Engineers. My hope is that we can work out a reasonable solution with the wildlife agencies.

The county judges on both sides of the border are very involved in this. They see the economic benefit that comes from the large number of people who visit those areas for recreational purposes. They leave their dollars behind. This creates good jobs in Tennessee and Kentucky.

Basically, these are public waters. Tennessee and Kentucky fishermen ought to have access to them, and there shouldn't be an edict from Washington that puts the gate down the railroad crossing 100 percent of the time. I am going to do my best to see that doesn't stand. I hope we can work it out, but if we cannot, I am glad to introduce this legislation with Senator MCCONNELL, Senator CORKER, and Senator PAUL. The same legislation is in the House of Representatives with Congressman WHITFIELD. I look forward to my meeting Monday with the Assistant Secretary of the Army.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to Fish Act".

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Army, acting through the Chief of Engineers, shall not take any action to establish a restricted area prohibiting public access to waters downstream of a dam owned by the Corps of Engineers.

(b) EXCLUSION.—For purposes of this Act, installing and maintaining sirens, strobe lights, and signage for alerting the public of hazardous water conditions shall not be considered to be an action to establish a restricted area under subsection (a).

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), this section shall apply to an action described in subsection (a) on or after August 1, 2012.

(2) EXISTING RESTRICTIONS.—If the Secretary of the Army, acting through the Chief of Engineers, has taken an action described in subsection (a) during the period beginning on August 1, 2012, and ending on the date of enactment of this Act, the Secretary shall—

(A) cease implementing the restricted area resulting from the action; and

(B) remove any barriers constructed in connection with the restricted area.

By Mrs. FEINSTEIN:

S. 431. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Nepal Trade Preferences Act.

This legislation is simple and straightforward. It grants duty-free status to imports of Nepalese garments for a seven year period.

As a friend of Nepal and the Nepalese people for over 25 years, I believe this bill will promote economic prosperity and lasting political stability in one of the world's poorest countries.

Nepal has a per capita income of \$540.

Approximately 25 percent of the Nepal's 24 million people live in poverty.

The unemployment rate in Nepal stands at a staggering 47 percent; and most Nepalese live on \$3 a day.

Nepal's poverty was also compounded by a devastating, 10-year Maoist insurgency which resulted in the deaths of 13,000 people.

Thankfully, on November 21, 2006 Nepal's government and Maoist rebels signed a peace accord.

Two years later, Nepal became a republic and a Constituent Assembly was elected to draft a new constitution.

Unfortunately, this momentum has stalled and Nepal remains without a new constitution.

Challenges persist for Nepal's economy.

In 2005, in accordance with an international agreement, all quotas on garment imports were removed.

This has had a devastating impact on Nepal's garment industry as U.S. importers have shifted their orders to China, India and other suppliers with cheaper labor markets.

The number of people employed by the Nepalese garment industry dropped from over 100,000 people—half of them women to between 5,000 and 10,000.

Garment exports fell from approximately \$139 million in 2000 to \$47 million in 2011.

The number of garment factories plummeted from 450 to 10.

The U.S. share of Nepalese garment exports dropped from 90 percent to 21 percent.

Despite Nepal's poverty and the collapse of the garment industry, Nepalese garments are still subject to an average U.S. tariff of 11.7 percent and can be as high as 32 percent.

In essence, we are penalizing an impoverished country which cannot afford it. This makes no sense.

I would point out that U.S. tariffs on Nepalese garments stand in contrast to the European Union, Canada, and Australia which allow Nepalese garments into their markets duty free.

It should come as no surprise, then, that while the U.S. share of Nepalese garment exports has fallen, the European Union's share has risen from 18.14 percent in 2006 to 46 percent in 2010.

The purpose of the Nepal Trade Preferences Act is to ensure that we provide Nepal with the same trade preferences afforded to it by other developed countries. No more, no less.

Humanitarian and development assistance programs should be critical components of our efforts to help Nepal.

But we should also help the Nepalese people help themselves and open the U.S. market to a once thriving export industry.

In the end, economic growth and prosperity can be best achieved when Nepal is given the chance to compete and grow in a free and open global marketplace.

Success in that marketplace will lead to a lesser dependence on foreign aid and encourage Nepal to develop other viable export industries.

With this legislation, the United States can make a real difference now to help revitalize the garment industry in Nepal and promote economic growth and higher living standards.

The impact on the domestic industry will be minimal. At most, Nepalese garments have accounted for 0.26 percent of all garment imports in the United States generating \$14 million in revenue.

Nepal will continue to be a small player in the U.S. market.

But to allay any concerns that Nepalese garments will somehow flood the market, this bill does place sensible restrictions on the amount of garments that will receive duty free status. That amount will rise every year up to a specific percentage of all U.S. garment imports.

By passing this legislation, we will help ensure that the garment industry will be a big player in contributing to Nepal's economic growth and development. This will be more jobs and a rising standard of living for the Nepalese people.

Let there be no doubt, it is my hope that this bill will also spur Nepal's political parties to come together, resolve their differences, and finalize a new constitution. Lasting political stability is essential if Nepal is to fully realize the economic benefits of this legislation.

Almost 7 years ago, the Nepalese people embraced peace and reconciliation. Let us show our solidarity with them and demonstrate our commitment to the success of the peace process by passing this commonsense measure.

I urge my colleagues to support the Nepal Trade Preferences Act.

By Mrs. FEINSTEIN:

S. 432. A bill to extend certain trade preferences to certain least-developed countries in Asia and the South Pacific, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Asia-South

Pacific Trade Preferences Act of 2013, a bill to promote economic growth, democracy, and political stability in some of the world's poorest countries.

This legislation will provide duty-free and quota-free benefits for garments and other products similar to those afforded to beneficiary countries under the African Growth and Opportunity Act, AGOA.

The countries covered by this legislation are 13 Least Developed Countries, LDCs, as defined by the United Nations and the U.S. State Department, which are not covered by any current U.S. trade preference program: Afghanistan, Bangladesh, Bhutan, Cambodia, Kiribati, Laos, Maldives, Nepal, Samoa, Solomon Islands, East Timor, Tuvalu, and Vanuatu.

These countries are among the poorest in the world with the bulk of their citizens living on less than \$1 a day.

Despite this widespread poverty, their exports are subject to some of the highest U.S. tariffs, averaging around 16 percent.

In fact, these developing countries pay a disproportionate share of U.S. tariffs.

Bangladesh, for example, is the 9th largest contributor of U.S. tariffs even though it is the 46th largest source of U.S. imports.

Cambodia is the 12th largest contributor of U.S. tariffs but ranks as the 60th largest source of U.S. imports.

So, in essence, these two developing countries pay more in U.S. tariffs than many European countries. How is that fair or consistent with our values?

Unfortunately, the United States is the only developed nation that has not provided an enhanced trade preference program to the beneficiary countries in this bill.

Indeed, we maintain duty preference programs for Haiti, the countries of sub-Saharan African and other developing countries and rightly so. These programs are critical components of our efforts to provide hope for millions of people struggling with poverty.

But it makes no sense to exclude other countries at the same level of economic development. We should not hesitate to correct this inequity.

This is not about pitting one developing country against the other. Rather, it is a simple matter of fairness and ensuring that we help all of those in need.

In fact, this effort goes hand in hand with my long-standing support for a strong and effective foreign aid budget for the United States as an essential tool in helping lift these countries out of poverty and put them on the path to economic prosperity and political stability.

Especially in these difficult fiscal times, however, humanitarian and development assistance should not be the sum total of our efforts.

Make no mistake: these programs help stabilize poor and war-torn coun-

tries, save lives, and lay the foundation for future prosperity.

Yet, the key for sustained growth, jobs, and rising standards of living will be the ability of each of these countries to create vital export industries to compete in a free and open global marketplace.

It is clear that the textile and apparel industries in many of the Asia-South Pacific countries in this bill are those industries that hold out the best hope for export growth.

We should help these countries help themselves by opening the U.S. market to their exports as we have done for other developing countries in the past.

By doing so, we will demonstrate the best of American values: reaching out to neighbors in need and helping them to stand on their own two feet.

We will also help ourselves.

First, as these countries become more prosperous, we will see new opportunities for our own exports in their growing markets.

This, in turn, will create jobs and economic growth in our own country.

But if we maintain high tariffs on imports from the Asia-South Pacific countries, those opportunities will likely go to the European Union and other developed countries that already have trade preference programs for these countries.

We should not put ourselves at such a disadvantage.

Second, as the Asia-South Pacific countries become more stable politically, we will help protect U.S. national security interests by preventing failed states which could become breeding grounds for terror.

There is no doubt in my mind that the cost of lowering tariffs on the imports of textile and apparel products from the Asia-South Pacific countries is far less than any military intervention.

We will also help ourselves by securing partners in the fight against global threats such as terrorism, climate change, the HIV/AIDS pandemic, and the proliferation of weapons of mass destruction.

U.S. leadership is essential in those efforts. But they require a global, multilateral response. As these countries grow, they can assume a larger role and contribute more effectively.

When it comes to our national security, every bit of assistance helps.

Finally, at a time of economic uncertainty, by eliminating tariffs on imports from the Asia-South Pacific countries, this bill will help lower prices for the American consumers and provide them with more options.

It will also help the 3 million American workers whose jobs depend on apparel imports.

There is no doubt in my mind that the Asia-South Pacific Trade Preferences Act is a win-win for the U.S. and the Asia-South Pacific countries.

Now, let me address some of the concerns that may be raised about this bill.

First, many of the Asia-South Pacific countries have struggled in the past with corruption, a lack of democracy, human rights abuses, and the absence of rule of law.

Some may ask: why reward these countries with a trade preference program?

Make no mistake. These countries will not automatically receive the trade benefits provided by this legislation.

This legislation has been drafted to ensure that the benefits are granted on a performance-driven basis.

That is, to be eligible, a beneficiary country must demonstrate that it is making continual progress toward establishing rule of law, political pluralism, the right to due process, and a market-based economy that protects private property rights.

So, this legislation would help promote democracy, human rights, and the rule of law while sustaining vital export industries and creating employment opportunities.

The beneficiary countries have a clear incentive to stay on the right path or they will lose the benefits of this bill.

If we ignore any problems, we will sustain the status quo and our efforts will fail.

Finally, whenever we discuss the creation of a new trade preference program, understandable concerns are raised about the impact on domestic manufacturers.

If this bill becomes law, however, the impact on U.S. jobs will be minimal.

Currently, the beneficiary countries under this legislation account for only 4 percent of U.S. textile and apparel imports, compared to 24 percent for China, and 72 percent for the rest of the world.

These countries will continue to be small players in the U.S. market, but the benefits of this legislation will have a major impact on their export economies.

By passing this legislation we will have an opportunity to change lives, protect our national security interests, and help the American consumer. We should seize this opportunity.

I respectfully ask for the support of all my colleagues for this important initiative.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 63—ENCOURAGING THE NAVY TO COMMISSION THE USS SOMERSET (LPD-25) IN PHILADELPHIA, PENNSYLVANIA

Mr. TOOMEY (for himself and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 63

Whereas the USS Somerset (LPD-25) is the ninth and newest amphibious transport dock ship in the San Antonio class;

Whereas the USS Somerset honors the passengers of United Airlines Flight 93 whose actions prevented terrorist hijackers from reaching their intended target, forcing the aircraft to crash in Somerset County, Pennsylvania, on September 11, 2001;

Whereas, in the words of former Secretary of the Navy Gordon England, "The courage and heroism of the people aboard the flight will never be forgotten and USS Somerset will leave a legacy that will never be forgotten by those wishing to do harm to this country.";

Whereas the USS Somerset joins the USS New York (LPD-21) and the USS Arlington (LPD-24) in remembering the heroes of September 11, 2001;

Whereas the USS Somerset was christened in July 2012 and will be commissioned when it is put in active service;

Whereas the Navy has cleared Philadelphia, Pennsylvania, as a potential site for the commissioning ceremony of the USS Somerset; and

Whereas Philadelphia is one of the closest ports to Somerset County, and it would be fitting that the commissioning ceremony be held there: Now, therefore, be it

Resolved, That the Senate encourages the Navy to commission the USS Somerset (LPD-25) in Philadelphia, Pennsylvania.

SENATE RESOLUTION 64—AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR THE PERIOD MARCH 1, 2013, THROUGH SEPTEMBER 30, 2013

Mr. SCHUMER submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 64

Resolved,

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2013, through September 30, 2013, in the aggregate of \$62,295,795, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period March 1, 2013, through September 30, 2013, to be paid from the appropriations account for "Expenses of Inquiries and Investigations" of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$2,464,069, of which amount—

(1) not to exceed \$200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. COMMITTEE ON ARMED SERVICES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$4,179,885, of which amount—

(1) not to exceed \$75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 4. COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate,

the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$3,787,685, of which amount—

(1) not to exceed \$10,267, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$616, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$3,950,532, of which amount—

(1) not to exceed \$35,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$21,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration,

to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$4,080,061, of which amount—

(1) not to exceed \$50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 7. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$3,453,383.

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$3,178,904, of which amount—

(1) not to exceed \$4,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 9. COMMITTEE ON FINANCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$4,693,751, of which amount—

(1) not to exceed \$17,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$5,833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$3,866,195, of which amount—

(1) not to exceed \$100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1,

2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$5,381,475, of which amount—

(1) not to exceed \$75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$6,074,429, of which amount—

(1) not to exceed \$75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business

with the Government, and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce, and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety, including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 81, agreed to March 2, 2011 (112th Congress) are authorized to continue.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$5,882,131, of which amount—

(1) not to exceed \$200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 14. COMMITTEE ON RULES AND ADMINISTRATION.

(a) **GENERAL AUTHORITY.**—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$1,619,831, of which amount—

(1) not to exceed \$43,750, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$7,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.

(a) **GENERAL AUTHORITY.**—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$1,524,917, of which amount—

(1) not to exceed \$25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legis-

lative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 16. COMMITTEE ON VETERANS' AFFAIRS.

(a) **GENERAL AUTHORITY.**—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$1,409,970, of which amount—

(1) not to exceed \$30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 17. SPECIAL COMMITTEE ON AGING.

(a) **GENERAL AUTHORITY.**—In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$1,704,661, of which amount not to exceed \$15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.

(a) **GENERAL AUTHORITY.**—In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$3,739,220, of which amount not to exceed \$10,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).

SEC. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) **GENERAL AUTHORITY.**—In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.**—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed \$1,304,696, of which amount—

(1) not to exceed \$20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed \$20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 20. SPECIAL RESERVE.

(a) **ESTABLISHMENT.**—Within the funds in the account "Expenses of Inquiries and Investigations" appropriated by the legislative branch appropriation Acts for fiscal year 2013, there is authorized to be established a special reserve to be available to any committee funded by this resolution as provided in subsection (b) in an amount not to exceed \$3,850,000, which shall be available for the period March 1, 2013, through September 30, 2013.

(b) **AVAILABILITY.**—The special reserve authorized in subsection (a) shall be available to any committee—

(1) on the basis of special need to meet unpaid obligations incurred by that committee during the period referred to in subsection (a); and

(2) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Chairman and Ranking Member of the Committee on Rules and Administration.

SEC. 21. SENATE NATIONAL SECURITY WORKING GROUP EXTENSION AND REVISION.

(a) **WORKING GROUP RECONSTITUTION.**—

(1) **IN GENERAL.**—The Senate National Security Working Group (in this section referred to as the "Working Group"), authorized by Senate Resolution 105 of the 101st Congress, 1st session (agreed to on April 13, 1989), as subsequently amended and extended, is hereby reconstituted.

(2) DUTIES.—The Working Group—

(A) shall serve as a forum for bipartisan discussion of current national security issues relating to the jurisdictions of multiple committees of the Senate;

(B) shall conduct regular meetings and maintain records of all meetings and activities;

(C) may authorize members to act as official observers on the United States delegation to any negotiations to which the United States is a party regarding—

(i) the reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons;

(ii) the reduction, limitation, or control of missile defenses; or

(iii) export controls;

(D) may study any issues related to national security that the majority leader of the Senate and the minority leader of the Senate jointly determine appropriate;

(E) is encouraged to consult with parliamentarians and legislators of foreign nations and to participate in international forums and institutions regarding the matters described in subparagraphs (C) and (D); and

(F) is not authorized to investigate matters relating to espionage or intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Select Committee on Intelligence under Senate Resolution 400 of the 94th Congress, agreed to on May 19, 1976.

(3) COMPOSITION.—

(A) IN GENERAL.—The Working Group shall be composed of 20 members, as follows:

(i) 7 Cochairmen, who shall head the Working Group, as follows:

(I) 4 Members of the Senate from the majority party in the Senate (in this section referred to as the “Majority Cochairmen”), appointed by the majority leader of the Senate.

(II) 3 Members of the Senate from the minority party in the Senate (in this section referred to as the “Minority Cochairmen”), appointed by the minority leader of the Senate.

(ii) The majority leader of the Senate and the minority leader of the Senate.

(iii) 5 Members of the Senate from the majority party in the Senate, appointed by the majority leader of the Senate.

(iv) 6 Members of the Senate from the minority party in the Senate, appointed by the minority leader of the Senate.

(B) ADMINISTRATIVE COCHAIRMAN.—The majority leader of the Senate shall designate one of the Majority Cochairmen to serve as the Majority Administrative Cochairman, and the minority leader of the Senate shall designate one of the Minority Cochairmen to serve as the Minority Administrative Cochairman.

(C) PUBLICATION.—Appointments and designations under this paragraph shall be printed in the Congressional Record.

(4) VACANCIES.—Any vacancy in the Working Group shall be filled in the same manner in which the original appointment was made.

(b) WORKING GROUP STAFF.—

(1) COMPENSATION AND EXPENSES.—(A) The Working Group is authorized, from funds made available under subsection (c), to employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(e)), and incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) Senate Resolution 243, 100th Congress, agreed to July 1, 1987, is amended in section 2(b) by striking the period at the end and inserting “at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(e)).”.

(C) Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized, however, only for those actual expenses incurred by the Working Group in the course of conducting its official duties and functions. Amounts received as reimbursement for such food expenses shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under title 26, United States Code.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—The Majority Administrative Cochairman shall designate one or more professional staff members for each Majority Cochairman of the Working Group, upon recommendations from each such Majority Cochairman. The Minority Administrative Cochairman shall designate one or more professional staff members for each Minority Cochairman of the Working Group, upon recommendations from each such Minority Cochairman.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any such professional staff member who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Working Group, such professional staff member shall continue to be paid by such Member or such Committee, as the case may be, but the account from which such professional staff member is paid shall be reimbursed for the services of such professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c)(2).

(C) DUTIES.—The professional staff members authorized by this paragraph shall serve all members of the Working Group and shall carry out such other functions as their respective Cochairmen may specify.

(D) EXCLUSIVE PARTICIPATION IN OFFICIAL ACTIVITIES.—Except as provided in paragraph (4), only designated staff of the Working Group may participate in the official activities of the Working Group.

(3) LEADERSHIP STAFF.—

(A) IN GENERAL.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

(B) COMPENSATION.—Funds necessary to compensate leadership staff shall be transferred from the funds made available under subsection (c)(3) to the respective account from which such designated staff member is paid.

(4) FOREIGN TRAVEL.—

(A) IN GENERAL.—All foreign travel of the Working Group shall be authorized solely by the majority leader of the Senate and the minority leader of the Senate, upon the recommendation of the Administrative Cochairmen. Participation by Senate staff members in, and access to, all official activities and functions of the Working Group during foreign travel, and access to all classified briefings and information made available to the Working Group during such travel, shall be limited exclusively to Working Group staff members with appropriate clearances.

(B) AUTHORIZATION REQUIRED.—

(i) COMMITTEE STAFF.—No foreign travel or other funding shall be authorized by any

committee of the Senate for the use of staff for activities described under this paragraph without the joint written authorization of the majority leader of the Senate and the minority leader of the Senate to the chairman of such committee.

(ii) MEMBER STAFF.—No foreign travel or other funding shall be authorized for the staff of any Member of the Senate, other than Working Group staff, for activities described under this paragraph unless the majority leader of the Senate and the minority leader of the Senate jointly so authorize in writing.

(c) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Working Group shall be paid from the contingent fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the Administrative Cochairmen (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than \$500,000 shall be expended for staff and for expenses (excepting expenses incurred for foreign travel), of which not more than \$100,000 shall be available for each Administrative Cochairman and the staff of such Administrative Cochairman, and not more than \$60,000 shall be available for each Cochairman who is not an Administrative Cochairman and the staff of such Cochairman.

(3) LEADERSHIP STAFF.—In addition to the amounts referred to in paragraph (2), for any fiscal year, not more than \$200,000 shall be expended from the contingent fund of the Senate, out of the account of Miscellaneous Items, for leadership staff as designated in subsection (b)(3) for salaries and expenses (excepting expenses incurred for foreign travel).

(d) SUNSET.—The provisions of this section shall remain in effect until December 31, 2016.

SENATE RESOLUTION 65—STRONGLY SUPPORTING THE FULL IMPLEMENTATION OF UNITED STATES AND INTERNATIONAL SANCTIONS ON IRAN AND URGING THE PRESIDENT TO CONTINUE TO STRENGTHEN ENFORCEMENT OF SANCTIONS LEGISLATION

Mr. GRAHAM (for himself, Mr. MENENDEZ, Ms. AYOTTE, Mr. SCHUMER, Mr. CORNYN, Mrs. BOXER, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, Mr. CRAPO, Mr. CARDIN, Ms. COLLINS, Mr. BEGICH, Mr. BLUNT, Mr. BROWN, Mr. WYDEN, Mr. PORTMAN, Mr. MANCHIN, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving

economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, "The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.";

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, "This bogus and fake Zionist outgrowth will disappear off the landscape of geography.";

Whereas, in August 2012, President Ahmadinejad said that "in the new Middle East . . . there will be no trace of the American presence and the Zionists";

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the "most active state sponsor of terrorism" in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that docu-

mented "serious concerns regarding possible military dimensions to Iran's nuclear programme," and affirmed that information available to the IAEA indicates that "Iran has carried out activities relevant to the development of a nuclear explosive device" and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.";

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, "The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.";

Whereas, on March 4, 2012, President Obama stated, "Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.";

Whereas, on October 22, 2012, President Obama said of Iran, "The clock is ticking. . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.";

Whereas, on May 19, 2011, President Obama stated, "Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.";

Whereas, on September 21, 2011, President Obama stated, "America's commitment to Israel's security is unshakable. Our friendship with Israel is deep and enduring.";

Whereas, on March 4, 2012, President Obama stated, "And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.";

Whereas, on October 22, 2012, President Obama stated, "Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency. . . I will stand with Israel if they are attacked.";

Whereas, in December 2012, 74 United States Senators wrote to President Obama "As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies

to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.";

and
Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in self-defense, the United States Government should stand with Israel and provide diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

SENATE RESOLUTION 66—DESIGNATING THE FIRST WEEK OF APRIL 2013 AS "NATIONAL ASBESTOS AWARENESS WEEK"

Mr. BAUCUS (for himself, Mr. TESTER, Mrs. BOXER, Mrs. MURRAY, Mr. REID, Mr. DURBIN, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 66

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer such as mesothelioma and asbestosis and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas, generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for such diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognoses;

Whereas the United States has substantially reduced its consumption of asbestos, yet continues to consume almost 1,100 metric tons of the fibrous mineral for use in certain products throughout the United States;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas exposure to asbestos continues, but safety and prevention of asbestos exposure already have significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of such diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the establishment of a "National Asbestos Awareness Week" will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2013 as "National Asbestos Awareness Week";

(2) urges the Surgeon General to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

AMENDMENTS SUBMITTED AND PROPOSED

SA 23. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 16, to provide for a sequester replacement; which was ordered to lie on the table.

SA 24. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 388, to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 23. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 16, to provide for a sequester replacement; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—DEPARTMENT OF DEFENSE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,157,392,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,989,384,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,529,469,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,053,829,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a)

of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,341,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,875,598,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$659,621,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,728,505,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,005,077,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of

title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,161,765,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$33,804,145,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$40,479,556,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$5,894,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$34,983,793,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$31,331,839,000: *Provided*, That not more than \$30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this division may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,563,000, to remain available until ex-

pendent, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,140,508,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,246,982,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$272,285,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,227,382,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,075,042,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,493,155,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,516,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, FORMERLY
USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OVERSEAS HUMANITARIAN, DISASTER, AND
CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (con-

sisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$720,000,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,414,061,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,429,665,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and in-

stallation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,687,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,624,380,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,980,209,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$16,936,358,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,066,919,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND
MARINE CORPS

For construction, procurement, production, and modification of ammunition, and

accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$719,154,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$564,371,000;
Virginia Class Submarine, \$3,217,601,000;
Virginia Class Submarine (AP), \$1,652,557,000;
CVN Refueling Overhaul, \$1,613,392,000;
CVN Refueling Overhauls (AP), \$70,010,000;
DDG-1000 Program, \$669,222,000;
DDG-51 Destroyer, \$4,048,658,000;
DDG-51 Destroyer (AP), \$466,283,000;
Littoral Combat Ship, \$1,784,959,000;
LPD-17 (AP), \$263,255,000;
Joint High Speed Vessel, \$189,196,000;
Moored Training Ship, \$307,300,000;
LCAC Service Life Extension Program, \$85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$309,648,000.

Completion of Prior Year Shipbuilding Programs, \$372,573,000.

In all: \$15,614,855,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and

private plants; reserve plant and Government and contractor-owned equipment layaway, \$6,170,286,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,334,448,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,260,646,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,913,276,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$593,194,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and

electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,008,348,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,692,685,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$189,189,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,427,588,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$16,646,307,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$25,374,286,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,419,129,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, \$200,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION,
DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$223,768,000, to remain available for obligation until September 30, 2014.

TITLE V
REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the

military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI
OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,240,788,000; of which \$30,707,349,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2014, and of which up to \$15,954,952,000 may be available for contracts entered into under the TRICARE program; of which \$506,462,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which \$1,026,977,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,138,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this head-

ing is in addition to any other transfer authority contained elsewhere in this division.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$332,921,000, of which \$331,921,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which \$1,000,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII
RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$542,346,000.

TITLE VIII
GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this division shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this division shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this division which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with

the approval of the Office of Management and Budget, transfer not to exceed \$5,000,000,000 of working capital funds of the Department of Defense or funds made available in this division to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this division: *Provided further*, That no part of the funds in this division shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Committee Recommended Adjustments" in the explanatory statement regarding this division, the obligation and expenditure of amounts appropriated or otherwise made available in this division for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this division.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this division: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this division, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this division, none of the funds provided in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this division, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this division may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. (a) None of the funds provided in this division shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this division shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this division shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this division: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this division may be used for a multiyear contract executed after the date of the enactment of this division unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract

and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this division may be used for a multiyear procurement contract as follows:

F/A-18E, F/A-18F, and EA-18G aircraft; up to 10 DDG-51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN-774 Virginia class submarine and government-furnished equipment; CH-47 Chinook helicopter; and V-22 Osprey aircraft variants.

(b) The Secretary of Defense may employ incremental funding for the procurement of Virginia class submarines and government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary of Defense:

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of

any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this division shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this division shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this division for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this division solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this division.

SEC. 8016. None of the funds in this division may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States exceeds the aggregate cost of the components produced or manufactured in the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to

demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this division shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this division, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this division for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this division, not less than \$38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,404,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$9,298,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) \$932,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this division are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition

must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this division.

SEC. 8025. For the purposes of this division, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air

Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this division shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this division for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the

President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this division for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this division may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a “Made in America” inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this division, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this division shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this division may be used—

(1) to establish a field operating agency; or
 (2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this division may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. (a) None of the funds appropriated by this division shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of

title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Shipbuilding and Conversion, Navy, 2007/2018”: DDG-51 Destroyer, \$98,400,000;

“Shipbuilding and Conversion, Navy, 2007/2018”: DDG-51 Destroyer Advance Procurement, \$2,500,000;

“Shipbuilding and Conversion, Navy, 2007/2018”: CVN Refueling Overhaul, \$14,100,000;

“Procurement of Ammunition, Army, 2011/2013”, \$4,500,000;

“Other Procurement, Army, 2011/2013”, \$114,848,000;

“Aircraft Procurement, Navy, 2011/2013”, \$13,760,000;

“Shipbuilding and Conversion, Navy, 2011/2015”: DDG-51 Destroyer, \$215,300,000;

“Weapons Procurement, Navy, 2011/2013”, \$21,086,000;

“Aircraft Procurement, Air Force, 2011/2013”, \$93,400,000;

“Missile Procurement, Air Force, 2011/2013”, \$8,709,000;

“Other Procurement, Air Force, 2011/2013”, \$9,500,000;

“Operation and Maintenance, Defense Wide, 2012/XXXX”, \$21,000,000;

“Aircraft Procurement, Army, 2012/2014”, \$47,400,000;

“Other Procurement, Army, 2012/2014”, \$99,608,000;

“Aircraft Procurement, Navy, 2012/2014”, \$4,640,000;

“Shipbuilding and Conversion, Navy, 2012/2016”: Littoral Combat Ship, \$28,800,000;

“Shipbuilding and Conversion, Navy, 2012/2016”: DDG-51 Destroyer, \$83,000,000;

“Weapons Procurement, Navy, 2012/2014”, \$25,015,000;

“Other Procurement, Navy, 2012/2014”, \$4,800,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$50,703,000;

“Procurement, Marine Corps, 2012/2014”, \$135,331,000;

“Aircraft Procurement, Air Force, 2012/2014”, \$581,699,000;

“Missile Procurement, Air Force, 2012/2014”, \$45,898,000;

“Other Procurement, Air Force, 2012/2014”, \$55,800,000;

“Procurement, Defense Wide, 2012/2014”, \$16,000,000;

“Research, Development, Test and Evaluation, Army, 2012/2013”, \$8,000,000;

“Research, Development, Test and Evaluation, Navy, 2012/2013”, \$245,254,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$56,704,000.

SEC. 8041. None of the funds available in this division may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this division may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this division for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this division may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this division may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of

domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this division may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this division to the jurisdiction of another Federal agency not financed by this division without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this division shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this division under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this division or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United

States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this division may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible

information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this division under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this division.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this division may be used to transfer to any

nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this division shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this division under the heading "Operation and Maintenance, Army", \$133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed \$200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this division under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, \$74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this division.

SEC. 8070. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C-130 and KC-135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this division under the heading "Shipbuilding and Conversion, Navy", \$372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program \$156,685,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2008/2013": LPD-17 Amphibious Transport Dock Program \$80,888,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program \$135,000,000.

SEC. 8072. Funds appropriated by this division, or made available by the transfer of funds in this division, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8073. None of the funds provided in this division shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8074. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this division may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this division, \$20,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in

the amount specified as follows: \$20,000,000 to the United Service Organizations.

SEC. 8077. None of the funds appropriated or made available in this division shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this division: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8078. None of the funds provided in this division shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this division.

SEC. 8081. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8082. (a) None of the funds appropriated by this division may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C

Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8083. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8084. None of the funds appropriated by this division for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8085. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this division under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program; R-2, Research, Development, Test and Evaluation Budget Item Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Notwithstanding any other provision of law, the Secretary of the Army may use up to \$25,000,000 of funds appropriated for Operation and Maintenance, Army in this division for real property maintenance and repair projects and activities at Arlington National Cemetery.

SEC. 8088. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this division, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex I, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this division for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this division for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this division, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United

States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8097. None of the funds made available under this division may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this division, up to \$139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. (a) In this section the term "conference" has the meaning given that term under section 300-3.1 of title 41, Code of Federal Regulations, or any successor thereto.

(b) A grant or contract funded by amounts made available under this division may not be used for the purpose of defraying the cost of a conference that is not directly and programmatically related to the purpose of the program under which the grant or contract was awarded.

(c)(1) Except as provided in paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than \$100,000 using amounts made available under this division, unless the Deputy Secretary of Defense approves sponsoring or hosting the conference.

(2)(A) Except as provided in subparagraph (B) or paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than \$500,000 using amounts made available under this division.

(B) The Deputy Secretary of Defense may waive the prohibition under subparagraph (A) if the Deputy Secretary determines that it is in the interest of national security to spend more than \$500,000 on a conference.

(3) For purposes of a conference sponsored or hosted by the Office of the Inspector General of the Department of Defense, the Inspector General shall discharge the authorities and responsibilities of the Deputy Secretary of Defense under this subsection.

(d) Not later than October 31, 2013, the Deputy Secretary of Defense shall provide a publicly available report of all Department-sponsored conferences during fiscal year 2013 where the cost to the Department is more than \$100,000 using amounts made available under this division, which—

(1) shall include, for each such conference—

(A) the cost of the conference to the Department of Defense;

(B) the location of the conference;

(C) the date of the conference;

(D) a brief explanation of how the conference advanced the mission of the Department of Defense;

(E) the total number of individuals whose travel expenses or other conference expenses were paid by the Department of Defense; and

(F) any waiver made under subsection (c)(2)(B); and

(2) shall not include any confidential or similarly sensitive information.

SEC. 8100. None of the funds appropriated or otherwise made available by this division may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8102. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide", \$106,482,000 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, for addressing the need for civilian water and wastewater improvements; *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for this purpose, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated \$2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, and the Whidbey Island-class dock landing ships LSD-41 and LSD-46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Of the amounts made available in this division under the heading "Operation and Maintenance, Defense-Wide", there is appropriated \$51,000,000, to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8105. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8106. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantánamo” means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8107. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8108. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant

to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8109. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8110. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8111. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$869,625,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$1,623,356,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$156,893,000: *Provided*,

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, \$24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$30,578,256,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$6,968,812,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$4,108,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$9,291,493,000: *Provided*, That such amount is designated by

the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$8,274,052,000: *Provided*, That of the funds provided under this heading, not to exceed \$1,750,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$154,537,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$25,477,000: *Provided*, That such amount is

designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$120,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$382,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$19,975,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND (INCLUDING TRANSFER OF FUNDS)

For the “Afghanistan Infrastructure Fund”, \$350,000,000, to remain available until September 30, 2014: *Provided*, That such sums shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghani-

stan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the “appropriate committees of Congress” are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the “Afghanistan Security Forces Fund”, \$5,149,167,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, \$1,140,294,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the

Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, \$67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$326,193,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$2,284,190,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for “Aircraft Procurement, Navy”, \$426,436,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, \$23,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, \$284,356,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section

251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$865,977,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$395,327,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$2,684,470,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$362,749,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,000,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$42,357,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$1,467,864,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised Explosive Device Defeat Fund”, \$1,514,114,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, \$10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, “Afghanistan Infrastructure Fund”, or the “Afghanistan Security Forces Fund” provided in this division and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may pur-

chase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$200,000,000 of the amount appropriated in this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commander’s Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander’s Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this division may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the “Afghanistan Security Forces Fund” (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the “Afghanistan Infrastructure Fund” (AIF) and any project in excess of \$5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Notwithstanding any other provision of law, up to \$93,000,000 of funds made available in this title under the heading “Operation and Maintenance, Army” may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in

this section for any project with a total anticipated cost of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to \$508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel to address gaps in capability of such personnel to manage defense-related institutions and integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and counter-terrorism: *Provided further*, That not later than October 30, 2012, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training and assisting activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

"Other Procurement, Army, 2012/2014", \$207,600,000;

"Mine Resistant Ambush Protected Vehicle Fund, 2012/2013", \$400,000,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", \$58,000,000;

"Afghanistan Security Forces Fund, 2012/2013", \$1,000,000,000;

"Joint Improvised Explosive Device Defeat Fund, 2012/2014", \$40,300,000.

This division may be cited as the "Department of Defense Appropriations Act, 2013".

SA 24. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 388, to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—DEPARTMENT OF DEFENSE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,157,392,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,989,384,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,529,469,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,053,829,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while un-

dergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,341,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,875,598,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$659,621,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,728,505,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,005,077,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or

equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,161,765,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$33,804,145,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$40,479,556,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$5,894,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$34,983,793,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$31,331,839,000: *Provided*, That not more than \$30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this division may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may

be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,140,508,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,246,982,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$272,285,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,227,382,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,075,042,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,493,155,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,516,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, FORMERLY
USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OVERSEAS HUMANITARIAN, DISASTER, AND
CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (con-

sisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$720,000,000.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,414,061,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,429,665,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and in-

stallation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,687,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,624,380,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,980,209,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$16,936,358,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,066,919,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND
MARINE CORPS

For construction, procurement, production, and modification of ammunition, and

accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$719,154,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$564,371,000;
Virginia Class Submarine, \$3,217,601,000;
Virginia Class Submarine (AP), \$1,652,557,000;
CVN Refueling Overhaul, \$1,613,392,000;
CVN Refueling Overhauls (AP), \$70,010,000;
DDG-1000 Program, \$669,222,000;
DDG-51 Destroyer, \$4,048,658,000;
DDG-51 Destroyer (AP), \$466,283,000;
Littoral Combat Ship, \$1,784,959,000;
LPD-17 (AP), \$263,255,000;
Joint High Speed Vessel, \$189,196,000;
Moored Training Ship, \$307,300,000;
LCAC Service Life Extension Program, \$85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$309,648,000.

Completion of Prior Year Shipbuilding Programs, \$372,573,000.

In all: \$15,614,855,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and

private plants; reserve plant and Government and contractor-owned equipment layaway, \$6,170,286,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,334,448,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,260,646,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,913,276,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$593,194,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and

electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,008,348,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,692,685,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$189,189,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,427,588,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$16,646,307,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$25,374,286,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,419,129,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, \$200,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION,
DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$223,768,000, to remain available for obligation until September 30, 2014.

TITLE V
REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the

military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI
OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,240,788,000; of which \$30,707,349,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2014, and of which up to \$15,954,952,000 may be available for contracts entered into under the TRICARE program; of which \$506,462,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which \$1,026,977,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE
(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,138,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this head-

ing is in addition to any other transfer authority contained elsewhere in this division.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$332,921,000, of which \$331,921,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which \$1,000,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII
RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$542,346,000.

TITLE VIII
GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this division shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this division shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this division which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with

the approval of the Office of Management and Budget, transfer not to exceed \$5,000,000,000 of working capital funds of the Department of Defense or funds made available in this division to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this division: *Provided further*, That no part of the funds in this division shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Committee Recommended Adjustments" in the explanatory statement regarding this division, the obligation and expenditure of amounts appropriated or otherwise made available in this division for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this division.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this division: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this division, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this division, none of the funds provided in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this division, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this division may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. (a) None of the funds provided in this division shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this division shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this division shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this division: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this division may be used for a multiyear contract executed after the date of the enactment of this division unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract

and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this division may be used for a multiyear procurement contract as follows:

F/A-18E, F/A-18F, and EA-18G aircraft; up to 10 DDG-51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN-774 Virginia class submarine and government-furnished equipment; CH-47 Chinook helicopter; and V-22 Osprey aircraft variants.

(b) The Secretary of Defense may employ incremental funding for the procurement of Virginia class submarines and government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary of Defense:

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of

any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this division shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this division shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this division for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this division solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this division.

SEC. 8016. None of the funds in this division may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States exceeds the aggregate cost of the components produced or manufactured in the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to

demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this division shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this division, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this division for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this division, not less than \$38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,404,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$9,298,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) \$932,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this division are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition

must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this division.

SEC. 8025. For the purposes of this division, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air

Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this division shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this division for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the

President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this division for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this division may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a “Made in America” inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this division, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this division shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this division may be used—

(1) to establish a field operating agency; or
 (2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this division may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. (a) None of the funds appropriated by this division shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of

title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Shipbuilding and Conversion, Navy, 2007/2018”: DDG-51 Destroyer, \$98,400,000;

“Shipbuilding and Conversion, Navy, 2007/2018”: DDG-51 Destroyer Advance Procurement, \$2,500,000;

“Shipbuilding and Conversion, Navy, 2007/2018”: CVN Refueling Overhaul, \$14,100,000;

“Procurement of Ammunition, Army, 2011/2013”, \$4,500,000;

“Other Procurement, Army, 2011/2013”, \$114,848,000;

“Aircraft Procurement, Navy, 2011/2013”, \$13,760,000;

“Shipbuilding and Conversion, Navy, 2011/2015”: DDG-51 Destroyer, \$215,300,000;

“Weapons Procurement, Navy, 2011/2013”, \$21,086,000;

“Aircraft Procurement, Air Force, 2011/2013”, \$93,400,000;

“Missile Procurement, Air Force, 2011/2013”, \$8,709,000;

“Other Procurement, Air Force, 2011/2013”, \$9,500,000;

“Operation and Maintenance, Defense Wide, 2012/XXXX”, \$21,000,000;

“Aircraft Procurement, Army, 2012/2014”, \$47,400,000;

“Other Procurement, Army, 2012/2014”, \$99,608,000;

“Aircraft Procurement, Navy, 2012/2014”, \$4,640,000;

“Shipbuilding and Conversion, Navy, 2012/2016”: Littoral Combat Ship, \$28,800,000;

“Shipbuilding and Conversion, Navy, 2012/2016”: DDG-51 Destroyer, \$83,000,000;

“Weapons Procurement, Navy, 2012/2014”, \$25,015,000;

“Other Procurement, Navy, 2012/2014”, \$4,800,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$50,703,000;

“Procurement, Marine Corps, 2012/2014”, \$135,331,000;

“Aircraft Procurement, Air Force, 2012/2014”, \$581,699,000;

“Missile Procurement, Air Force, 2012/2014”, \$45,898,000;

“Other Procurement, Air Force, 2012/2014”, \$55,800,000;

“Procurement, Defense Wide, 2012/2014”, \$16,000,000;

“Research, Development, Test and Evaluation, Army, 2012/2013”, \$8,000,000;

“Research, Development, Test and Evaluation, Navy, 2012/2013”, \$245,254,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$56,704,000.

SEC. 8041. None of the funds available in this division may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this division may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this division for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this division may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this division may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of

domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this division may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this division to the jurisdiction of another Federal agency not financed by this division without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this division shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this division under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this division or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United

States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this division may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible

information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this division under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this division.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this division may be used to transfer to any

nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this division shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this division under the heading "Operation and Maintenance, Army", \$133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed \$200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this division under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, \$74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this division.

SEC. 8070. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C-130 and KC-135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this division under the heading "Shipbuilding and Conversion, Navy", \$372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program \$156,685,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2008/2013": LPD-17 Amphibious Transport Dock Program \$80,888,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program \$135,000,000.

SEC. 8072. Funds appropriated by this division, or made available by the transfer of funds in this division, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8073. None of the funds provided in this division shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8074. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this division may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this division, \$20,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in

the amount specified as follows: \$20,000,000 to the United Service Organizations.

SEC. 8077. None of the funds appropriated or made available in this division shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this division: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8078. None of the funds provided in this division shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this division.

SEC. 8081. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8082. (a) None of the funds appropriated by this division may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C

Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8083. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8084. None of the funds appropriated by this division for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8085. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this division under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program; R-2, Research, Development, Test and Evaluation Budget Item Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Notwithstanding any other provision of law, the Secretary of the Army may use up to \$25,000,000 of funds appropriated for Operation and Maintenance, Army in this division for real property maintenance and repair projects and activities at Arlington National Cemetery.

SEC. 8088. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this division, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex I, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this division for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this division for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this division, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United

States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8097. None of the funds made available under this division may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this division, up to \$139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. (a) In this section the term "conference" has the meaning given that term under section 300-3.1 of title 41, Code of Federal Regulations, or any successor thereto.

(b) A grant or contract funded by amounts made available under this division may not be used for the purpose of defraying the cost of a conference that is not directly and programmatically related to the purpose of the program under which the grant or contract was awarded.

(c)(1) Except as provided in paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than \$100,000 using amounts made available under this division, unless the Deputy Secretary of Defense approves sponsoring or hosting the conference.

(2)(A) Except as provided in subparagraph (B) or paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than \$500,000 using amounts made available under this division.

(B) The Deputy Secretary of Defense may waive the prohibition under subparagraph (A) if the Deputy Secretary determines that it is in the interest of national security to spend more than \$500,000 on a conference.

(3) For purposes of a conference sponsored or hosted by the Office of the Inspector General of the Department of Defense, the Inspector General shall discharge the authorities and responsibilities of the Deputy Secretary of Defense under this subsection.

(d) Not later than October 31, 2013, the Deputy Secretary of Defense shall provide a publicly available report of all Department-sponsored conferences during fiscal year 2013 where the cost to the Department is more than \$100,000 using amounts made available under this division, which—

(1) shall include, for each such conference—

(A) the cost of the conference to the Department of Defense;

(B) the location of the conference;

(C) the date of the conference;

(D) a brief explanation of how the conference advanced the mission of the Department of Defense;

(E) the total number of individuals whose travel expenses or other conference expenses were paid by the Department of Defense; and

(F) any waiver made under subsection (c)(2)(B); and

(2) shall not include any confidential or similarly sensitive information.

SEC. 8100. None of the funds appropriated or otherwise made available by this division may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8102. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide", \$106,482,000 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for this purpose, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated \$2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, and the Whidbey Island-class dock landing ships LSD-41 and LSD-46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Of the amounts made available in this division under the heading "Operation and Maintenance, Defense-Wide", there is appropriated \$51,000,000, to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8105. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8106. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantánamo” means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8107. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8108. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant

to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8109. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8110. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8111. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$869,625,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$1,623,356,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$156,893,000: *Provided*,

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, \$24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$30,578,256,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$6,968,812,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$4,108,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$9,291,493,000: *Provided*, That such amount is designated by

the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$8,274,052,000: *Provided*, That of the funds provided under this heading, not to exceed \$1,750,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$154,537,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$25,477,000: *Provided*, That such amount is

designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$120,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$382,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$19,975,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND (INCLUDING TRANSFER OF FUNDS)

For the “Afghanistan Infrastructure Fund”, \$350,000,000, to remain available until September 30, 2014: *Provided*, That such sums shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghani-

stan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the “appropriate committees of Congress” are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the “Afghanistan Security Forces Fund”, \$5,149,167,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, \$1,140,294,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the

Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, \$67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$326,193,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$2,284,190,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for “Aircraft Procurement, Navy”, \$426,436,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, \$23,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, \$284,356,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section

251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$865,977,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$395,327,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$2,684,470,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$362,749,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,000,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$42,357,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$1,467,864,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised Explosive Device Defeat Fund”, \$1,514,114,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, \$10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, “Afghanistan Infrastructure Fund”, or the “Afghanistan Security Forces Fund” provided in this division and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may pur-

chase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$200,000,000 of the amount appropriated in this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commander’s Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander’s Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this division may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the “Afghanistan Security Forces Fund” (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the “Afghanistan Infrastructure Fund” (AIF) and any project in excess of \$5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Notwithstanding any other provision of law, up to \$93,000,000 of funds made available in this title under the heading “Operation and Maintenance, Army” may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in

this section for any project with a total anticipated cost of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to \$508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel to address gaps in capability of such personnel to manage defense-related institutions and integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and counter-terrorism: *Provided further*, That not later than October 30, 2012, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training and assisting activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

"Other Procurement, Army, 2012/2014", \$207,600,000;

"Mine Resistant Ambush Protected Vehicle Fund, 2012/2013", \$400,000,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", \$58,000,000;

"Afghanistan Security Forces Fund, 2012/2013", \$1,000,000,000;

"Joint Improvised Explosive Device Defeat Fund, 2012/2014", \$40,300,000.

This division may be cited as the "Department of Defense Appropriations Act, 2013".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the

Senate on February 28, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., to conduct a hearing entitled "Addressing FHA's Financial Condition and Program Challenges, Part II."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 28, 2013, at 10:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Delivery System Reform: Progress Report from CMS."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 28, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in room SD-G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 28, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I see our distinguished majority leader on the floor. I will yield to him.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I appreciate very much my friend from Iowa allowing me to proceed.

I would just note for the record that I have only had two U.S. Senators visit me in my home in Searchlight. He is one of them.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that on Monday, March 4, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 15 and 16; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. RES. 64

Mr. REID. Madam President, I ask unanimous consent that on Tuesday, March 5, at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 20, S. Res. 64; that the only amendment in order to the resolution be a Paul amendment striking provisions relative to the National Security Working Group; that there be up to 30 minutes of debate equally divided in the usual form on the Paul amendment; that upon the use or yielding back of that time, the Senate proceed to vote on the Paul amendment; that upon disposition of the Paul amendment, the Senate proceed to vote on adoption of the resolution, as amended, if amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: the Honorable ROGER WICKER of Mississippi.

ORDERS FOR MONDAY, MARCH 4,
2013

Mr. REID. I ask unanimous consent that when the Senate complete its business today, it adjourn until 2 p.m. on Monday, March 4, 2013; that following the prayer and pledge, the morning hour be deemed expired, the journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to a period of morning business until 5 p.m., with Senators permitted to speak up to 10 minutes each; further, that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, at 5:30 p.m. on Monday, there will be up to two rollcall votes on confirmation of the Chen and Failla nominations, both U.S. district judge nominees for New York.

ORDER FOR ADJOURNMENT

Mr. REID. Madam President, there being no further business to come before the Senate, I ask unanimous consent that following the statement of the distinguished Senator from Iowa, Mr. HARKIN, the Senate stand adjourned under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

SEQUESTRATION

Mr. HARKIN. Madam President, we are now on the eve of the so-called sequester. Tomorrow, March 1, Federal agencies will begin making \$85 billion in arbitrary, destructive budget cuts—cuts that economists tell us will damage our fragile economy and cost nearly 1 million jobs. This is a shame and it is shameful. This is yet another self-inflicted wound to our economy, and it is completely unnecessary.

For months, President Obama and Democrats in Congress have urged Republicans to join with us in negotiating a balanced package of spending cuts and revenue increases to head off this sequester. Regrettably, we have run up against the same old response from our Republican colleagues: obstruction, obstruction, obstruction—an adamant refusal to compromise. They reject the very idea of a balanced approach, insisting that all deficit reduction must come exclusively from cuts to spending and investment. Since they have not gotten their way, they are now willing to allow all the destructive impacts of the sequester to happen.

Think about it, because it really is breathtaking. Republicans would rather

allow our economy to lose up to a million jobs than to close a tax loophole that pays companies to move American jobs to foreign countries. They would rather risk jolting the economy back into recession than to close a tax loophole that allows hedge fund managers making hundreds of millions of dollars a year to pay a lower tax rate than middle-class families. It really is breathtaking.

I am deeply concerned about the arbitrary cuts to programs that undergird the middle class in this country—everything from medical research to education to food and drug safety. Earlier this week, the Director of the National Institutes of Health, Dr. Francis Collins, warned that the sequester would slash \$1.6 billion from NIH's budget, directly damaging ongoing research into cancer, Alzheimer's, and other diseases.

Funding for special education would also suffer deep cuts, eliminating Federal support for more than 7,200 teachers, aides, and other staff who support our students with disabilities.

Funding for food safety would be severely impacted, resulting in thousands of fewer inspections, a slowdown in meat processing, costing jobs and endangering the safety of the public. The Food Safety and Inspection Service may have to furlough all employees for approximately 2 weeks, which could close down or severely restrict meatpacking plants around the country.

The list of destructive budget cuts goes on and on, and what many people may not understand is that these are just the latest cuts to spending and investment.

Over the past 2 years, the President and Congress have already agreed to \$1.4 trillion in spending cuts, all from the discretionary side of the budget. These have been very dramatic spending reductions.

As I said earlier today, when we hear the Speaker of the House say: Well, since the first of the year, we have given on revenues but we have not had any spending cuts—he says: No more revenues, just spending cuts because we have already done the revenues—well, you see what he is doing is he is drawing an arbitrary starting line. His starting line is the first of this year. But you have to go back a year and a half to the Budget Control Act when, beginning with that, this Congress made \$1.4 trillion in spending cuts—\$1.4 trillion—and in January we did \$700 billion in revenues. So we are still \$2 in cuts for every \$1 in revenue. Yet the Speaker says we should have no more revenues, all spending cuts, to get up to our \$4 trillion that is needed to stabilize our debt in this country. So that means he wants to have another \$2.6—well, let me think about that; I have to add it up—it would be \$1.9 trillion more in spending cuts.

Think about that, and think about it in terms of just one area that I know about firsthand in my capacity as chair of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. That subcommittee has jurisdiction over spending, for example, at the National Institutes of Health. Over the last 2 years, Congress has completely eliminated 65 programs under that jurisdiction, totaling \$1.3 billion. What that means is no more funding for education technology, \$100 million; no more funding for civic education, \$35 million; no more funding for creating smaller learning communities in high schools, another \$88 million.

LIHEAP, the Low Income Home Energy Assistance Program, has been cut by \$1.6 billion. That is a 30-percent cut—a 30-percent cut. That cut eliminates home heating and cooling assistance for 1.5 million low-income and elderly households in this country. That has already been done. Now the Speaker wants to do more. Maybe he wants to eliminate the entire LIHEAP program.

The administration's signature education initiative, Race to the Top, has been cut by \$150 million. That is a 20-percent cut—already, a 20-percent cut. That is what we have done already. If we cut any more, you are really going to be destroying education initiatives in this country.

How about lead poisoning, childhood lead poisoning. It has been cut by 93 percent, from \$29 million a year down to \$2 million, meaning that the Centers for Disease Control and Prevention no more has any funding to test children for lead poisoning. And we know that if you get kids early, you can stop the deteriorating effects of lead poisoning. But now we are not even going to be testing these kids anymore.

National programs to keep our schools safe and drug free have been cut by two-thirds, from \$191 million to \$65 million.

As I said, national programs that keep schools safe and drug free are cut by two-thirds. I wonder how many people know that. I wonder how many people know we cut that already by two-thirds.

Again, this list goes on and on with deep cuts to vital programs. I wish to emphasize, these are the cuts we have already made in the last 2 years. The sequester will cut them even further.

Fighting childhood lead poisoning, which we know continues on in this country, we know how it destroys kids and their future growth, and we know early intervention can alleviate that. Yet it has been cut by 93 percent. What are we going to do, cut it by another 7 percent? We just will not have any efforts at all to test kids for lead poisoning early on. The sequester will have very real consequences for the economy and for our society.

Finally, let me step back and put our discussion of this sequester in a broader perspective. By all means, we need to reduce deficits further, especially in the longer term. But I have questioned repeatedly the sort of obsessive, exclusive, almost borderline hysterical focus on budget deficits. Meanwhile, we are neglecting other urgent national priorities. How about the jobs deficit, the deficit in our investment in our infrastructure, the deficit in our investment in a strong, growing, middle class?

What we need is an approach to the budget that addresses all of these—reducing budget deficits, yes, but doing it in a way that allows us to strengthen the middle class and lay the foundation for future economic growth.

We also need to look at the demographic projectory of our country as well as the challenges posed by globalization. Our Nation is growing older with the retiring baby boomers. This will dramatically increase government costs for health care and other services. We are also now in a global economy competing not only in manufacturing but also in a growing range of services, from telemarketing to the reading of medical MRIs. In order to compete successfully and keep quality jobs in the United States, we need to invest robustly both in a 21st century infrastructure, as well as in a system of education and training that equips our young people and workers for the jobs of the future.

In this broader context, what is the best way to address the resulting deficits? Do we just slash spending for education, slash spending for infrastructure, slash spending for research and discovery, sacrificing the investments we will need to grow our economy in the decades ahead? Do we just allow this destructive sequester to kick in, costing us jobs, cutting vital supports for middle-class Americans?

These are the destructive budget options which will take effect starting to-

morrow if we fail to act. This is why I come to the floor, at the eleventh hour, to plead one final time for a compromise and common sense from Republicans. Yes, I am here to plead for some common sense, some compromise from Republican leadership.

There are plenty of areas where we can cut spending without seriously harming the economy. There are plenty of commonsense options for raising revenue without lifting tax rates or hurting the middle class.

It is still possible for Senators to come together, but that may only happen if we have some willingness to compromise on the Republican side.

When the Speaker says absolutely no more revenue, how do you compromise with that? We know from the polling data that the vast majority of the American people, 60, 70 percent, believe we should have a balanced approach, both in revenues and in cutting spending.

We have reached out our hand in an effort to shake hands with the Republicans. They have not reciprocated by reaching out their hand to close the deal.

It is still possible, but it is only possible if the other side is willing to make some compromises. Time is short. I urge colleagues to put ideology and this partisanship aside, stop this sequester, tackle these budget deficits in a way that allows us to invest in a growing economy and a stronger middle class.

A lot of people say if the sequester kicks in, people aren't going to feel it right away. Well, maybe not tomorrow night, maybe not even Saturday or Sunday. We will begin next week, when the Food Safety and Inspection Service starts furloughing people and we begin fewer inspections and maybe the week after that when our air traffic controllers begin to be furloughed because they don't have enough money and air traffic begins to slow down in

New York and Chicago and Washington, DC, and Atlanta.

It is always true that in times such as these, when we have these kinds of crises facing us, who gets hurt first and the most are the people at the bottom rung of the ladder, kids with disabilities, families who need some heating assistance in the middle of the winter, elderly people who may need some Meals On Wheels delivered to their homes.

These are always the people who get hit first and the hardest. We can't forget our societal obligations as a Congress to make sure their needs are met also. We can't turn a blind eye and a deaf ear to the needs of people in our society who don't have anything anyway. We can't throw them out in the cold. We can't let our children be denied Head Start programs or adequate child care programs. This is not befitting a great and wonderful society such as America.

I am hopeful with a meeting in the White House tomorrow—as I know it is not just a photo opportunity—we will hear from the Speaker of the House that, yes, we need a balanced approach, and we are willing to take that balanced approach. If they do that, we can get this settled within the next few days and then move ahead.

So that is my hope for tomorrow. And I hope, again, we will see some forthcoming on the part of Republicans that they are indeed willing to compromise.

Madam President, I yield the floor.

ADJOURNMENT UNTIL MONDAY,
MARCH 4, 2013, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday.

Thereupon, the Senate, at 6:31 p.m., adjourned until Monday, March 4, 2013, at 2 p.m.

EXTENSIONS OF REMARKS

HONORING THE VICTIMS OF
SUMGAIT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SCHIFF. Mr. Speaker, this week marks the twenty-fifth anniversary of the pogrom against people of Armenian descent in the town of Sumgait, Azerbaijan. The three-day massacre in the winter of 1988 resulted in the deaths of scores of Armenians, many of whom were burnt to death after being brutally beaten and tortured. Hundreds of others were wounded. Women and girls were brutally raped. The carnage created thousands of ethnic Armenian refugees, who had to leave everything behind to be looted or destroyed, including their homes, cars and businesses.

These crimes, which were proceeded by a wave of anti-Armenian rallies throughout Azerbaijan, were never adequately prosecuted by Azerbaijan authorities. Many who organized or participated in the bloodshed have gone on to serve in high positions on the Azeri government. For example, in the days leading up to the massacre, a leader of the Communist Party of Azerbaijan, Hidayat Orujev, warned Armenians in Sumgait: "If you do not stop campaigning for the unification of Nagorno Karabakh with Armenia, if you don't sober up, 100,000 Azeris from neighboring districts will break into your houses, torch your apartments, rape your women, and kill your children." In a cruel twist, Orujev went on to serve as Azerbaijan's State Advisor for Ethnic Policy and later as head of State Committee for Work with Religious Organizations.

The Sumgait massacres led to wider reprisals against Azerbaijan's ethnic minority, resulting in the virtual disappearance of Azerbaijan's 450,000-strong Armenian community, and culminating in the war launched against the people of Nagorno Karabakh. That war resulted in almost 30,000 dead on both sides and created more than one million refugees in both Armenia and Azerbaijan.

In the years since the fighting ended, the people of Artsakh, the region's ancestral name, have struggled to build a functioning democratic state in the midst of unrelenting hostility and threats from Azerbaijan, as well as sniper fire and other incursions across the Line of Contact between the two sides. Hatred towards Armenians is both inculcated and celebrated in Azeri youth, as exemplified by the case of Ramil Safarov, an Azerbaijani army captain who had confessed to the savage 2004 axe murder of Armenian army lieutenant Gurgen Margaryan, while the latter slept. At the time, the two were participating in a NATO Partnership for Peace exercise in Budapest, Hungary. After the murder, Safarov was sentenced to life in prison by a Hungarian court and imprisoned in Hungary.

Last August Safarov was sent home to Azerbaijan, purportedly to serve out the remainder of his sentence. Instead of prison, he was greeted as a hero by the Azeri government and promenaded through the streets of Baku carrying a bouquet of roses. President Ilham Aliyev immediately pardoned Safarov and he was promoted to the rank of major and given a new apartment and eight years of back pay.

In recent weeks, 75-year-old Akram Aylisli, one of Azerbaijan's most celebrated writers, has been subjected to a campaign of hatred. According to a report in the BBC, "[h]is books have been publicly burnt. He has been stripped of his national literary awards. And a high-ranking Azeri politician has offered \$13,000 as a bounty for anyone who will cut off his ear. Aylisli's 'crime?'—in his short novel *Stone Dreams*, he dared to look at the conflict between Azeris and Armenians from the Armenian perspective.

With these disgusting acts, the Azeri state reminded the whole world why the people of Artsakh must be allowed to determine their own future and cannot be allowed to slip into Aliyev's clutches, lest the carnage of Sumgait a quarter century ago serve as a foreshadowing of a greater slaughter.

HAPPY 80TH BIRTHDAY, MRS.
BETTY HECHLINSKI

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mrs. WALORSKI. Mr. Speaker, I submit these remarks in honor of my aunt, Mrs. Betty Hechliniski of South Bend, Indiana who turns 80 years old today. A lifelong Hoosier resident, Aunt Betty was the oldest of three children and attended school in her hometown of South Bend, graduating from St. Adalbert Elementary School and Washington High School.

Aunt Betty has always assumed a natural leadership role in the Walorski family, particularly to my father, the late Ray Walorski. The proud mother of three children and five grandchildren, Aunt Betty continues to stay busy in the community, attending church and blessing us all with her wonderful cooking at family gatherings. As the matriarch of the Walorski family, she continues to remind us of the power of generosity and kindness. I am honored to join our family and friends in wishing Aunt Betty a Happy Birthday, with many more years of continued health and joyful memories.

TRIBUTE TO WILLIAM P.
GALLIGAN'S 43 YEARS OF SERVICE
IN THE DEPARTMENT OF DEFENSE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to William (Bill) P. Galligan, for his exceptional dedication to duty and service to the Department of Defense, spanning over a 43-year career, in honor of his retirement at the end of September 2012.

Mr. Galligan enlisted in the U.S. Air Force in February 1969 and served on Active Duty until February 1993. His uniformed service included two combat tours in Vietnam, assignments at bases in Germany and stateside, and 11 years as administrative assistant and Congressional courier on the Comptroller's staff at the Pentagon. With his retirement from the Air Force, he transitioned to a civilian role and continued to serve the Comptroller organization for another 19 years.

In his capacity, including three decades in the Office of the Under Secretary of Defense (Comptroller) office, serving 15 Congresses from the 98th to the 112th, Mr. Galligan delivered key documents to our Committee from the Department of Defense. We could always count on a story that ended with a chuckle from Bill. Many staff over the years has become fond of Bill and it won't be the same not seeing his face around Capitol Hill anymore.

We wish him all the best in his well-deserved retirement. I'm sure he will be enjoying more time with his grandchildren.

TRIBUTE TO SARAH COLLINS-RUDOLPH
IN RECOGNITION OF HER SACRIFICES AS A SURVIVOR OF
THE 1963 BOMBING OF SIXTEENTH
STREET BAPTIST CHURCH IN BIRMINGHAM,
ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor and recognize Sarah Collins-Rudolph, a little known American hero whose life was forever changed on the morning of Sunday, September 15, 1963. On that tragic day, Sarah's sister Addie was one of four little girls killed in the noted bombing of Sixteenth Street Baptist Church in Birmingham, Alabama. While her name isn't engraved in memorials or printed in history books, to many in the Birmingham community, Sarah is known as "the fifth little girl." As we

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

remember the 50th anniversary of this tragic event in our nation's history, we pay tribute to the four lives that were lost. But, we must also remember those that survived this horrible tragedy. Sarah Collins-Rudolph is one of those survivors. Sarah is the last of eight children born to Alice and Oscar Collins of Birmingham, AL. The day of the bombing, she was just 12 years old. Sarah and Addie Mae were one year apart and formed a unique closeness due to their closest in age.

On the morning of the bombing, Sarah was in the bathroom of the church's basement with the four victims including Addie Mae, Denise McNair, Carole Robertson and Cynthia Wesley. Sarah was the only girl in the bathroom that day to survive. She lost her right eye and her life was filled with corrective surgeries and extensive medical care for her injuries. There were 21 survivors of the bombing of Sixteenth Street Baptist Church but no single family suffered as much as the Collins family, losing Addie Mae and caring for Sarah's multiple injuries.

The physical and emotional scars of this senseless tragedy remain with Sarah as she continues her extraordinary life. Even today, there are moments when she struggles mentally with her fate of being bombed at just 12 years old. Despite the persistent aftermath of the events, she is dedicated to making sure that the nation remembers the bombing and its significance to the civil rights movement. Sarah shares her painful story in hopes that future generations will know their history and remember those that were symbols of the civil rights movement.

Today, I salute Sarah Collins-Rudolph for her sacrifices to our country. We are often reminded of the civil rights giants that fought on the front lines for justice and equality. But it is an imperative that we never forget the sacrifices made by all those who were a part of this transformative time in America. On behalf of a grateful nation, we say thank you to Mrs. Sarah Collins-Rudolph for the personal sacrifice and courageous fight she has endured for civil and equal rights. On that Sunday morning in 1963, Sarah's life changed instantly and she was forever scarred by the actions of those who sought to stifle America's movement. But because of Sarah, we rejoice in a new era of our history that realizes the dreams of those before us.

We salute Mrs. Collins-Rudolph because her story was a catalyst for a new America. Her sacrifices led us to the liberties and freedoms that many of us enjoy today. I am especially grateful for Sarah's story for had it not been for her painful journey, my own journey would not be possible. As Alabama's first Black Congresswoman, I stand before you today with a humble heart knowing that Sarah's journey paved the way for my own place in American history.

I ask all of my colleagues in the House of Representatives to join me in saluting Mrs. Sarah Collins-Rudolph, an Alabama treasure and an American hero.

TO RECOGNIZE THE FAIRFAX COUNTY YOUTH FOOTBALL LEAGUE AND THE 2013 FAIRFAX COUNTY FOOTBALL HALL OF FAME HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Fairfax County Youth Football League and to congratulate the 2013 Fairfax County Football Hall of Fame honorees and scholarship award recipients.

The importance of youth sports cannot be overstated. Participation in organized sports instills in our youth many values that will serve them well throughout life. These values include sportsmanship, teamwork, honesty, a sense of belonging, and maybe most important, the work ethic developed by striving for success and working to achieve a common goal. Organized youth sports also contribute to our society. Studies have shown a correlation between participation in sporting activities and increased academic performance. Some studies indicate that a reduction in gang activity can be partially attributed to refocusing at-risk children into organized, supervised activities such as youth sports.

I commend the Fairfax County Youth Football League for providing opportunities for our children to succeed and be a part of a team. I also congratulate the following students, coaches and community leaders who are being recognized at the 23rd Annual Fairfax County Football Hall of Fame:

\$1,500 Scholarship Award Recipients: Raina Aide (Cheerleading, J.E.B. Stuart HS), Harrison "Sonny" Romine (Football, Chantilly HS), Brian Deely (Football, Westfield HS), and Ben Sanford (Football, Madison HS)

Fairfax County Football Hall of Fame 2013 Inductees: Evan Royster (Washington Redskins, Penn State, Westfield HS, FPYC), Bruce Hanson (Head Coach, Yorktown HS), and Steve Wilmer (Coach/Commissioner—McLean Youth Football)

Football Official of the Year—Youth Sports: Steve Caruso (Fairfax County Football Officials Association)

Karl Davey Community Achievement Award: Tom Healy (Southwestern Youth Association, FCYFL)

Tom Davis Meritorious Service Award: Deb Garris (Manager, Synthetic Turf Branch, Fairfax County Park Authority)

Gene Nelson Commissioner of the Year Award: Jason McEachin (Dulles South Youth Sports)

High School Players of the Year: Jonathan Allen (Stone Bridge HS), Tyler Donnelly (Yorktown HS), Oren Burks (South County HS), Sean Huelskamp (Chantilly HS), Scott Carpenter (Gonzaga College HS), Nick Newman (Battlefield HS)

High School Coaches of the Year: Mickey Thompson (Stone Bridge HS), Jason Rowley (Oakton HS)

Youth Sports Players of the Year: Avery Howard (Manassas YFL), Virginia "Ginny" Delacruz (SYC), Justin Burke (RYA), Preston Bacon (CYA), Miles Thompson (Fairfax Police

Youth Club), Anthony Eaton, Jr. (Alexandria Youth Football), Hunter Godin (APYFL), Robbie McGoff (SCAA), Nicholas DiVecchia (SYA), Markel Harrison (VYI), Carlo Esposito (BRYC), Michael Bayeux-Gary (HOYF), Phillippe Oliveros (CYA), Joshua Breece (Ft. Belvoir Youth Sports), Noah Adler (VYI), Christian Jessup (Dulles South Youth League)

Youth Sports Coaches of the Year: Anthony Price (Gum Springs Community Center), Buddy Morris (BRYC), Tommy Durand (Arlington Football League), Donny Cooke (VYI)

Youth Cheerleaders of the Year: Haley Clay (Dulles South Youth League), Rachel Strauss (VYI), Angel Bailey (HOYC), Asjah Snead (HOYC), Meghan Adams (GHYFL)

Mr. Speaker, I ask that my colleagues join me in congratulating the Fairfax County Youth Football League as well as those students, coaches and community leaders who are being honored at this 2013 Hall of Fame celebration.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, on February 27, 2013, I was unavoidably detained and missed roll No. 53. Had I been present, I would have voted "nay."

HONORING MARINE MASTER SERGEANT ELBERT LESTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize a remarkable veteran, Marine Master Sergeant Elbert Lester. On Friday, November 2, 2012 Marine Master Sergeant Elbert Lester, now eighty-seven years of age, was awarded the Muntford Point Marines' Congressional Gold Medal, the highest civilian honor bestowed by Congress for distinguished achievement.

The Muntford Point Marines were the first African-Americans to serve in the United States Marine Corps in 1941, when President Franklin D. Roosevelt created the Fair Employment Practices Commission, ultimately forcing the Corps to recruit blacks. When asked, "Why did you choose the Marine Corps?" he replied "They decided that for me." He then explained while at the Army recruiting station, the black company was asked for volunteers to go into the Marines. No one did. "So, they put our names in a hat and my name was one of those that were pulled. I was one of the unlucky ones."

Elbert Lester was assigned to the 27th Depot Company as a Corporal and would leave the service as Master Sergeant. Following training, his unit was put aboard a ship in Norfolk, VA to Guadalcanal, a thirty-day voyage that would begin his time of service in the South Pacific. Most of the 19,000 black

Marines trained at Munford Point were assigned to ammunition and depot companies, bring ammunition and supplies to the front lines, and returning wounded and dead to transport ships.

After the war, he returned to Quitman County, Mississippi where he married his childhood sweetheart Pearline Williams. They have thirteen children: Frank, Teresia, Pearlie Mae, Elbert Jr., Patricia, Lacsia, Napoleon, Miranda, Alberta, Timothy, Roderick, Darius, Cornelius and three adopted: Waring, Tiffany and Kikera Brown. Mr. and Mrs. Lester have been married for 65 years and live on their 80-acre farm. They attend Woodland Missionary Baptist Church, where they both sing in the choir.

Mr. Speaker, I ask my colleagues to join me in recognizing Monford Point Marine Master Sergeant Elbert Lester for his sacrifices in promoting democracy around the world and the United States of America.

SLAIN SANTA CRUZ POLICE OFFICERS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FARR. Mr. Speaker, I had planned to be on the floor this morning to talk about the 52nd Anniversary of the founding of the Peace Corp.

However, something very unpeaceful happen in my district in Santa Cruz, CA recently that I need to speak about instead—Tuesday afternoon, two police officers were shot and killed, and a suspect was later killed by police.

When other officers arrived at the scene, they found the two detectives, Sgt. Loran "Butch" Baker, a 28-year veteran, and detective Elizabeth Butler, a 10-year veteran, shot and killed outside a residence.

Sgt. Baker and Detective Butler are the first officers to be killed in the line of duty in the city's history.

Sgt. Baker leaves behind a wife, two daughters and a son, who is a community service officer with the Santa Cruz Police Department.

Detective Butler leaves behind her partner and two young sons.

This is a horrible tragedy, and I join with all residents of the Central Coast, to mourn this loss and to pay our respects to these two outstanding officers.

Our prayers and sympathies are with the families and loved ones of the officers who gave their lives in the line of duty.

While the words of comfort we offer today are sincere, our actions and deeds will be the true test of our resolve. If we are truly committed to ending gun violence in our communities, we must be willing to find real solutions to prevent this type of senseless shooting from occurring again.

We owe that much to the brave men and women who put on a police uniform every day.

We must be willing to protect those who so bravely protect us.

As a community, we promise that the sacrifices of Sgt. Baker and Detective Butler will not be forgotten.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ROE of Tennessee. Mr. Speaker, on rollcall No. 46, had I been present, I would have voted "Yea."

TO RECOGNIZE VFW POST 7327 AND THE 2013 AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Springfield Veterans of Foreign Wars Post 7327 and the recipients of its 2013 Annual Awards.

The Veterans of Foreign Wars (VFW) traces its beginnings to 1899 when veterans of the Spanish American War established local organizations to bring awareness to their service and to advocate for veterans retirement benefits and improved medical care. Today, with membership of 2.2 million at approximately 8,100 posts worldwide, the VFW continues its efforts to support the men and women who have served our great country in uniform and their families.

The VFW has a distinguished record of service to the broader community. The VFW and Ladies Auxiliary contribute more than 13 million hours of volunteerism every year. In this field of champions, the Springfield VFW Post 7327 stands out for the depth of its commitment to our community.

Often called "The Friendliest VFW Post in Virginia," Post 7327 has one of the most aggressive ADOPT-A UNIT programs in the entire VFW organization to support our service members stationed overseas. VFW Post 7327 visits the VA hospital at least quarterly; bringing along goodie bags for our Wounded Warriors. Each Thanksgiving and Christmas, VFW Post 7327 adopts military families in need through the USO and provides them with meal baskets for each holiday, Christmas gifts for all the children, commissary cards for the parents, and a Christmas party where the children can meet Santa and receive a gift filled stocking. The Ladies Auxiliary members collect, sort, and distribute more than 2,000 pieces of clothing each month to various charitable organizations. VFW Post 7327 is a strong supporter of local youth organizations including the Boys Scouts, Girl Scouts, and Little League Baseball that contribute greatly to the education and well being of our children.

Each year, VFW Post 7327 bestows awards to outstanding local citizens in recognition of their extraordinary actions and dedication. I congratulate the following individuals on receiving these 2013 Awards:

Teachers of the Year: Erin Poppe and Michael Walser.

Voice of Democracy: 1st Place: Michael D. Marriott, 2nd Place: Kathryn Cummins.

Patriot's Pen: 1st Place: Shane David King, 2nd Place: Sion Kim, 3rd Place: Rishon A. Eliott.

Police Officer of the Year: George Joca. Emergency Medical Technician of the Year: Kayla Thompson.

VFW Post 7327 has also recognized JW & Friends Restaurant and the Northern Virginia Surgery Center for their continued support to the Post and its Ladies Auxiliary.

I ask that my colleagues join me in congratulating the 2013 Awardees and in thanking the members, Ladies Auxiliary, and supporters of VFW Post 7327 for their continued service to our country and our community.

HONORING GERALD MCKINSEY

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Gerald McKinsey of Greensburg, Indiana.

Gerald was a life-long resident of Greensburg, working in manufacturing at the local Honda automotive facility and, before that, at Gecom. On a personal note, my brother Rich and I have very fond memories of summer days spent on sports, bikes, and video games with Gerald and his brother, Jeff. Their friendships, and the friendship of their entire family, were a very important part of our childhood. Those memories will never be forgotten.

I ask the entire 6th District to keep Gerald's mother, Faye, his daughter, Kayla, and son, Keegan, along with the entire extended McKinsey family in your thoughts and prayers.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HANNA. Mr. Speaker, on rollcall No. 49, on motion to suspend the rules and agree to Academic Competition Resolution of 2013, I was unable to successfully cast my vote by electronic device.

Had I been able to vote, I would have voted "yes."

THE COST OF INACTION WILL BE STAGGERING

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BLUMENAUER. Mr. Speaker, I submit this letter, which is an example of an opportunity for a bipartisan climate action.

THE COST OF INACTION . . .

The effects of climate change in the world's most vulnerable regions present a serious threat to American national security interests. As a matter of risk management, the United States must work with international partners, public and private, to address this impending crisis. Potential consequences are undeniable, and the cost of inaction, paid for in lives and valuable U.S. resources, will be staggering. Washington must lead on this issue now.

Countries least able to adapt to or mitigate the impacts of climate change will suffer the most, but the resulting crises will quickly become a burden on U.S. priorities as well. Both the Department of Defense and the State Department have identified climate change as a serious risk to American security and an agent of instability. Without precautionary measures, climate change impacts abroad could spur mass migrations, influence civil conflict and ultimately lead to a more unpredictable world. In fact, we may already be seeing signs of this as vulnerable communities in some of the most fragile and conflict-ridden states are increasingly displaced by floods, droughts and other natural disasters. Protecting U.S. interests under these conditions would progressively exhaust American military, diplomatic and development resources as we struggle to meet growing demands for emergency international engagement.

It is in our national interest to confront the risk that climate change in vulnerable regions presents to American security. We must offer adaptive solutions to communities currently facing climate-driven displacement, support disaster risk reduction measures and help mitigate potential future impacts through sustainable food, water and energy systems. Advancing stability in the face of climate change threats will promote resilient communities, reliable governance and dependable access to critical resources.

We, the undersigned Republicans, Democrats and Independents, implore U.S. policymakers to support American security and global stability by addressing the risks of climate change in vulnerable nations. Their plight is our fight; their problems are our problems. Even as we face budgetary austerity and a fragile economic recovery, public and private sectors must work together to meet the funding demands of this strategic investment in internationally-backed solutions. Effective adaptation and mitigation efforts in these counties will protect our long-standing security interests abroad.

Madeleine Albright, Secretary of State 1997–2001; Richard Armitage, Deputy Secretary of State 2001–05; Samuel Berger, National Security Advisor 1997–2001; Sherwood Boehlert, US Congressman (R-NY) 1983–2007; Carol Browner, Administrator, Environmental Protection Agency 1993–2001; Michael Castle, US Congressman (R-DE) 1993–2011, Governor (R-DE) 1985–92; GEN Wesley Clark, USA (Ret.), Fmr. Supreme Allied Commander Europe of NATO; William Cohen, Secretary of Defense 1997–2001, US Senator (R-ME) 1979–97; Lt Gen Lawrence P. Farrell, Jr., USAF (Ret.), Fmr. Deputy Chief of Staff for Plans and Programs, HQ USAF; BG Gerald E. Galloway, Jr., P.E., Ph.D., USA (Ret.), Fmr. Dean of the Academic Board, US Military Academy; Wayne Gilchrest, US Congressman (R-MD) 1991–2009; James Greenwood, US Congressman (R-PA) 1993–2005; VADM Lee F. Gunn, USN (Ret.), Fmr. Inspector General of the Department of the Navy; Lee Hamilton, US Congressman (D-IN) 1965–99, Co-Chair, PSA Advisory Board; Gary Hart, US Senator (D-CO) 1975–87; Rita E. Hauser, Chair, International Peace Institute; Carla Hills, US Trade Representative 1989–93; Thomas Kean, Governor (R-N) 1982–90, 9/11 Commission Chair; GEN Paul J. Kern, USA (Ret.), Fmr. Commanding General, US Army Materiel Command; Richard Leone, President, The Century Foundation

1989–2011; Joseph I. Lieberman, US Senator (I-CT) 1989–2013; Richard G. Lugar, US Senator (R-IN) 1977–2013; VADM Dennis V. McGinn, USN, (Ret.), Fmr. Deputy Chief of Naval Operations for Warfare Requirements and Programs; Donald McHenry, US Ambassador to the UN 1979–81; Constance Morella, US Congresswoman (R-MD) 1987–2003, US Ambassador to OECD 2003–07; Sam Nunn, US Senator (D-GA) 1972–96; John Porter, US Congressman (R-IL) 1980–2001; Tom Ridge, Secretary of Homeland Security 2003–05, Governor (R-PA) 1995–2001; ADM Gary Roughead, USN (Ret.), Fmr. Chief of Naval Operations; Warren Rudman, US Senator (R-NH) 1980–92, Fmr. Co-Chair, PSA Advisory Board; Christopher Shays, US Congressman (R-CT) 1987–2009; George Shultz, Secretary of State 1982–89; Olympia J. Snowe, US Senator (R-ME) 1995–2013; GEN Gordon R. Sullivan, USA (Ret.), Fmr. Chief of Staff, US Army, Chairman, CNA Military Advisory Board; Timothy E. Wirth, US Senator (D-CO) 1987–93; Frank Wisner, Undersecretary of State 1992–93; R. James Woolsey, Director of Central Intelligence 1993–95, Co-founder, US Energy Security Council; GEN Anthony Zinni, USMC (Ret.), Fmr. Commander in Chief, US Central Command.

HONORING PAMELA W. WALKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous and remarkable veteran, Mrs. Pamela W. Walker.

Mrs. Walker was born and raised in Leland, Mississippi. She is one of seven children born on September 27, 1962 to Mr. Vernell and Mrs. Claudine Wilson. She is married to Mr. Lester Walker and has three sons: Jarvis, Reginald, and Derrick.

Mrs. Walker graduated from Leland High School in 1980. She went on to further her education at Alcorn State University, where she received her Bachelor of Arts degree in 1985; her Bachelor of Science degree in 1994 from Mississippi Valley State University; and her Masters of Science in 2002, also from Mississippi Valley State University.

Mrs. Walker joined the Army ROTC at Alcorn State University, on May 15, 1984. She has served a total of 26 years in the military. Over that time period, she has attended several military schools, received numerous awards, and she has served overseas in FEPA-Okinawa, Saudi Arabia, Germany, Iraq, and Korea.

Furthermore, her determination and drive to serve this country has pushed her up the ladder in leadership. She was appointed Second Lieutenant (1984), First Lieutenant (1987), Captain (1991), Major (1998), and she retired as a Lieutenant Colonel (2006).

Mrs. Walker is currently an elementary teacher in Greenville Public School District (Mississippi), where she has been for 23 years. She has learned a lot about life during her time in the service, and it has helped her in her classroom.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Pamela W. Walker for her time and dedication to serving our country.

TO RECOGNIZE THE RECIPIENTS OF THE FAIRFAX COUNTY 2012 LAND CONSERVATION AND TREE PRESERVATION AND PLANTING AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of Fairfax County 2012 Land Conservation and Tree Preservation and Planting Awards.

Fairfax County is considered one of the best counties in the nation in which to live, work and raise a family. One reason for this designation is the innovative environmental protection policies that have been implemented by the County and embraced by its business partners. I was pleased to have led that effort during my tenure as Chairman of the Board of Supervisors. These awards recognize the following developers, designers and site superintendents who have excelled in their stewardship of the environment:

Large Commercial: Belvoir Corporate Campus: Owner: Loisdale 24, LLC. Superintendent: Bruce Reed. Contractor: Goldin & Stafford, Inc. Engineer: Urban, LTD. Site Inspector: Jim Getts.

Small Commercial: INOVA Lorton Healthplex Phase I: Owner: INOVA Health Care Services. Superintendent: Giancarlo Bulfon. Contractor: Metro Earthworks. Engineer: Vika Virginia LLC. Site Inspector: Martin Klema.

Infill Log: Bull Run Woods Lot 12, Section 8: Owner: Trust Communities, Inc. Superintendent: Peter Judge. Contractor: Basheer & Edgemoore Bull Run, LLC. Engineer: Smith Engineering. Site Inspector: David Nichols.

Best Protected Environmentally Sensitive Site: Bull Run Woods Lot 12, Section 8: Owner: Trust Communities, Inc. Superintendent: Peter Judge. Contractor: Basheer & Edgemoore Bull Run, LLC. Engineer: Smith Engineering. Site Inspector: David Nichols.

Outstanding Engineering Firm: Smith Engineering for Bull Run Woods Lot 12, Section 8 and Urban Ltd. for Mallory Square and Belvoir Corporate Campus.

Outstanding Contractor: Basheer & Edgemoore for Bull Run Woods Lot 12, Section 8. Outstanding Superintendent: Giancarlo Bulfon for Belvoir Corporate Campus. Outstanding E/S Inspectors of the Year: David Nichols, Tom French and Martin Klema. Outstanding E/S Plan Reviewers of the Year: Aileen Santiago, Durga Kharel, and Thakur Dhakal.

Tree Preservation Award Recipients: Walker Nature Education Center. Developer: Reston Association. Design Professional: Paciulli Simmons & Assoc. Tree Preservation Contractor: HITT Contracting. Tree Preservation Consultant: Thrive, Incorporated—Plant Health Care Solutions.

Dolley Madison Library: Developer: Fairfax County, DPWES. Design Professional Engineers: Atkins Global. Design Professional—

Contractor: Harvey Cleary Builders. Tree Preservation Contractor/Project Arborist: Zimar and Associates, Incorporated.

Valleybrook Montessori: Developer: Montessori School of Northern Virginia, Incorporated. Design Professional: Patton, Harris, Rust and Associates (A Pennoni Company). Tree Preservation Contractor: Zimar and Associates, Incorporated.

Mr. Speaker, I ask my colleagues to join me in congratulating these honorees. Fairfax County and its residents have benefitted greatly from the collaborative spirit that is represented by these awards today, and I thank each of the awardees for their efforts.

CONGRESSIONAL RECOGNITION
FOR DOROTHY HUNT FINLEY

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BARBER. Mr. Speaker, I rise today to recognize Dorothy Hunt Finley—a daughter of Southern Arizona ranchers who spent a lifetime giving back to her community before passing away on February 20th at the age of 92.

Dorothy grew up in rural Cochise County, not far from the U.S.-Mexico border and never envisioned a future as an educator, a beer distributor and a community leader and benefactor.

For three decades, Dorothy was a teacher and a principal at schools in the Tucson Unified School District. She was chairwoman of the TUSD Elementary School Principals and president of the Arizona Elementary School Administrators. Because of her background in education, Dorothy became a member of the Pima Community College Foundation Board and co-founded the Women's Studies Advisory Council at the University of Arizona.

Her life took a turn 30 years ago when her husband, Harold, died. Dorothy became CEO of Finley Distributing Company, a beer wholesaler. She also became a dedicated community activist.

Dorothy was a member of nearly 100 community organizations that benefitted from her time, commitment and financial generosity. That list includes the Arizona Chamber of Commerce, the Greater Tucson Economic Council, Pima County Juvenile Court, Arizona Historical Society, Tucson Urban League, the Arizona Theatre Company, the UA Wildcat Club, La Frontera Child Family Center, the American Diabetes Association, Big Brothers Big Sisters, the Juvenile Diabetes Foundation, the Arizona-Sonora Desert Museum, Goodwill Industries, the March of Dimes and the United Cerebral Palsy Foundation.

Dorothy received numerous well-deserved awards for her work, including a gubernatorial Celebrating Exceptional Women award, the Entrepreneur of the Year award from the YWCA and the Woman of the Year honor from the Tucson Metropolitan Chamber of Commerce. She was named among the top 100 private business owners in Arizona and received a Lifetime Achievement Award from the YWCA.

In 2004, Dorothy was presented with the Zachary and Elizabeth Fisher Distinguished Civilian Humanitarian Award, which she traveled to the Pentagon to accept. She also is the only civilian to have a building named after her on Davis-Monthan Air Force Base: the Dorothy Finley Child Development Center.

I am proud to recognize Dorothy Hunt Finley—an exceptional friend to the people of Southern Arizona. She will be deeply missed.

HONORING LARRY DANCE

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Larry Dance of Greensburg, Indiana.

Larry was a life-long resident of Greensburg and active member of the community. He served his country in Operation Desert Storm as a member of the Air Force, earning the Act of Bravery Medal. At home, he served as a decorated Lieutenant in the Greensburg Police Department, including being named Officer of the Year and President of the Fraternal Order of Police.

Larry continued his love of sport as an assistant wrestling coach at Greensburg High School and as a team wrestler in the World Police and Fire Games. On a personal note, I have fond memories playing alongside Larry on the Greensburg High School football team.

I ask the entire 6th District to keep his wife Shannon, three daughters Mallory, Megan, and Bailli, and the entire extended Dance family in your thoughts and prayers.

CONGRATULATING GO SOLAR
BROWARD ROOFTOP SOLAR
CHALLENGE

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, today I rise to congratulate Go SOLAR Broward Rooftop Solar Challenge, a U.S. Department of Energy grant-funded program that encourages residents and businesses of Broward County to convert to solar energy. I would like to applaud the program and its sponsors for establishing a simplified and streamlined process for Broward County residents and businesses to obtain photovoltaic rooftop solar systems.

I have been a long time supporter of solar power as a way to create new jobs in South Florida and move our country towards a more secure energy future. With some of our nation's most beautiful environmental treasures, including our beaches and the Everglades, I believe these natural resources must be protected by further investments in renewable energy options. Improving our access to innovative clean energy technologies will help curb our dependence on fossil fuels, thereby benefiting our environment, economy, and national security.

The Go SOLAR Broward Rooftop Challenge provides an important service to the county by making solar power more accessible to local residents and businesses. I am thankful to this conference for bringing together government officials, local businesses, and private citizens committed to solar energy to share information and resources. I want to particularly thank Kristin Jacobs, Broward County Mayor, for her leadership in spreading green energy to the region. Congratulations to the Go SOLAR Broward Rooftop Challenge team and all of the conference participants for taking action to spread solar power resources to South Florida.

HONORING MR. JOHN MCELENEY,
DEALERSHIP OWNER OF
MCELENEY CHEVY BUICK GMC
TOYOTA OF CLINTON, IOWA

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LOEBSACK. Mr. Speaker, today I would like to recognize Mr. John McEleney, an automobile dealer in Clinton, Iowa. John, owner of McEleney Chevy Buick GMC Toyota, was recently nominated for the 2013 TIME Dealer of the Year award sponsored by TIME Magazine and Ally. John was nominated by Bruce Anderson, President of the Iowa Automobile Dealers Association, and was honored at the National Automobile Dealers Association Convention & Exposition in Orlando. The TIME Dealer of the Year award is one of the auto industry's most prestigious awards, recognizing both success in the industry and exemplary community service.

John is a third-generation family dealer who operates a dealership first opened in 1914. He began washing cars and doing janitorial work at the dealership as a 13-year-old, and after graduating cum laude from the University of Notre Dame with a degree in business administration, he returned to Clinton in 1973 to join the dealership full-time. In 1976 John became dealer operator as a 24-year-old, carrying on the tradition of family ownership. John was chairman of the National Automobile Dealers Association in 2009, a historic year in the auto industry, and he took part in many high-level policy discussions with the U.S. Department of Treasury and the White House in an effort to fight for dealers across the country.

In addition to his dedicated service at the family dealership and his work on behalf of the American auto industry, John has been a generous supporter of charitable efforts, including supporting the Iowa Automobile Dealers Foundation for Education and the National Automobile Dealers Charitable Foundation. He also founded the "Fill the Stocking Fund" in Clinton that helps provide gifts and financial support for needy families within the community. John has chaired a successful fundraising campaign to support economic development in the Clinton area, as well as serving as president of the Clinton Rotary Club, on the Paul B. Sharar Foundation Board of Directors, and as vice president of the Mount St. Clare College board.

On behalf of my constituents, I would like to thank John McEleney for his years of service to the Clinton community, the State of Iowa, and our nation. I know I join his colleagues, friends, and family in congratulating him for his nomination for TIME Dealer of the Year.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ROE of Tennessee. Mr. Speaker, on rollcall No. 47.

Had I been present, I would have voted "yea".

RECOGNIZING THE 2013 DULLES REGIONAL CHAMBER OF COMMERCE "EDUCATOR OF THE YEAR"

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Dulles Regional Chamber of Commerce (the DRCC) for its ongoing dedication to local businesses and our community. The DRCC sponsors a fundraising event, Casino Royale, the proceeds of which will support programs for homeless children in Fairfax County. In addition, during this event, the DRCC will present its 2013 "Educator of the Year" Awards to educators who demonstrate exceptional effort and achievement.

The DRCC dates back to 1959, when it began as the Herndon Chamber of Commerce. Since its founding, the Chamber has witnessed explosive regional growth and now serves the Town of Herndon; western Fairfax County, including the communities of Chantilly, Centreville and Fairfax; and eastern Loudoun County, including the communities of Sterling/Dulles, South Riding, and parts of Ashburn. The DRCC defines itself as a workforce chamber and is known for its leadership in the areas of diversity, education, and transportation advocacy.

As the former Chairman of the Fairfax County Board of Supervisors, and now as a Member of Congress representing much of this community, I have been proud to partner with the DRCC on promoting the region's pro-business climate and expanding Metro's Silver Line into the Dulles Corridor.

Northern Virginia is considered one of the best places in the country in which to live, work, and raise a family. One factor in this designation is our outstanding school systems. The DRCC recognizes the importance of a globally competitive K-12 education system to our workforce development and believes the most important investment Virginia can make is in human capital.

The jobs of the future and the ability of our businesses to compete rest in having a well-trained workforce. As an elected representative and a parent, I believe that investing in

education and college access programs, with a focus on Science, Technology, Engineering, and Math, is an investment in America and will spur innovation and set our young people on a path for lifelong success. This year's award-ees have demonstrated how outstanding educators are crucial leaders on that journey. Therefore, I am pleased to join the chamber in congratulating the following recipients of the 2013 Educator of the Year Award:

Ms. Whitney Branisteanu, Dranesville Elementary School; Ms. Hallie Case, Herndon Middle School; Ms. Barbara Clougherty, Chantilly High School; Ms. Jen Howe, Chantilly Academy; Mr. Jeff Jones, Mountain View High School; Ms. Cheryl McGovern, Herndon Elementary School; Ms. Kelly Mosgrove, Ormond Stone Middle School; Ms. Amy Valint, Herndon High School; Ms. Kay Ward, Liberty Middle School.

Mr. Speaker, I ask my colleagues to join me in congratulating these individuals and thanking them for their many contributions to our children's success and our nation's future.

HONORING ANDREW L. HAWKINS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a war veteran, Mr. Andrew L. Hawkins.

Mr. Hawkins is a native of Tallahatchie County, Mississippi. He is the youngest son born to the late Dave and Evelyn Hawkins of Webb. He received his early education in the West Tallahatchie School District and is a 1966 graduate of West District High School of Sumner. Mr. Hawkins migrated to Chicago, IL after graduation, and shortly thereafter was inducted into the United States Army.

Mr. Hawkins attended Basic Training and Advanced Infantry Training (AIT) in Fort Polk, Louisiana. He qualified with the 45 caliber, M-14 and M-16 as a marksman and sharp shooter. His next duty station following AIT landed him in Southeast Asia (Vietnam) from 1969 to 1970, where he served one year of duty initially while stationed in La Kai for several months with the First Infantry Division. The remainder of his tour was with the 101st Airborne Division, where he was wounded in action and was awarded a Purple Heart Medal and returned home.

After being honorably discharged from the Army, he began pursuing higher education at DePaul University in Chicago, Illinois on the GI Bill. He completed his bachelor's degree and much of his master's at DePaul. He later moved back to his home state of Mississippi because he felt that his military experience had equipped him with life skills and discipline to cope with life challenges back home. Mr. Hawkins attributes his will to survive and success to his parents, community, elementary and high school teachers, and his strong spiritual upbringing.

Mr. Speaker, I ask my colleagues to join me in recognizing wounded Vietnam War Veteran and Purple Heart recipient, Mr. Andrew L. Hawkins, for his dedication and service to his country while in the United States Army.

RECOGNIZING THE IMPORTANCE OF STEM EDUCATION

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise today to speak about the importance of science, technology, engineering and math (STEM) education to this country's future and posterity. Educating a STEM workforce has become increasingly central to U.S. economic competitiveness and growth and requires the collaborative efforts of government, private industry and non-profits to succeed.

STEM fields are more important than ever to the development and maintenance of a high standard of life than ever. However, over the past several decades the performance of American students in STEM subjects has lagged behind their international peers. And at the same time that students are spending less time studying science in the classroom than they did a decade ago, only one out of every five households has access to STEM extra-curricular activities.

Employers are increasingly frustrated when searching for qualified applicants for high-paying STEM jobs. Job growth in STEM fields offers great potential, estimated to grow at the rate of 17 percent by 2018—nearly double the rate of non-STEM related careers. Given these figures, it is difficult to understate the importance of STEM education, both in and outside of school, for our nation's collective economic future and the future of our nation's students. Federal, state, and local governments must partner with the private sector to provide American students with the resources necessary to compete in an increasingly competitive global market.

One private sector campaign aimed at addressing this issue is Time Warner Cable's Connect a Million Minds (Camm) program. Camm is designed to inspire the next generation of problem solvers by connecting young people to the wonders of STEM outside of the classroom. Introduced in November 2009 in conjunction with President Obama's "Educate to Innovate" effort, Camm has answered the President's call-to action for cross-sector partnerships to address the STEM crisis. In downstate New York, Camm connects parents and students with dozens of local STEM resources that would otherwise remain untapped, including the Brooklyn Botanic Garden, the National Park Service at Hamilton Grange, and the New York Transit Museum.

I want to congratulate Time Warner Cable for this important initiative and urge my colleague to recognize how essential such programs are to all of our communities.

RECOGNIZING THE IMPORTANCE OF THE LILLY LEDBETTER FAIR PAY ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, as we mark the 4th anniversary of The Lilly

Ledbetter Fair Pay Act, I would like to take a moment to recognize the importance of equal pay for equal work. Equal opportunity for women—of which equal pay is a fundamental facet—is an essential premise for our nation to be a Democracy.

In 2009, the Democratic Congress took strides to further close the gender discrimination gap in the professional work environment by passing The Lilly Ledbetter Fair Pay Act, which was the first bill President Obama signed law. The Lilly Ledbetter Fair Pay Act is of enormous importance for women's rights in the workplace. For decades, companies large and small have paid women less for the same work compared to their male counterparts. This law reaffirmed that each occurrence of pay and compensation discrimination against women violates title VII of the Civil Rights Act. The law addressed a Supreme Court ruling in *Ledbetter v. Goodyear Tire & Rubber Company* that undermined statutory protections against discrimination by unduly restricting the time period in which victims of discrimination could challenge and recover for discriminatory compensation decisions or other practices, contrary to the intent of Congress. The Lilly Ledbetter Fair Pay Act restored women's right to challenge employers once they discovered they were wrongfully discriminated against in terms of pay and benefits. Further, the law clarified that employees are entitled to up to two years of backpay for such discrimination, as provided under title VII.

Since enactment, courts around the country have applied the Lilly Ledbetter Fair Pay Act as Congress intended, for straightforward pay discrimination cases based on sex, race, disability, and age. In clarifying the period during which a worker may file a discrimination claim by each unfair paycheck, the law has provided a proper time frame extension to file lawsuits against employers for wage discrepancies. The anniversary of the signing of this bill reflects the commitment of our nation to ensure equal pay for all Americans and serves as a reminder that we must monitor and protect civil rights laws.

Unfortunately, equal opportunity is not yet a reality for women. This is why I join my Democratic colleagues in supporting the Paycheck Fairness Act, which strengthens the equality provisions within the Lilly Ledbetter Fair Pay Act and eliminates the loopholes not seen in the past. For example, it increases penalties on employers who violate federal law and allows women to pursue legal matters if they are treated unjustly. The legislation also ensures equality in the tax code so that everyone—male and female, high-income earners and those living in poverty—pays their respective tax rate. Fairness should be applicable to all, in wages and in taxes. The Paycheck Fairness Act provides effective remedies to women who are not being paid equal wages for equal work, and Congress should pass the bill as soon as possible.

HONORING THE LIFE OF HORACE NARVEL BROOKS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MARCHANT. Mr. Speaker, I rise today to honor the life of Horace "Chief" Narvel Brooks. I ask my colleagues to join me in celebrating the good and long life of Mr. Brooks, who passed away on Sunday, January 20, 2013.

Horace joined the United States Navy at the age of 17 and served in both World War II and the Korean War. Horace, having faithfully served, retired from the military as a Chief Gunner's Mate. Horace far exceeded his duty in serving both his country, family and the 24th District of Texas. Each year around Veterans Day, Horace would share stories of his military duties with high school students, imparting wisdom and firsthand experiences.

Mr. Speaker, Horace "Chief" Brooks was a great father and family man, and a true American patriot. I ask all my distinguished colleagues to join me in celebrating his life, and honoring the many people whose lives are better for having crossed his path.

RECOGNIZING THE TURNING POINT MEMORIAL ASSOCIATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, as the nation's capital hosts a weekend celebration of women's suffrage on March 2 and 3, I want to share with my colleagues a little-known, national landmark in my—the Turning Point Memorial at the former Occoquan Workhouse, in Lorton.

From 1917 to 1919, more than 200 women from 26 states were arrested for "obstructing traffic" and "holding a meeting on public grounds." Around 70 of those women, suffragists who were called "Silent Sentinels," were imprisoned for picketing with signs and banners on the White House sidewalk demanding their right to vote. Police hauled them to the then Occoquan Workhouse, later called the Lorton Prison, in Fairfax County, where they were jailed.

Their incarceration was one of the most significant but least known events of the women's suffrage movement and a true turning point in the ultimately successful struggle. The gutsy women—labeled by some as "unpatriotic"—held firm to their goals. Choosing jail over paying a \$25 fine, one protested, "Not a dollar of your fine shall we pay. To pay a fine would be an admission of guilt. We are innocent!"

Winning the right to vote took 72 years when Tennessee ratified the 19th Amendment in 1920, the largest extension of democratic rights in the nation's history. The suffragists' nonviolent actions pioneered civil rights tactics later used in other civic movements and their refusal to back down became a model for activists.

To recognize their struggle, the all-volunteer Turning Point Suffragist Memorial Association is building the memorial in the shadow of the nation's capital in Fairfax County. It will feature a waterfall and 19 stations (for the 19th Amendment) along a winding garden path to relate the history of the movement and the story of empowerment and perseverance. More information can be found online at www.suffragistmemorial.org.

Mr. Speaker, I ask my colleagues to join me in commending the members and supporters of the Association and wishing them continued success with the memorial.

HONORING THE 25TH SILVER ANNI- VERSARY OF THE YOUNG ISRAEL OF BOCA RATON AND YAKOV & RUCHIE LYONS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, today I rise in honor of the 25th Silver Anniversary of the Young Israel of Boca Raton, Florida synagogue. I would like to recognize them for their service to the Jewish community of South Florida and the local community as a whole.

Founded in 1988, the Young Israel of Boca Raton has served as a center of Jewish identity and education for the South Palm Beach County community. I want to particularly acknowledge Yakov (Jason) and Ruchie Lyons, the special honorees during the Silver Anniversary celebration, for their dedication to the synagogue and its emphasis on prayer, study, and community service.

I would like to congratulate the Young Israel of Boca Raton synagogue, an extraordinary Jewish community of South Florida, on their 25th Silver Anniversary. Hopefully, through their example, the Young Israel's philosophy and spiritual guidance can extend far beyond South Florida.

HONORING ELIZABETH MICHELLE WOODS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable veteran, Elizabeth Michelle Woods. She is a lifelong resident of the Mississippi Delta.

Ms. Woods joined the United States Army Reserves while a senior in high school at East Side High School and served eight years with the 479th Ordnance Company. She completed a tour of duty in Operation Desert Storm as an assistant squad leader. She earned the U.S. Army Achievement Medal, the U.S. Army Certificate of Achievement and other awards. After returning from Saudi Arabia she obtained an Associate of Arts Degree in Social Work.

Ms. Woods earned the rank of Sergeant Promotional after serving our country for 12 years and received an Honorable Discharge.

During and after completion of her military service, she continued her educational pursuits and received a Bachelor of Science Degree in Social Work, a Masters Degree in Social Work, and an Executive Masters of Science Degree in Health Administration.

Ms. Woods stated that her service to America taught her that she can succeed in her life pursuits. She has utilized her social work skills during her tenure in law enforcement and developed a Crime Victims Assistance Program with the Department of Veterans Affairs where she provided mental health services. Ms. Woods has also served as Director of Social Work at Delta Health Center and Aaron Henry Health Center. Ms. Woods is the daughter of the late Percy and Annie Woods.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Elizabeth Woods for her dedication to serving our great country.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SMITH of Washington. Mr. Speaker, on Monday, February 25, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted "yes" on rollcall vote No. 46 (on approving the journal) and "yes" on rollcall vote No. 47 (on the motion to suspend the rules and pass H.R. 667).

RECOGNIZING MR. LEE WRIGHT AND HIS 48 YEARS OF SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to thank and commend Lee Wright of Woodbridge, VA, for his 30 years of honorable service with the United States Air Force and for his subsequent 18 years of civilian service with the Defense Intelligence Agency. We are fortunate to have among us veterans with Mr. Wright's sense of duty and continued commitment to public service.

Mr. Wright began his career stationed at Cam Rahn Bay, RVN in 1964. After the war, Mr. Wright served at multiple air stations, eventually serving on staff at the USAF Military Air Command, Non-Commissioned Officer Academy. Mr. Wright soon moved on to DIA assignments spanning Western Europe, Turkey, Eurasia and Russia where he served multiple roles in intelligence operations. His devotion, hard work, and expertise on Russia led to successive roles within DIA's Russia/EURASIA Division, where Mr. Wright would eventually become Division Chief.

Since August of 2011, Mr. Wright has lent his considerable experience to DIA's Office of Congressional and Public Affairs where his leadership, work ethic and knowledge base have proven invaluable to his colleagues. There is little doubt that after 48 years of serving his country, Mr. Wright has earned some well-deserved R&R.

Mr. Speaker, I ask that my colleagues rise to join me in recognizing and thanking Lee Wright for his committed and selfless service to his colleagues and our country. We wish Mr. Wright, his wife, Dottie, and his family well in retirement.

RECOGNIZING RARE DISEASE DAY

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LYNCH. Mr. Speaker, today, February 28, 2013, marks the sixth annual International Rare Disease Day, a day to raise awareness of the nearly 7,000 rare diseases affecting 30 million Americans, or about one in ten people. Here in the United States, any disease affecting 200,000 people or fewer is considered rare.

Rare Disease Day is also an opportunity to celebrate the life-saving advances in science and research that continue to transform the diagnosis, treatment, and standard of care for many orphan diseases, thanks in no small part to the advocacy efforts of the medical community, patients and their families, and rare disease organizations.

In my congressional district, I have met with a number of constituents and their families whose lives have been impacted by rare diseases, cystic fibrosis among them.

Cystic fibrosis is a genetic disease affecting approximately 30,000 children and adults in the United States and is characterized by a reduction in the flow of salt and water across cell membranes, which leads to the buildup of thick, sticky mucus in the lungs. In 1955, with limited therapies available, children with cystic fibrosis were not expected to live long enough to attend elementary school. Today, due to significant improvements in medical treatment and care, people with the disease are living longer, healthier lives. The median predicted age of survival now stands at 38 years.

Today, I have never been more hopeful of the promise science holds for all patients affected by rare diseases; however, there remains much work to be done. On this sixth annual International Rare Disease Day, I join with patients and their families in urging my colleagues to think about what more Congress can do to help bring hope to those suffering from rare diseases.

CLUSTER MUNITIONS CIVILIAN PROTECTION ACT OF 2013

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MCGOVERN. Mr. Speaker, today I am honored to join my esteemed colleagues, Representative CHARLES BOUSTANY (R-LA) and Senators DIANNE FEINSTEIN (D-CA) and PATRICK LEAHY (D-VT) in introducing the Cluster Munitions Civilian Protection Act of 2013. This bill will restrict the use and deployment of dangerous cluster munitions.

Cluster bombs are canisters designed to open in the air before making contact, dispersing between 200 and 400 small munitions that can saturate a radius of 250 yards. The bombs are intended for military use when attacking enemy troop formations, but are often used in or near populated areas. This is a problem because up to 40 percent of these bomblets fail to explode and become de facto landmines, posing a significant risk to civilians—particularly children—lasting years after a conflict ends.

The Cluster Munitions Civilian Protection Act prevents any U.S. military funds from being used on cluster munitions with a failure rate of more than 1 percent, unless the rules of engagement specify that cluster munitions (1) will only be used against clearly defined military targets, and (2) will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill requires the president to report to Congress on the plan to clean up unexploded cluster munitions, and it includes a national security waiver allowing the president to waive the prohibition if he determines such a waiver is vital to national security.

Mr. Speaker, current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets. Regrettably, the Pentagon insists that the U.S. should continue to have the ability to use millions of stockpiled cluster munitions that have estimated failure rates of 5 to 20 percent until 2018. This is simply not acceptable; we can do better.

I believe strongly that the United States should be an international leader in ending the terrible toll on civilian populations caused by the high failure rate of these weapons. Passage of this bill would establish in law the Pentagon's standard of a 99 percent functioning rate for all U.S. cluster munitions, and ensure that our deployment and use of these munitions adhere uniformly to this standard. We must do everything possible to spare innocent civilians intended for military targets. The current risk posed by cluster munitions is simply unacceptable.

In 2011, Handicap International studied the effects of cluster bombs in 24 countries and regions, including Afghanistan, Chechnya, Laos and Lebanon. Its report found civilians make up 98 percent of those killed or injured by cluster bombs, and 27 percent of the casualties were children.

The Oslo Convention on Cluster Munitions—which has been signed by 111 countries and ratified by 77—prohibits the production, use and export of cluster munitions and requires signatories to eliminate their arsenals within eight years. While nearly all of our major military allies have joined this treaty, to date, the United States has not.

There will always be those who will argue against such a change in military policy and practice, who will say this can't be done. History argues otherwise. I am hopeful that we can make significant progress on this issue and pass this legislation during the 113th Congress.

THE LAST DOUGHBOY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. POE of Texas. Mr. Speaker, there was once a man who wouldn't take no for an answer when told he was too young to join the United States Army.

He looked for ways to join, even if it meant telling a recruiter a whopper about his age.

In the recruiter's eyes he was 21 when he was just 16.

And the only way he could land foot in the action of World War I was to drive an ambulance.

It was the quickest way he could get to the battlefield.

He desperately wanted to help other Americans that were already fighting the war to end all wars.

During the war, not only did he rescue Americans, but he rescued the other wounded allies and took them back behind enemy lines.

This brave man was Frank Buckles.

Even after being told "no," he became the last surviving doughboy from America.

This week marks 2 years since his death.

He was 110 years old, and a true fighter, Mr. Speaker.

Today, I remember my friend and patriot, Mr. Buckles.

We celebrate the remarkable life that he lived.

And that's just the way it is.

HONORING NED GATHWRIGHT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize a remarkable veteran of the Korean Conflict from July 30, 1954 until July 25, 1957.

Ned Gathwright served in the United States Army in the Infantry 11 Bravo Company. He received his Basic and Advanced Individual Training at Fort Jackson, South Carolina. His duty stations were Airborne School at Fort Campbell, Kentucky and Co E 505th Infantry 2nd Airborne Battalion Group in Augsburg, Germany. For his service, he has received the National Defense Medal, Parachutist Badge, and the Good Conduct Medal.

Mr. Gathwright's early education was in the Coahoma County Schools, graduating in 1954 from Coahoma County Agricultural High School. In 1957, he enrolled at Coahoma Junior College on the Montgomery GI Bill. Upon graduating, he entered Jackson State University and received his Bachelor Degree in 1960. The Quitman County School District employed him in the district's Science and Math Departments the same year. He continued his formal education at UCLA, Texas A & M, Michigan State University, and received his Master in Education at the University of Mississippi.

He is married to the former Fannie Hurst and they have two daughters: Sabrina and

Katrina. He's a member of the Greenhill Missionary Baptist Church and Coahoma Community College Board of Trustee.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Ned Gathwright, who has dedicated his life to serving his country and community.

RECOGNIZING LORI SALTZMAN
FOR 34 YEARS OF SERVICE IN
THE UNITED STATES GOVERNMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the distinguished career of my constituent, Lori Saltzman. After 34 years of service in the United States federal government, Lori is retiring as the Director of the Health Sciences Division at the U.S. Consumer Product Safety Commission.

Lori began her career in the federal government in 1978 as a research scientist in the Pulmonary Branch of the National Heart, Lung and Blood Institute, while attending graduate school at George Washington University. In 1984, she joined the U.S. Consumer Product Safety Commission's Directorate for Health Sciences as a toxicologist, where she spent the remainder of her career.

In 1991, Lori was selected to be a candidate in CPSC's Women's Executive Leadership Program, where she learned valuable management skills that helped further CPSC's regulatory and policy development. In 1994, Lori was named acting director of the Health Effects division of Health Sciences and eventually Director of the Division of Health Sciences.

Under her leadership, the Health Sciences staff made significant contributions in helping the CPSC address a number of important consumer product issues, including assessing the toxicity and risk associated with the use of lead and cadmium in children's jewelry, fire retardant chemicals in upholstered furniture and mattresses, phthalates in children's products, and arsenic from pressure treated wood preservatives used on decks and playgrounds.

Lori also represented CPSC on numerous federal interagency groups and task forces. She served as one of the early co-chairs of the federally mandated Committee on Indoor Air Quality (CIAQ), as a federal liaison to the CDC's Advisory Committee on Childhood Lead Poisoning Prevention (ACCLPP), and as a representative to the recent Interagency Task Force on Problem Drywall.

Because of Lori's understanding of CPSC's scientific issues, as well as its compliance and enforcement activities, her opinions and technical expertise were often relied upon by Compliance officials to support their actions against regulated industries. Throughout her career she has been dedicated to developing and mentoring her staff to assure that the Commission's compliance activities continue to be supported with the best scientific analyses possible. Her talents in both the scientific and policy arenas led to detail assignments as a

special assistant with former CPSC Chairman Ann Brown and Commissioner Nancy Nord, as well as Associate Director in the CPSC's Office of Compliance. Among her many honors and accomplishments, Lori is also a licensed medical technologist registered with the American Society of Clinical Pathologists.

Mr. Speaker, I ask my colleagues to join me in congratulating Lori Saltzman and in extending our Nation's gratitude to her for her honorable and dedicated service to the United States government. I wish her the best of luck in her retirement and all her future endeavors.

RECOGNIZING THE 20TH ANNIVERSARY OF THE FAMILY AND MEDICAL LEAVE ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, this February marks the 20th anniversary of the enactment of the Family and Medical Leave Act. The Family and Medical Leave Act afforded millions of employees leave of their jobs for personal and family emergencies while keeping their job security intact. This bill expanded access to extended medical leaves to millions of workers and military caregivers enabling these citizens to take a leave intermittently whenever medically necessary to care for a loved one with a serious injury or illness.

The Family and Medical Leave Act has afforded millions of Americans with up to 12 work weeks of unpaid leave in one year for family and health events without jeopardizing their employment or their health insurance. Since enactment, American families have used the law more than 100 million times. The law has given mothers and fathers the ability to care for a new baby or a seriously-ill child. The law has helped adults caring for a sick spouse, child, or parent with serious health conditions—a protection that will grow exponentially in importance as the generation of baby boomers age.

Despite the strides we have taken in protecting our workers, many Americans are not able to take advantage of the time off and protections offered under the Family and Medical Leave Act. For example, businesses with fewer than 50 employees are exempt from the law, leaving tens of millions of workers ineligible. The need for continued improvement to federal law is clear from the story of Toya, as told by the Family Values at Work organization. Working as a substitute teacher at the grade school level, Toya needed to take time off to care for her sick children. After several days her boss posed a question to her that should never be asked: "What's more important, your children or your job?" Upon choosing her children, she was told her services were no longer needed. Federal law should not condone, support, or facilitate these situations.

The anniversary of this legislation provides an opportunity to re-affirm that our nation is committed to fair benefits for all workers and to serve as a launching point to strengthen

federal laws protecting workers. I celebrate this law and the relief it provides daily to millions of Americans, allowing them the ability to securely take leave from work in order to accommodate emergencies. Such protections constitute a worker's right, not a privilege. On this anniversary, we should examine the law's success as well as areas for improvement. I celebrate the 20th anniversary of the Family and Medical Leave Act and the piece of mind it gives families so that they can care for loved ones knowing that their jobs will be waiting for them.

THANKING GORDON BEAUDOIN
FOR HIS SERVICE TO THE HOUSE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mrs. MILLER of Michigan. Mr. Speaker, on the occasion of his retirement on February 28, 2013, we would like to thank Mr. Gordon Beaudoin for his twenty-three years of distinguished service to the United States House of Representatives. Gordon has served this great institution as a valued employee of House Information Resources (HIR), within the Office of the Chief Administrative Officer (CAO).

Gordon began on the Hill in 1990 as an on-site Voice Service Manager with an outside contractor. He was responsible for all telephone services for the House, the Library of Congress and the Supreme Court. He retired from the company in 2000, and became a full-time employee for the House on April 16, 2001.

Gordon's first responsibility as Manager of the Voice and Video Branch was to sustain existing systems and ensure the best level of voice service was provided to the House community. After September 11, 2001, Gordon's team was tasked with identifying and resolving vulnerabilities in the voice systems necessary for Congress to perform its duties.

Gordon directed the development of a voice network recognized by industry experts as one of the most reliable and sustainable in the country. His team completely revamped the voice system hardware and software to provide multiple backups and redundancy. Additionally, he directed his team to completely redesign the network used to transport phone calls. It was an amazing improvement to reliability of service and one in which Gordon is extremely proud to have been a part.

Then, Gordon's responsibilities focused on the tracking and implementation of new technology in the House community. Gordon had the foresight to initiate projects which will continue to provide House customers with the world class service they expect from the CAO. Based on his vision, the voice network is being converted to an IP based system in order to provide many benefits now as well as in the future. Additionally, the voicemail system is being upgraded to provide new features and functions allowing customers to communicate in more collaborative ways.

On behalf of the entire House community, we extend congratulations to Gordon Beaudoin for his many years of dedication,

outstanding contributions and service to the United States House of Representatives.

We wish him many great years in fulfilling his retirement dreams.

INTRODUCTION OF THE WELFARE
INTEGRITY ACT OF 2013

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FINCHER. Mr. Speaker, I rise today to discuss the importance of Washington ending the cycle of drug abuse by allowing states to perform random drug tests to receive the Temporary Assistance for Needy Families (TANF) benefits.

The time is now to stop the cruel cycle of drug abuse. Currently, Washington enables people who are addicted to drugs by allowing them to participate in the TANF program while still abusing drugs. This program was designed to provide a safety net for families and children in their time of need. Instead Washington is enabling the drug abuse cycle to continue because Washington does not demand folks who use the program to be drug free.

If Washington wants to help families move toward economic stability it must end the cycle of drug abuse and encourage individuals to become healthy. By allowing for random drug checks, it can ensure that families receiving TANF benefits use the funds for the intended purpose of feeding, clothing, and providing shelter for children while cutting the ties that enables the cycle of drug abuse.

The Welfare Integrity Act of 2013 requires each state participating in the TANF program to certify that applicants and current recipients are being randomly tested for illegal drug use. In order to pass constitutional muster, the Welfare Integrity Act of 2013 requires states to provide a consent and waiver form where applicants are given the choice to waive their Fourth Amendment Rights and submit to a random drug test. The Supreme Court has ruled several times individuals have the right to waive their Fourth Amendment rights. Bottom line, the choice is yours.

Mr. Speaker, I urge my colleagues in the House to support me in passing the Welfare Integrity Act of 2013 to eliminate abuse and ensure the benefits are used for the purpose intended, to protect children.

RECOGNIZING CAPTAIN KRISTIAN
P. BIGGS FOR THIRTY YEARS OF
SERVICE IN THE UNITED STATES
NAVY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Captain Kristian P. Biggs for thirty years of dedicated service in the United States Navy. Captain Biggs will retire as the Director of Missile Defense and Integration in

the Office of the Deputy Assistant Secretary of the Navy for Ships.

Captain Kris Biggs was born on July 23, 1961 in Jacksonville, Florida. He earned a Bachelor of Science Degree in Physics (Departmental Honors) and Mathematics at Jacksonville University, where he received a commission in April 1983 as an Ensign, via the NROTC program, into the Restricted Line (Engineering Duty Officer). He holds a Master of Science Degree in Engineering Acoustics from the Naval Postgraduate School in Monterey, California, and is a graduate of the Advanced Program Manager's Course from the Defense Systems Management College in Fort Belvoir, Virginia.

After completing the Surface Warfare Officer School Basic Course in Coronado, California, he reported to the USS *Lang* (FF-1060) where he qualified as a Surface Warfare Officer while serving as Antisubmarine Warfare Officer, Assistant Navigator, and Personnel Officer. In September 1986, Captain Biggs entered the Naval Postgraduate School in Monterey, California and graduated in December 1988 with a Masters Degree in Engineering Acoustics. After attending the Engineering Duty Officer Basic Course in Mare Island, California, Captain Biggs reported to Commander, Operational Test and Evaluation Force in Norfolk, Virginia where he served as the Operational Test Director for the AN/SQQ-89(V) ASW Combat System from 1989 to 1993. During this time he completed the Engineering Duty Officer Qualification Program and participated in the planning and execution of the USS *Arleigh Burke* (DDG-51) Operational Evaluation. Captain Biggs' next assignment was Combat Systems Officer on USS *NASAU* (LHA-4) in Norfolk, Virginia, where he reported in 1993 following the Surface Warfare Officer Department Head Course in Newport, Rhode Island.

Captain Biggs reported to Program Executive Officer for Undersea Warfare in Crystal City, Virginia in the fall of 1995. His initial assignment was as an Assistant Program Manager in the Naval Signal Processors Program Office (PMS 428). Following the Advanced Program Manager's Course at DSMC in 1997, Captain Biggs was assigned to the Undersea Weapons Program Office (PMS 404) where he worked on advanced technology. He was selected to become a member of the Acquisition Professional Community and completed his Level III Program Management qualification. In 1998, Captain Biggs was assigned to the Program Executive Officer for Theater Surface Combatants where he served as the Navy Area Theater Ballistic Missile Defense (TBMD) Test and Evaluation Branch Head in the Navy Area TBMD Program Office (PMS 451). From August 2000 to July 2002, he served as the Navy Area TBMD Systems Engineering Branch Head.

In August 2002, Captain Biggs reported to Program Executive Officer for Integrated Warfare Systems (PEO IWS) Detachment Huntsville, Alabama where he served as the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System (JLENS) Deputy Project Manager (Navy) in the Army Program Executive Officer for Air, Space and Missile Defense. He went to Afghanistan in 2003 and

Iraq in 2004 in support of Operations ENDURING FREEDOM and IRAQI FREEDOM. He was promoted to Captain in July 2004.

In October 2004, Captain Biggs became the 11th Commanding Officer of Aegis Technical Representative in Moorestown, NJ. Under his leadership, the command earned ten field activity excellence awards (five from PEO IWS and five from Aegis BMD) and was awarded the Meritorious Unit Commendation for its critical role in the historic "Satellite Shootdown." He reported to the Office of the Deputy Assistant Secretary of the Navy for Ships in August 2010.

Captain Biggs' personal decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal with one gold star, Navy Commendation Medal with three gold stars, Army Commendation Medal, Navy Achievement Medal and various service related awards and campaign ribbons.

Captain Biggs is married to the former Marina Reese. The Biggs' have four children; Justin, Eric, Juliana, and Joshua.

Mr. Speaker, I ask my colleagues to join me in honoring Captain Kristian P. Biggs for his thirty years of service to our country. Captain Biggs has demonstrated a deep commitment to the security of our nation. His exemplary career is a testament to the level of dedication exhibited among our men and women in the armed forces. I would like to personally wish him the best of luck in his future endeavors.

NATIONAL MARFAN AWARENESS MONTH

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ISRAEL. Mr. Speaker, I rise today on behalf of the hundreds of thousands of Americans affected by Marfan syndrome and related heritable connective tissue disorders across the country.

As February marks National Marfan Awareness Month, it is important to raise awareness to this rare genetic condition. About 1 in 10,000 Americans carries a genetic mutation that impacts connective tissue throughout the entire body. Patients often have disproportionately long limbs, a protruding or indented chest bone, curved spine, and loose joints. However, these are not what most concern Marfan syndrome patients. Internal organs have connective tissue and in Marfan patients the aorta, the large artery that carries blood away from the heart, is weakened and prone to enlargement and potentially fatal rupture.

This year marks the 30th anniversary of the enactment of the Orphan Drug Act. While we have made great strides in addressing rare conditions since the Orphan Drug Act first became law, we must not lose sight of the work that still needs to be done. Patients with Marfan syndrome and related disorders rely on us to provide investment in critical research activities so that treatment options can be improved and, most importantly, so that cures can be found.

I am proud to represent the nation's foremost organization working to support the

Marfan community, the National Marfan Foundation, based in Port Washington, New York. The Foundation was founded in 1981 by Priscilla Cicciariello, and since then the Foundation has worked to improve the lives of those affected by Marfan syndrome and related disorders by promoting research, raising awareness, and providing support to those afflicted with Marfan.

I urge my colleagues to join me in recognizing National Marfan Awareness Month. I look forward to working with colleagues from both sides of the aisle to make critical investments in medical research and treatment to save the lives of people across the United States.

RECOGNIZING COOK COUNTY SPELLING BEE CHAMPION ALIA ABIAD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Alia Abiad, winner of the Cook County Spelling Bee.

Alia Abiad is a 7th Grader at McClure Junior High School, and a resident of my hometown of Western Springs, IL. In addition to being a skilled tennis player and violinist for the Chicago Youth Symphony Orchestra, her recent performances in local Spelling Bees have demonstrated that she is an extremely dedicated and talented young woman.

Alia diligently practices her spelling independently and with her parents every day. She also gains her edge by reading books intended for an audience well beyond her age.

Alia initially won the title of best speller at McClure Junior High, and then went on to win the Cook County Regional Spelling Bee. In these competitions she maintained a perfect record, spelling every word correctly. Alia will be representing her school and her peers at the Scripps National Spelling Bee in Washington, DC this upcoming May.

This victory is a reminder of how preparation, practice, and perseverance produce solid results, even when facing difficult challenges. I call on all my colleagues to join me in congratulating Alia Abiad for her tremendous accomplishment.

RECOGNIZING SUSAN RIGBY AS THE 2014 ESCAMBIA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Susan Rigby as the 2014 Escambia County, Florida Teacher of the Year. Mrs. Rigby has been an inspiration to her students, her colleagues, and our community; and I am honored to recognize her success and achievements.

In 1983, Mrs. Rigby graduated from the University of West Florida with a bachelor's degree in Business Management, and in 2005 she earned a master's degree from the University of West Florida in Clinical Teaching and Special Education. However, Mrs. Rigby's passion for teaching began well before 2005. Since 1989, Mrs. Rigby has served the students and community of Northwest Florida, both in the Escambia County and Santa Rosa County school districts. Mrs. Rigby initially served an ESE Teacher Assistant and Substitute Teacher for the Escambia County School District from 1989 to 1999. Since then, she has served twice as an ESE Teacher for Pine Forest High School, Math Teacher for Navarre High School, and is currently the an Algebra 1A Co-Teacher at Pine Forest High School.

The superb quality and effectiveness of the schools in Northwest Florida can no doubt be credited to educators like Susan Rigby. Mrs. Rigby understands the invaluable role teachers play in the lives of their students, and she possesses an unwavering commitment and fervor. She is an exemplary teacher who believes encouraging her students to reach their highest potential is most crucial to the learning experience. The enthusiasm demonstrated by Mrs. Rigby's students is truly a testament to her dedication and desire to see her students achieve both in and out of the classroom.

Aside from her involvement at Pine Forest High School, Mrs. Rigby dedicates her time to various community events such as Relay for Life, We Believe in Children 5K, as well as projects that benefit underprivileged classrooms. Mrs. Rigby's efforts and devotion have not gone unnoticed, and she has been honored for her years of teaching secondary education. In 2004, she was awarded the University of West Florida, Outstanding College of Education Student. She was also the recipient of the Pine Forest High School Teacher of the Year, as well as the Walmart Selection Teacher of the Year in 2005.

Mr. Speaker, I am proud to recognize Mrs. Susan Rigby as the 2014 Escambia County Teacher of the Year. My wife Vicki joins me in congratulating Mrs. Rigby, and we wish her all the best for continued success.

THE GREEN MOUNTAIN LOOKOUT HERITAGE PROTECTION ACT

HON. SUZAN K. DeBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. DeBENE. Mr. Speaker, I rise today to introduce the Green Mountain Lookout Heritage Protection Act, along with my colleague Congressman LARSEN. Green Mountain Lookout, located in the Glacier Peak Wilderness, was built in 1933 as a Civilian Conservation Corps project. During the Second World War, the lookout was used to detect fires and to spot enemy aircraft. It is no surprise that with such a rich history, the Green Mountain Lookout is listed on the National Register of Historic Places.

Unfortunately, severe weather caused the Green Mountain Lookout to fall into disrepair,

and the U.S. Forest Service began taking steps to preserve the historic structure for future generations. However, a group based out of Montana filed a lawsuit against the Forest Service for using machinery in order to conduct repairs, and a U.S. District Court ordered the Forest Service to remove the lookout. This legislation would protect the Green Mountain Lookout, one of the few surviving fire lookouts in the West, by allowing critical maintenance while keeping this iconic structure in its original home.

The Green Mountain Lookout represents a significant piece of the Pacific Northwest's history and it deserves to be protected for outdoor enthusiasts to enjoy today and in the years to come. I urge my colleagues to preserve a part of our Nation's history by supporting this bill.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE INTEGRATION OF THE UNIVERSITY OF ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the 50th Anniversary of the integration of the University of Alabama in Tuscaloosa, Alabama.

This weekend, a bi-partisan congressional delegation led by Representative JOHN LEWIS (D-GA) will travel to Alabama as a part of the 13th annual Faith & Politics Congressional Civil Rights Pilgrimage. I have the great pleasure of co-hosting the delegation with my fellow Alabama colleagues Representatives SPENCER BACHUS (R-AL) and MARTHA ROBY (R-AL). The Pilgrimage allows participants to retrace the steps of our nation's Civil Rights icons through the historic civil rights sites in Tuscaloosa, Birmingham, Montgomery, and Selma. It is also a time to reflect on our painful past while acknowledging our current progress.

This year marks the 50th Anniversary of so many significant civil rights events that occurred in 1963. One of those events was the infamous stand taken by then Governor Wallace at the doors of the University of Alabama to prevent black students from registering. The University of Alabama has come a long way since that infamous day to promote racial diversity within its student body, faculty, and administration.

Today, I pay special tribute to the University of Alabama and commemorate the 50th anniversary of a pivotal event in the struggle for racial equality in America. I believe it is important that we must acknowledge our painful past and frame its significance in the global fight for civil and human rights. The history of the State of Alabama must be embraced for the critical role it played in the Civil Rights Movement which caused a global movement for the quest of human dignity and rights around the world. We, in the 7th Congressional District of Alabama, pay tribute to the University of Alabama, one of the crown jewels of higher education in our district, and honor the courage of the black students—

Autherine Lucy, James Hood, and Vivian Malone—who paved the way for the multitude of successes the University enjoys today.

On June 11, 1963, two African-Americans, James Hood and Vivian Malone attempted to enroll at the University of Alabama. Prior to their attempts, only one African-American, Autherine Lucy, had been successful in registering and actually attending classes at the institution.

In 1957, Autherine Lucy and Polly Anne Myers filed suit against the University to clarify their rights and obtain an injunction after being denied admission based on race. The injunction was granted and Ms. Lucy was eventually admitted to the University. She became the first African-American to attend a white public school or university in the State of Alabama. However, she was unfairly expelled after just three days when the University suggested that her presence was a nuisance to the campus because they could not provide a safe environment for the young student.

In 1963, pursuant to the same injunction, James Hood and Vivian Malone made a second attempt to fully integrate the University. Upon their arrival to the Tuscaloosa campus, former Alabama Governor George Wallace attempted to block Hood and Malone from entering Foster Auditorium to register for classes. As the world watched, Governor Wallace's attempts to prevent integration of the University of Alabama were recorded in our Nation's history as "The Stand in the Schoolhouse Door." Governor Wallace was determined to defend his now infamous declaration: "Segregation Now, Segregation Tomorrow, and Segregation Forever." But his efforts to halt progress were short lived. Later that day, Hood and Malone with the support of a federal court order and members of the Alabama National Guard, were eventually allowed to register for classes and pursue their degrees. They are forever recorded in our nation's history as two of the first African-American students to attend the University. Vivian Malone was the first African-American to graduate from the University of Alabama and James Hood later received his doctorate from the University.

Today, "The Stand in the Schoolhouse Door" is remembered as a pivotal moment in the civil rights movement. As we commemorate the 50th anniversary of this historic event, we recognize its significance in the quest for justice and equality. While there were dark moments, the events of that day are now seen as a catalyst on our road to forming a more perfect union.

Today, the University of Alabama stands as a beacon of inspiration. The diversity represented in today's student body is a visible reminder of the sacrifices of Autherine Lucy, James Hood and Vivian Malone. Because of their bravery and courage, the University of Alabama now boast a widely diverse student body, an outstanding academic curriculum and a world class athletic program. Today, the University of Alabama is ably led by its first woman President, Dr. Judy Bonner. We recently celebrated having the number one collegiate team in four NCAA sports—including women's gymnastics and football being named the BCS National Champions for the second year in row.

As a benefactor of the courageous contributions of Autherine Lucy, James Hood and Vivian Malone, I am humbled by the opportunities their bravery has afforded all black Alabamians. As Alabama's first African-American Congresswoman, I know that my journey would not be possible without their sacrifices.

On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in paying tribute to the University of Alabama and its important place in our nation's history.

Roll Tide!

IN HONOR OF THE 52ND ANNIVERSARY OF PEACE CORPS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the 52nd anniversary of Peace Corps. For over 5 decades, through war and conflict, Peace Corps has sent Americans to distant lands to serve others in the common cause of global peace. Since 1961, over 210,000 Americans have served at the request of 139 developing countries. I am proud to be a part of these ranks. Peace Corps changed my life. And it changes the lives of those who serve and the communities that are served.

As I speak, over 8,000 Americans are serving in 76 countries. This includes my constituent Nelly Alcantar from King City, CA. Nelly is helping English teachers with lesson planning, classroom management and language development in Panama. She also started an adult community English course. Then there's Jonathan Lupisan from Salinas, CA. He's a Community Health Education Volunteer in Suriname who helped build a computer lab at the local primary school and developed illustrations for a water and sanitation project manual.

Mr. Speaker, I commend Nelly, Jonathan and the hundreds of thousands of other Peace Corps Volunteers, past and present for fulfilling the vision of President John F. Kennedy. You represent America's highest ideals: peace, equality and friendship. Thank you for your service.

TRIBUTE TO MAYOR CARROL DAUGHERTY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Mayor Carrol Daugherty, a respected public servant and good friend who is stepping down after 42 years at helm of the Town of McIntosh, Alabama.

Born and raised in McIntosh, Mayor Daugherty is a graduate of Leroy High School and Huffstetler Business College in Mobile.

A consummate businessman and civic leader, he founded CMS Construction Company in Saraland. While many would be content to

focus all their talents toward leading an important and successful business, like CMS Construction, Mayor Daugherty has devoted an equal amount of time to improving his community and South Alabama through a combination of public service and volunteerism.

It must be noted that Mayor Daugherty's community service achievements are far ranging and considerable. He helped organize McIntosh Christian Academy. He was a founder and board member of Southwest Bank, formerly known as Washington County State Bank. He is a former Board Member of Friends of Searcy Hospital in Mt. Vernon; Board Member of North Mobile Community Hospital in Satsuma; Charter Board Member of Southwest Alabama Health Services in McIntosh and a Charter Member and one of the organizers of the McIntosh Betterment Association.

Mayor Daugherty helped organize the McIntosh Volunteer Fire Department and was a staunch supporter of the McIntosh Rescue Squad. Furthermore, he helped establish the McIntosh Public Branch of the Washington County Library with the help of his late wife, Melva Jean, and area industry leaders.

Mayor Daugherty is a former Board Member of the Alabama Sheriffs' Boys Ranch and was appointed by Governor George C. Wallace to serve on the Board of Directors of the Alabama Department of Labor Management Committee.

He also was the Business Representative of Millwright Local 2734 for 32 years, Secretary for the Carpenters, Millwright and Pile Drivers Mobile District Council for 29 years, and President of the Alabama State Council of Carpenters for 18 years.

Given all these accomplishments, it is remarkable that Mayor Daugherty also found time to lead the Town of McIntosh for all 42 years since its incorporation in 1970. Yet, he has done just that with an equal dedication to public service and integrity.

On behalf of the people of South Alabama, I wish Mayor Daugherty the very best as he leaves public service and embarks on a well-deserved retirement.

INTRODUCTION OF THE SOCIAL SECURITY IDENTITY DEFENSE ACT OF 2013

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. PETRI. Mr. Speaker, today I am introducing the Social Security Identity Defense Act of 2013, legislation to enhance the ability of the Internal Revenue Service to fight identity theft when that agency becomes aware of the fraudulent use of a taxpayer's personal information.

This legislation is a direct response to the experience of constituents of mine in Princeton, Wisconsin. During a routine review of his credit report, my constituent found accounts opened by another person using his Social Security number. This discovery raised many concerns, not the least of which was that this person's income might be reported to the IRS

under his Social Security number. Upon contacting the IRS, he was told that the IRS knew of the situation and that they had known about it for some time.

Not surprisingly, this answer was not altogether comforting. The IRS knew that someone else had been using his Social Security number, but kept that information under lock and key. While the IRS remained silent, additional frauds were committed, resulting in the further misuse of my constituent's personal information by another person to establish a fraudulent credit history. When he raised this issue with the IRS, he was astounded by the agency's answer. Privacy statutes prevent the IRS from discussing the return information of one taxpayer with anyone else. In the view of the IRS, the fraudulent use of my constituent's Social Security number was the personal return information of another taxpayer, and this fraud could not be disclosed to the rightful owner of that personal identifier, even if this disclosure would help prevent additional frauds.

This policy makes no sense and actually puts the IRS on the wrong side in the fight against identity theft. My legislation aims to correct this problem by changing the privacy statutes to direct the IRS to inform a taxpayer when the agency learns through its normal course of business that a Social Security number assigned to that taxpayer has been used fraudulently by another worker.

Both Congress and our administrative departments and agencies, including the IRS, have made progress in combating identity theft, but more needs to be done. For this reason, the Social Security Identity Defense Act would provide an additional vital tool for our government to deploy.

Under this legislation, the IRS would be required to share any information in its possession about the fraudulent use of a taxpayer's personal information with that information's rightful owner. The agency also would be directed to transmit information that may be evidence of an identity theft to the FBI so that the Bureau can make this material available to state and local law enforcement agencies upon their request. Finally, the Social Security Identity Defense Act calls for the IRS to direct employers not to include a Social Security number on a W-2 form when that agency is aware that the employee is making fraudulent use of that number.

These are important steps forward. They will empower both citizens and law enforcement agencies in their efforts to combat identity theft, and they will limit the use of personal identifiers in the commission of future crimes. I urge my colleagues to join me in this effort by cosponsoring the Social Security Defense Act.

HONORING BRENDA LOVE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a minority businesswoman and entrepreneur, Mrs. Brenda Love.

Mrs. Brenda Love is a woman on the move and with many talents. She was born to Martha Lewis and the late Grant Jones, Sr. Until the age of 14, she was raised in New Orleans, Louisiana. Later, her mother relocated the family to Vicksburg, Mississippi to be closer to her grandmother, Mrs. Ola Mae Williams.

Mrs. Love credits her ambition to her mother, whom she learned from an early age to work hard, keep good credit, pay your bills, and take care of your kids.

Mrs. Love worked for the Federal Government for 20 years until she decided to step out on faith and follow her heart to being an entrepreneur. She is the owner of Love Income Tax Service, which has been in business for 17 years, with 6 full-time employees. She and her husband, Jacob, own Unique Banquet Hall, which is a thriving gathering place serving the Vicksburg area. She also is a Realtor-associate with Coldwell-Banker All Stars. Brenda, who has been married for 23 years to Jacob, has also owned and operated Unique Impressions Restaurant and Lounge. In her spare time, she loves to decorate and coordinate weddings. Mrs. Love is a member of the Warren County Board of Realtors and also serves on the board for the Vicksburg Convention Center and City Auditorium.

Mr. and Mrs. Love have three children, Jakayla, Jacob, and Manekia Love-Jackson and two grandchildren, Mikayla and Madison.

Mr. Speaker, I ask my colleagues to join me in honoring a minority businesswoman and entrepreneur, Mrs. Brenda Love.

ANNIVERSARY OF THE SUMGAIT POGROMS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. PALLONE. Mr. Speaker, again this year I stand to recognize an important period that remains a strong reminder that we must continue to address violent human tragedies whenever they occurred. The American and Armenian people use this time of year to recommit themselves to preventing any further violence. We do this because we mark the anniversary of the Sumgait pogroms where hundreds of Armenians were murdered as a result of long-running hostilities directed towards the Armenian people.

I ask that my colleagues join me in solemnly commemorating the death of these innocent lives. It was on the evening of February 27, 1988 that hundreds of Armenians were brutally murdered, some burned alive and others thrown from windows. Included in the violence was the rape of women and the maiming of children. Armenians saw their belongings stolen, their shops destroyed and thousands were displaced from their homes. To add to the human tragedy, police turned a blind eye thus allowing the pogroms to go on for three days.

Unfortunately, the underlying hostility that led to the outbreak and continued violence of the Sumgait pogroms continues to survive today. For more than two decades, authorities in Azerbaijan have attempted to ignore and

cover up these crimes and have instead fostered hatred toward the Armenian people. In an affront to basic senses of justice, the Azerbaijani government recently pardoned Azerbaijani military officer, Ramil Safarov who was sentenced to life in prison in Hungary for murdering an Armenian military officer during a NATO-sponsored training program in 2004. I continue to be outraged by this promotion of violence against innocent Armenians.

I ask that my colleagues join me in calling on Azerbaijan to fully recognize the Sumgait pogroms and to give an accurate historical account of the events. I also ask my colleagues to join me in calling upon the Azerbaijani government to acknowledge Ramil Safarov as a convicted murderer and immediately take action commensurate with a democratic nation that supports justice under the rule of law. Azerbaijan must break from its current course and take action to create a peaceful future.

As co-chair and founder of the Congressional Armenian Issues Caucus, I know that the caucus will continue its work to ensure that the basic rights of life, liberty and security are promoted throughout the Caucasus region. We will continue to advocate for a peaceful resolution to conflict in the region. We will continue to call on Azerbaijan to cease its hostilities toward the Armenian people and stand for justice whenever it is violated.

RETIREMENT OF RICHARD HERTLING

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SMITH of Texas. Mr. Speaker, the call to serve one's country comes to people in many different forms. Some protect our nation in the Armed Forces. Some are elected to public office. Others serve officials in the three branches of our government. But all work together to protect, preserve and uphold the founding principles of this great nation.

Richard Herding has spent the last 27 years serving his country in both the legislative and executive branches. A graduate of the University of Chicago Law School, he began his career at the U.S. Department of Justice. Since then he has worked for Senators, Congressional committees and a presidential campaign.

During the Bush Administration, he oversaw major policy decisions by the Justice Department as the Principal Deputy Assistant Attorney General for Legal Policy.

He also managed the Justice Department's communication with Capitol Hill as the Acting Assistant Attorney General of the Office of Legislative Affairs.

Most recently, he served as the Staff Director and Chief Counsel for the House Judiciary Committee, which I chaired in the last Congress. With Richard's help, the House Judiciary Committee passed more substantive bills than any other committee in the last Congress. His strategic thinking was instrumental in achieving this goal.

Today, Richard Hertling is retiring, and we in the House are losing a smart attorney and

good friend. But the Senators, members of the House and staff who worked with him will also miss his tutorials in ancient history and his use of Latin in everyday conversations.

We thank him for his service to his country, and wish him the best on his well-deserved retirement.

IN HONOR OF QUEENS COUNTY EXECUTIVE DISTRICT ATTORNEY JESSE J. SLIGH

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MEEKS. Mr. Speaker, I stand here today to honor a respected leader in my community, Queens County Executive District Attorney Jesse J. Sligh. I have known Jesse Sligh for over 20 years and during that entire time his character and the way he conducts himself has been an example for all.

Since 1991, for twenty-two years, Mr. Sligh has served in the Queens County District Attorney's Office as an Executive of District Attorney Richard A. Brown's Special Prosecutions Division. The Special Prosecutions Division serves as a bridge between the Queens County District Attorney's office and the diverse people of Queens. The division proactively fights crime by building strong community partnerships, tackling quality of life issues, and spearheading crime prevention and mentoring programs that educate the youth of Queens about law enforcement and provide a positive structure for children who might otherwise head down the wrong path.

Mr. Sligh, the third of thirteen children, was the first member of his family to attend college, but not only did he attend college he graduated from the Ivy League Columbia University and then he earned his juris doctorate from Georgetown Law School here in Washington D.C. After that, he served our great nation as a Captain in the U.S. Army Jag Corps and earned an exemplary trial record in the process. In 1982, he joined the Queens County District Office. Jesse Sligh's talent impressed his supervisors and continued to impress them until he reached the position of Executive District Attorney. Thirty-one years later he still serves Queens County.

On February 20, 2013 the Queen's County District Attorney office honored Jesse Sligh as a part of a Black History Month Celebration and I want to honor him today as well. Jesse, a man of great faith, is a founding member of the Erie Avenue Baptist Church in Philadelphia and he is a member of the Queens Executive Board for the Boy Scouts. Jesse has been a mentor to young and old, he is a true friend to everyone he has known, and he always offers help in times of need. I applaud Mr. Sligh for all he has accomplished and his service to our Country, his family, public service and God. I am proud that he is a member of my district.

Jesse, we thank you for your good and faithful work.

IN MEMORY OF MRS. ATHERLENE MONROE

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a spiritual leader and a pillar of Houston's Sunnyside community, Mrs. Atherlene Monroe. With extraordinary dedication, Mrs. Monroe devoted her life to the spiritual instruction of others and her family.

Mrs. Monroe was born in Houston, TX on February 6, 1935. Her parents instilled within her an unshakeable faith, and a desire to spiritually mentor as well as teach others. On December 20, 1953, Mrs. Monroe met and married another pillar of the Sunnyside community, Reverend Rugley Monroe, Jr., Pastor of the El Bethel Missionary Baptist Church. Together Reverend and Mrs. Monroe raised three sons as well as one daughter. They worked to serve their community as well as save the souls of a multitude of people.

Mrs. Monroe served in several roles at the El Bethel Missionary Baptist Church and the local spiritual community. Through her selfless hard work and integrity, she eventually became a member of the choir, president of the Women's Mission, as well as treasurer of the Southside's Minister's Wives Union organization. She was also a faithful companion to her husband of 59 years in all his endeavors.

Finally, Mr. Speaker, Mrs. Monroe will be missed dearly by a host of family and friends. The family includes her husband, four children, Rugley Monroe, III, Angeline Stewart, David Monroe, Sr., and Patrick Monroe, Sr., as well as her nine grandchildren, twelve great-grandchildren, and one great-great grandchild. Mrs. Monroe will be remembered in the Sunnyside community as an exemplar of a faithful Christian lady, wife, mother, and teacher.

TRIBUTE TO JOHN DUDLEY TERRELL, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the memory of an American hero and a good friend, Mr. John Dudley Terrell, Jr., who recently passed away at the age of 91.

A native and lifelong resident of Mobile, Mr. Terrell graduated from McGill Institute and attended Springhill College.

Like many Alabamians of his generation, John answered his country's call to serve during World War II. As a young lieutenant with the Army Air Corps, he flew 51 combat missions at the controls of a B24 Liberator bomber in the European Theater of Operations.

His considerable wartime experience included participation in three historic battles: Air Offensive Europe, The Rome-Arno Campaign, and the Battle of Normandy where his bravery

and combat piloting skills no doubt helped to advance the Allied efforts against the Axis powers.

For his courageous service, he received the Distinguished Flying Cross, the Air Medal with two Oak Leaf Clusters and the European Theater Medal with three Bronze Stars.

After the Allied Victory in Europe, Mr. Terrell left the Army Air Corps to return to civilian life where he traded his role as an aviator for that of an Independent Insurance Agent in his hometown.

He partnered with business associates to form the Robertson, Grove and Terrell Agency. Later he joined W.K.P. Wilson and Son's, Inc. During his long and successful career in the insurance industry, he distinguished himself as exceptional businessman. Among his achievements, he was presented the Chartered Property Casualty Underwriter (CPCU) designation. He later joined TriCorp, Inc., where he worked until his well-deserved retirement.

John was a longtime member of St. Ignatius Catholic Church of Mobile. He was also an active member of numerous local community service organizations including several mystic societies.

On behalf of the people of South Alabama, I wish to extend my personal condolences to his wife of 60 years, Annunziata, their three children: Liz, John III, and Kathleen, and their 10 grandchildren. You are all in our thoughts and prayers.

STOP THE SEQUESTER

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. ESTY. Mr. Speaker, in Connecticut last week, I heard a lot of different fears from people in my district about sequestration. Almost everyone is worried about the economy. Small business owners and manufacturers in Torrington and Waterbury are worried about staying above water. Parents in Danbury are worried about their children's education. Social service providers in New Britain and Meriden are worried about losing funding to help seniors who need meal assistance and to help families who need housing assistance. People everywhere are worried about keeping their jobs.

And there's a question in common. With this imminent, self-inflicted threat to people's jobs and people's livelihoods, why isn't Congress doing anything about it? Why, at the very least, are we not voting on a balanced alternative?

Our constituents deserve more than an answer to that question, they deserve action. There is no reason businesses and families in Connecticut, or in any state, should be facing this catastrophe. It is entirely of our own doing but it's the folks back home that suffer the consequences.

I ask unanimous consent that the House now take up H.R. 699, the Stop the Sequester Job Loss Now Act, introduced by Mr. VAN HOLLEN to replace the sequestration with commonsense, cost-cutting policies—repealing

subsidies for big oil and big gas, refocusing subsidies for big agriculture, and enacting a "Buffet Rule" so that the wealthiest are paying their fair share.

We should be allowed to vote on this bill, and we should vote to remove this threat to the well-being of folks in all of our districts who have worked so hard to get by and to bring our country back from recession.

HONORING AARON HONEYSUCKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Aaron Honeysucker. Aaron was born in Camden, Mississippi in 1948. He is the father of three adult children—Felicia A. Berry, Marcus M. Honeysucker, and Chelsie B. Coleman. Mr. Honeysucker is a retired military veteran who served during the Vietnam War.

While serving in the military, Mr. Honeysucker also worked as an insurance salesman from 1972–1980. He's currently a small business owner and sells real estate. Mr. Honeysucker graduated from Velma Jackson High School in 1967, Hinds Junior College in 1972, and Jackson State University in 1997.

Mr. Honeysucker is a member of several social & civic organizations including the Veteran of Foreign Wars, JSU Alumni Association, Blue Bengal Athletic Association, Woodhaven Homeowners Association, The Retired Active Reserve and Armed Forces Association, and Red Cross Volunteer.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Aaron Honeysucker for his dedication to serving to our great country.

CONGRATULATING THE 2012 NATIONAL ACADEMY OF INVENTORS' CHARTER FELLOWS

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the 101 inventors who were recently recognized at the University of South Florida in Tampa and inducted as the 2012 National Academy of Inventors' Charter Fellows by the United States Commissioner of Patents, Margaret A. Focarino. In order to be named as a Charter Fellow, these men and women were nominated by their peers and have undergone the scrutiny of the NAI Selection Committee, having had their innovations deemed as making significant impact on quality of life, economic development, and welfare of society. Collectively, this elite group holds more than 3,200 patents.

The individuals making up this year's class of Charter Fellows include individuals from 56 research universities and non-profit research institutes spanning not just the United States but also the world. This group of inductees touts eight Nobel Laureates, 14 presidents of

research universities and non-profit research institutes, 53 members of the National Academies, 11 inductees of the National Inventors Hall of Fame, two Fellows of the Royal Society, five recipients of the National Medal of Technology and Innovation, four recipients of the National Medal of Science, and 31 AAAS Fellows, among other major awards and distinctions.

The contributions made to society through innovation are immeasurable. I commend these individuals, and the organizations that support them, for the work that they do to revolutionize the world we live in. As the following inventors are inducted, may it encourage future innovators to strive to meet this high honor and continue the spirit of innovation.

The 2012 NAI Charter Fellows include:

Dharma P. Agrawal, University of Cincinnati; Anthony Atala, Wake Forest University; Benton F. Baugh, University of Houston; Khosrow Behbehani, University of Texas at Arlington; Raymond J. Bergeron, University of Florida; Gerardine G. Botte, Ohio University; Robert H. Brown, Jr., University of Massachusetts Medical Center; Robert L. Byer, Stanford University; Sir Roy Calne, University of Cambridge; Curtis R. Carlson, SRI International.

Nai Yuen Chen, University of Texas at Arlington; Stephen Z. D. Cheng, The University of Akron; Paul C. W. Chu, University of Houston; James J. Collins, Boston University; James G. Conley, Northwestern University; Joseph T. Coyle, Harvard University; James E. Dahlberg, University of Wisconsin-Madison; Roger J. Davis, University of Massachusetts Medical Center; Sandra J. F. Degen, University of Cincinnati; Hector F. DeLuca, University of Wisconsin-Madison.

Donn M. Dennis, University of Florida; Akira Endo, Tokyo University of Agriculture & Technology; Howard J. Federoff, Georgetown University; Thomas J. Fogarty, Fogarty Institute for Innovation; Kenneth M. Ford, Institute for Human & Machine Cognition; Eric R. Fossum, Dartmouth College; Robert C. Gallo, University of Maryland; Alan N. Gent, The University of Akron; Morteza Gharib, California Institute of Technology; Ivar Giaever, Rensselaer Polytechnic Institute.

Barbara A. Gilchrest, Boston University; Richard D. Gitlin, University of South Florida; Leonid B. Glebov, University of Central Florida; D. Yogi Goswami, University of South Florida; Mark W. Grinstaff, Boston University; Greg Hampikian, Boise State University; Barbara C. Hansen, University of South Florida; Patrick T. Harker, University of Delaware; Martin E. Hellman, Stanford University; Nick Holonyak, Jr., University of Illinois at Urbana-Champaign.

Leroy E. Hood, Institute for Systems Biology; Richard A. Houghten, Torrey Pines Institute for Molecular Studies; Ernest B. Izevbigie, Jackson State University; Stephen C. Jacobsen, University of Utah; Eric W. Kaler, University of Minnesota; Linda P. B. Katehi, University of California, Davis; Joseph P. Kennedy, The University of Akron; Sakhrat Khizroev, Florida International University; Sung Wan Kim, University of Utah; George V. Kondraske, University of Texas at Arlington.

John J. Kopchick, Ohio University; Roger D. Kornberg, Stanford University; Max G. Lagally, University of Wisconsin-Madison; Robert S. Langer, Massachusetts Institute of Technology; Brian A. Larkins, University of Nebraska-Lincoln; Victor B. Lawrence, Stevens Institute of Technology; Virginia M.-Y.

Lee, University of Pennsylvania; Jean-Marie Pierre Lehn, University of Strasbourg; Shinn-Zong Lin, China Medical University; Thomas A. Lipo, University of Wisconsin-Madison.

Barbara H. Liskov, Massachusetts Institute of Technology; Alan F. List, H. Lee Moffitt Cancer Center and Research Institute; R. Bowen Loftin, Texas A&M University; Dan Luss, University of Houston; Robert Magnusson, University of Texas at Arlington; Richard B. Marchase, University of Alabama at Birmingham; Stephen W. S. McKeever, Oklahoma State University; Craig C. Mello, University of Massachusetts Medical Center; Shyam Mohapatra, University of South Florida; Theodore D. Moustakas, Boston University.

George R. Newkome, The University of Akron; C. L. Max Nikias, University of Southern California; David P. Norton, University of Florida; Julio C. Palmaz, U. of Texas Health Science Center at San Antonio; Thomas N. Parks, University of Utah; C. Kumar N. Patel, University of California, Los Angeles; Prem S. Paul, University of Nebraska-Lincoln; David W. Pershing, University of Utah; G. P. Peterson, Georgia Institute of Technology; Leonard Polizzotto, Draper Laboratory.

Huntington Potter, University of Colorado Denver; Paul R. Sanberg, University of South Florida; Timothy D. Sands, Purdue University; Raymond F. Schinazi, Emory University; Dean L. Sicking, University of Alabama at Birmingham; Oliver Smithies, University of North Carolina at Chapel Hill; Solomon H. Snyder, Johns Hopkins University; Franky So, University of Florida; M. J. Soileau, University of Central Florida; Nan-Yao Su, University of Florida.

Jack W. Szostak, Harvard University; Esther Sans Takeuchi, Stony Brook University; H. Holden Thorp, University of North Carolina at Chapel Hill; Charles H. Townes, University of California, Berkeley; John Q. Trojanowski, University of Pennsylvania; Roger Y. Tsien, University of California, San Diego; James L. Van Etten, University of Nebraska-Lincoln; James W. Wagner, Emory University; John E. Ware, Jr., University of Massachusetts Medical Center; Herbert Weissbach, Florida Atlantic University; Shin-Tson Wu, University of Central Florida.

HONORING DOCTOR SUSAN M. WIDMAYER AND THE CHILDREN'S DIAGNOSTIC AND TREATMENT CENTER

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, today I rise in honor of Doctor Susan M. Widmayer and the Children's Diagnostic and Treatment Center (CDTC). I would like to honor both Susan and the CDTC on their excellent research on infant mortality and efforts to improve the lives of children and their parents.

Founded in 1983 by Dr. Widmayer, the Children's Diagnostic and Treatment Center in Broward County has made great strides in providing special care for children with disabilities and mothers with HIV. When the CDTC started, Florida had one of the worst infant mortality rates in the country. As a result, Dr. Widmayer and her staff committed to improv-

ing the health prospects of children throughout South Florida. Thanks in part to the research by the CDTC, world HIV transmission rates from mother to infant dropped from 25 percent in the mid '90s to around 3 percent today.

When no one else would care for the tens of thousands of children with impoverished parents, Dr. Widmayer answered the call. Approximately 70 percent of the Center's clients live in poverty, but that has not stopped the CDTC from providing prevention, intervention and treatment services. Every patient that walks into the CDTC is welcome, regardless of family income. By serving the specialized needs of these children, Dr. Widmayer is giving them the opportunity and care that no other institution would.

Today I would like to honor Dr. Widmayer and the Children's Diagnostic Treatment Center, and I hope that they will continue to serve our communities by improving the lives of children throughout South Florida.

IN COMMEMORATION OF THE 66TH ANNIVERSARY OF THE 2-28 MASSACRE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to observe the 66th commemoration of Taiwan's 2-28 Massacre. The Massacre was an anti-government uprising in Taiwan that began on February 28, 1947 and was violently suppressed by General Chiang Kai-shek's Chinese Nationalist Kuomintang (KMT) government during the following weeks. Estimates of the number of deaths are around 28,000.

In the fall of 1945, 50 years of Japanese occupation of Taiwan ended after Japan had lost World War II. In October of that year, the KMT-administered Republic of China (ROC) received administrative control of Taiwan. 16 months of KMT administration on Taiwan led to the widespread impression among the people of Taiwan that the party was plagued by nepotism, corruption, and economic failure.

Tensions increased between the Taiwanese people and the ROC administration. The flashpoint came on February 28, 1947 when in Taipei a dispute between a female cigarette vendor and an officer of the Government's Office of Monopoly triggered civil disorder and open rebellion by the native Taiwanese against the KMT repression.

During the following weeks, Chiang's government sent troops from China to the island. The Chinese soldiers started to round up and execute a whole generation of an elite of Taiwanese lawyers, doctors, students, professors etc.

It is estimated that up to 30,000 people lost their lives during the turmoil. During the following four decades, the Chinese Nationalists continued to rule Taiwan with an iron fist under a Martial Law that would not be lifted until 1987.

Mr. Speaker, the Massacre had far reaching implications. Over the next half century, the Taiwanese democracy movement that grew out of the event helped pave the way for Tai-

wan's momentous transformation from a dictatorship under the Chinese Nationalists to a democracy.

In some ways, the 228 incident was Taiwan's Boston Massacre for both events functioned as the cradle of a move by both peoples to full democracy and helped galvanize the strive to independence.

Mr. Speaker, I have said it before: Freedom is not negotiable. May the lessons learned from the 2-28 Massacre continue to inspire the people of Taiwan in their struggle for freedom, full independence, international participation, and for the continued enhancement of the mutual relationship between Taiwan and the United States.

Mr. Speaker, I urge my colleagues to join me today in commemorating this important historical event.

BLACK HISTORY MONTH

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. GARCIA. Mr. Speaker, I rise today in observance of Black History Month—an opportunity to celebrate the rich legacy of African-Americans and the many ways they have shaped our Nation's history.

This Black History Month, we commemorate two landmark anniversaries in American history: the 150th anniversary of Emancipation Proclamation and the 50th anniversary of the March on Washington. Separated by a century, these two seminal events underscore what the Reverend Martin Luther King, Jr., once said—that “the arc of the moral universe is long but it bends towards justice.” Each successive generation of Americans must always do their part to build on the progress of those who came before them in order to advance the ideals of freedom and equality upon which our Nation was founded.

In South Florida, we have benefited tremendously from trailblazing African-American leaders who have broken through color barriers in order to contribute to our communities and our country.

They include individuals who served our country bravely, including Lt. Col. Eldridge Williams—one of the legendary Tuskegee airman—and Col. Brodes Hartley Jr., who has been a leading civil rights leader in South Florida committed to improving quality health care access for low-income families. And also Reverend John A. Ferguson, who after serving in the Navy helped found a small congregation in Richmond Heights that would grow to nearly 800 under his leadership and today stands at over 1400.

They include leaders like Al Dotson Sr., a pastor who served as the first elected African American president of the Orange Bowl Committee and the Chairman of the Board of Trustees for Florida International University, as well as Mayor Otis Wallace, who has served Florida City as mayor for over twenty-eight years and is today the longest serving elected official in the State of Florida.

I could name so many others. South Florida is a better place because of their commitment to public service and their strong leadership.

EXPANDING THE DEPARTMENT OF
VETERANS AFFAIRS DEFINITION
OF "HOMELESS VETERAN"

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. HAHN. Mr. Speaker, after over ten years of wars, we have a growing number of veterans in our nation. We have a responsibility to provide support and services for our soldiers once they return home. This includes the area of domestic violence.

Sadly, our brave soldiers who return home after protecting our nation are not immune from domestic abuse. As I've said previously, we have a duty to our veterans. However, current law fails to fully protect those veterans who have been driven from their homes because of domestic violence.

In order to reflect the modern day reality that there are more women in our military than ever before, it is important that we continue to update our laws to address emerging issues within this new trend.

The civilian definition of homelessness includes people fleeing from domestic violence. However, the current law the Department of Veterans Affairs uses to administer benefits for homeless veterans does not recognize those driven from their homes by abuse as homeless.

The full definition of "homeless" under the law includes the following: "Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing." However, the Department of Veterans Affairs currently defines "homeless veteran" based on an incomplete citation of the civilian homeless law.

That's why I have decided to reintroduce this bipartisan legislation with my colleague Congressman RUNYAN that would expand the Department of Veterans Affairs' definition of "homeless veteran" to include veterans fleeing situations of domestic violence and other life threatening emergencies. As a result, this change will allow those veterans who find the courage and the means to leave their abusers the ability to access the benefits that should be available to all homeless veterans.

This legislation is a bipartisan common sense bill that adds no additional cost to the taxpayer. When we introduced this bill last Congress, we were able to garner 72 co-sponsors from both sides of the aisle. The legislation also had the support of a number of organizations including:

Veterans of Foreign Wars (VFW)

AMVETS

The National Coalition for Homeless Veterans

The Service Women's Action Network

The Association of the US Navy

The National Law Center on Homelessness & Poverty

Veterans for Common Sense

The National Association for the Education of Homeless Children and Youth

The National Coalition Against Domestic Violence

By passing this bill, we will ensure that this especially vulnerable population of veterans has the chance to access benefits the Department of Veterans Affairs already provides. After fighting for our country, our veterans should never find themselves without a safe home to come back to.

**HONORING CAPTAIN TAMIKO
WRIGHT**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an active soldier, Captain Tamiko Wright.

Captain Wright is a 1996 graduate of Vicksburg High School. Upon graduating from high school, she attended the University of Southern Mississippi, where she earned her bachelor's degree in Kinesiology. She also holds a Masters in Business Administration (MBA) from Columbia Southern University and is currently seeking an additional Masters degree in Logistics.

Captain Wright is employed by the Combined Support Maintenance Shop (CSMS) at Camp Shelby, Mississippi where she is the Supervisor of Production Control. Captain Wright oversees the flow of approximately 1500 work requests per month on various types of military equipment. Her additional duties at CSMS include Anti-Terrorism Officer, Assistant Safety Officer, Hazardous Waste Management Coordinator, Sexual Harassment Officer, Assistant Operating Manager and SAMS-1E training officer.

Captain Wright and her husband, Larry Wright, reside in Hattiesburg, Mississippi and have two lovely daughters: Amari, 7 years old and Lorrie, 2 years old.

Captain Wright has dedicated over 12 years to the Mississippi Army National Guard. While doing so, she has served her country in deployments for Operation Iraqi Freedom to Kuwait and served on the S1 administrative staff for Operation Clean-Up during Hurricane Katrina.

Captain Wright is presently serving as Company Commander of the 1387th Quarter Master Water Supply Company in Greenville, Mississippi. Her successful career includes: Platoon Leader for D1 367th Maintenance Company, DeKalb, Mississippi; Executive Officer, 367th Maintenance Company, Philadelphia, Mississippi; and Acting Commander of the 367th Maintenance Company.

While attending Officer Candidate School (OCS), Captain Wright was named Outstanding Graduate for excellence in academics and leadership; she also received the Erickson Award for the candidate whose overall class ranking was number 1 based on overall criteria; and the Adjutant General Award for outstanding leadership ability. She also received numerous decorations and badges: the Army Achievement Medal, Army Commendation Medal, Army Reserve Component Achievement Medal, Army Good Conduct

Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Armed Forces Reserve Medal with Device, Mississippi Longevity Medal, Mississippi Emergency Service Medal, Overseas Service Ribbon and the Army Service Ribbon.

Mr. Speaker, I ask my colleagues to join me in honoring an active soldier, Captain Tamiko Wright.

**HONORING MAJOR GENERAL
CARROLL THACKSTON**

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HURT. Mr. Speaker, I rise today to recognize and honor the life of a remarkable public servant, my friend Major General Carroll Thackston, of South Boston in Virginia's 5th Congressional District.

Major General Thackston had a distinguished military career spending six years in the United States Army and 35 years in the Virginia National Guard, where he served as inspector general, commander of the 116th Support Battalion, state military personnel officer, chief of staff, assistant adjutant general, and adjutant general following his 1994 appointment by Governor George Allen.

As adjutant general, he provided encouraging words as he visited Virginia National Guard members; he helped those in need as he engaged in state emergency response operations; and he provided leadership as he oversaw the transition of Virginia National Guard operations to Fort Pickett.

The recipient of two Virginia Distinguished Service Medals, Major General Thackston will be remembered for his unwavering loyalty and true devotion to serving and protecting his fellow Virginians.

In addition to his role as a highly respected military veteran, Major General Thackston was also known for his service to his local community. He was a member of the South Boston Town Council and served as Mayor of South Boston. He also served on several boards including the Halifax County Chamber of Commerce, the Richmond and South Boston United Way, the South Boston School Board, and the YMCA.

Major General Thackston was a dear friend and he will be missed by our community. I ask my colleagues to join me in remembering a great Virginian and a truly dedicated public servant who not only made an impression on the lives of those of us in the Fifth District, but a man who made a difference in the lives of all Virginians.

**SHELBY COUNTY V. HOLDER (VOTING RIGHTS ACT) BEFORE THE
SUPREME COURT**

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, the struggle for equality and justice through the Civil Rights

Movement would not have attained its level of success without dedicated leaders such as Rosa Parks, Rev. Dr. Martin Luther King, Jr., Rev. Jesse Jackson, Sr., and my colleague, Representative JOHN LEWIS who put their lives on the line to make it so.

So here we are, nearly 50 years after the Voting Rights Act was signed into law by President Lyndon B. Johnson, the Supreme Court heard *Shelby County v. Holder*, the outcome of which holds the possibility of setting our nation back centuries.

Much of the debate regarding Section 5 of the Voting Rights Act has been focused on the plight of the south and relevance to the southern perspective as it should. We are all too aware of the blood that was shed to demand basic human, racial equality. However, I stand here today in solidarity with my colleagues to lend a voice and perspective to this debate of Section 5 covered areas outside of Southern States. When most people think of Brooklyn, New York, a progressive mentality comes to mind. However, Brooklyn is likewise a Section 5 covered jurisdiction and historically "Brooklynites" have encountered voter discrimination tactics that has resulted in Kings County being subjected to the requirements of Section 5's preclearance rules and provisions.

In 1921, New York State enacted an English-only literacy test that remained on the books through the 1960s. During this time, New York State experienced a "Great Migration" from the South, as well as, from Puerto Rico and other areas of Latino decent. Most of these migrants lived in communities such as Harlem in Manhattan, the South Bronx, and the Bedford-Stuyvesant section of Brooklyn. At that time, New York State law included a literacy test which proved difficult, if not impossible for people with educational or language barriers. Coincidentally, there were three counties in New York City with low voter turnout in the 1968 elections, due in large part to the fact that these literacy tests could not be passed. This ultimately became the reason why jurisdictions for Section 5 preclearance were extended to specific counties in New York, in particular, Brooklyn, New York.

On May 10, 1967, a federal court ruled that the hodgepodge of gerrymandered congressional districts that snaked in and out of Bedford-Stuyvesant, Brooklyn were unconstitutional, in that they operated "to minimize or cancel out the voting strength of racial or political elements of the voting population, violated the recently passed Voting Rights Act and deprived one of the nation's largest and densest African-American communities the right to adequate representation.

Andrew W. Cooper, a community activist, was the impetus for this historic change. A year after the Voting Rights Act became law he sued New York State officials in a case called *Cooper v. Power*. The ensuing legal battle led to the redrawing of the now historically famous 12th Congressional District of New York (the district was later reapportioned to parts of the 11th District and now 9th Congressional District).

The ruling set in motion a monumental shift in voting rights in New York and beyond, redefining political representation for people of color. It was built on the foundation of civil rights gains made in the south and helped push the agenda for Voting Rights nationwide.

As a woman of color, a witness to the re-election of our nation's first Black President, and the U.S. Representative for the Ninth Congressional District, which is a majority-minority district covered under Section 5 of the Voting Rights Act, I am deeply concerned by the potential ramifications of this case and the impact of its ruling on people of color and their right to vote.

Most recently a Brooklyn elected official wrote an editorial questioning the validity and significance of Brooklyn's classification as a Section 5 covered jurisdiction. Brooklyn NY has one of the largest concentrations of people of color in the nation. It is also worth noting that another elected official from Brooklyn appeared in "Black face", just this Sunday. These types of hostile inquiries and acts erode the fabric of American democracy and speak to the heart of why Section 5 preclearance is vital to the realization of justice and equality.

In many areas, racially polarized voting and the intent to disenfranchise Black voters demonstrate that the requirements of Section Five remain crucial to the basic function of our democracy.

The 9th Congressional district of New York, which I presently represent, was birthed in 1965 when Andrew Cooper brought suit under the Voting Rights Act against racial gerrymandering and in response to widespread and prolific discriminatory voting practices in Brooklyn. This suit gave birth to New York's 12th Congressional district and the election in 1968 of Shirley Chisholm, the first Black woman ever elected to the U.S. Congress to whom I have the distinct honor and privilege of succeeding almost 40 years later.

Even in the years after the formation of the Congressional Black Caucus in 1971, people of color remain underrepresented at every level of elected offices.

These are just a few examples of why Section 5, and in particular its preclearance clauses, are essential to ensure that changes to voting rules and practices do not result in voter suppression, retrogression, and discrimination.

Without the existence of majority-minority districts, the voices of millions of Americans will be excluded from Capitol Hill; and their perspectives would not inform public debate. Without Section 5 covered districts, our democracy would exist in form, but not in fact.

When I was elected to Congress in 2006, and after Congress had just reauthorized the Voting Rights Act, I would never have thought that today we would be re-litigating issues that I believed were long since settled and resolved.

It took our nation over 200 years to obtain the victories of the Civil Rights Movement, now less than 50 years after the Voting Rights Act was signed into law are we truly to believe that systemic racial discrimination and voter suppression has ended?, I think not!

These advancements in the struggle for equality, permitting All Americans to freely exercise their right to vote will take more than a lifetime to protect and preserve. Jurists of the Supreme Court, a word of advice—If it ain't broke, don't fix it!

ST. MARKS PAROCHIAL SCHOOL

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today in honor of St. Mark's Parochial School in Bristol Borough, PA. On December 27, 1887, St. Mark's Parochial School was opened and officially blessed, becoming the first parochial school in Bucks County. St. Mark's School was initially staffed by The Sisters, Servants of the Immaculate Heart of Mary, and Father Ward, who was Pastor of St. Mark Parish from 1879 to 1887, is considered the founder of Catholic education in Bristol. For the next 125 years, the school would become an integral part of the Bristol Borough community.

Thanks to its dedicated teachers and staff, St. Mark's Parochial School provides students with a high quality and well-rounded education in a Christian environment. It helps children develop a strong sense of morality and concern for their fellow neighbor. Further, members of St. Mark's routinely demonstrate an active presence in fostering their community. The school has become a great source of pride for the Borough of Bristol.

St. Mark's shows promise and growth as an institution and will continue to cultivate young minds. Because the school serves as a model of excellence in education and an active participant in community development, it is my pleasure to honor St. Mark's Parochial School of Bristol Borough on the floor of the U.S. House of Representatives.

SEQUESTER HARM IS "ABSOLUTELY OVER-HYPED"

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, Mayor Bloomberg says, "Spare me!"

He said yesterday that the Administration's efforts to scare people about the sequester have gone too far.

He said, "In all fairness, on Monday, we'll be able to police the streets."

He said "there's a lot of posturing" and that statements about laying off employees, closing down hospitals, and letting prisoners go "are not good for the country."

The Mayor said, "Spare me, I live in that world. I mean come on, let's get serious here."

In today's National Journal Daily, Steve Bell, senior director of the Bipartisan Policy Center, says the sequester is "absolutely over-hyped."

He says, "A sequester will occur and the next day the likelihood is that almost no one will know that it started."

The choice is simple. We can cut now or crash in the very near future.

The press says the sequester will hurt the economy. Actually, the sequester is miniscule in comparison to the harm to our economy from the President's tax hikes, Obamacare, and environmental overkill.

HONORING MINNIE DODGE

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ms. Minnie Dodge, Administrative Manager for the Modesto Chamber of Commerce, who is retiring after 14 years of outstanding service to our community.

Ms. Dodge attended Boise State University. During her time in the state of Idaho, she worked for L.B. Industries, Inc., the Larry Barnes Foundation, and was the co-owner of Omega Construction.

Minnie then relocated to California, where she was hired at the Modesto Chamber of Commerce as the Customer Service Manager in February of 1999. During her years at the Chamber, she was on several committees, including the Ag Aware Luncheon, the Harvest Luncheon, the Good Egg Breakfast, and the Modesto Chamber of Commerce Leadership Steering Committee. In July 2002, Minnie was promoted to Administrative Manager.

Minnie and her husband, Tony Meli, will soon be moving back to Boise, Idaho. Her family includes children Nicole, Cherene and her husband Steve, and Shane and his wife Tracy; along with their grandchildren Emily, Ashley, Conner, and Jack.

Mr. Speaker, please join me in honoring and commending Minnie Dodge for her numerous years of selfless service to the betterment of our community.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, I was unavoidably detained in my district and missed the vote on Monday, February 25, 2013. Had I been present, I would have voted "yea" on rollcall No. 47, H.R. 667—To redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

HONORING JESSE J. JOSSELL, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize a remarkable veteran of the Korean Conflict from 1954–1957, Pastor Jesse J. Jossell, Jr., of Marks, Mississippi.

Jesse was born in Coahoma County on September 5, 1935 to the late Jesse J. and Cordelia B. Jossell, Sr. His family later moved to Quitman County, Mississippi where he attended school and in May 1954 he graduated from Marks Industrial High School. He re-

ceived his Associate of Arts Degree from Coahoma Junior College in May 1959. In 1961, he received his Bachelor of Science Degree from Jackson State College, now Jackson State University. He also attended Howard University in 1965. In 1969, he earned a Master of Science Degree in Natural Science from Oklahoma State University and later a Master of Education Degree in Educational Administration and Supervision in 1973.

From 1960 until 1973, Jesse Jossell worked for the Quitman County School District in Marks, Mississippi as a classroom science teacher and science supervisor before accepting a principal position at the Falcon Junior High School in 1973.

In 1973, Jesse Jossell was asked to seek the office of Superintendent of Schools in the upcoming State and County Elections in 1975. Just four years earlier, the leadership in the black community under the new voting rights law sought to test this new tool. Jesse by far was the most attractive candidate and offered the best opportunity to elect an African-American to a countywide position. For two years, voter registration was the order of the day. More than 1,500 African-Americans were added to the voter rolls by qualifying deadline. Although Jesse and the other black candidates were not elected, three years later he was elected the first African-American to the Quitman County Board of Supervisors.

Jesse Jossell was later called into the ministry, where he has served as Pastor of Holly Grove Missionary Baptist Church since 1984. Through his work as pastor, he has provided child care to working mothers, especially single low-income and those trying to better themselves by going to school.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Jesse Jossell, Jr. for a life of dedication to bettering the lives of the least among us.

HONORING CONNECTICUT'S PEACE CORPS VOLUNTEERS

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the contributions of the 26 Peace Corps members from eastern Connecticut who are currently serving in the Peace Corps around the world. For five decades, the Peace Corps has supported international diplomacy through the promotion of peace, goodwill, and social and economic equality. I am proud that these young Connecticut residents have devoted part of their lives to help improve the lives of others.

Among these eastern Connecticut volunteers is Keith Esposito, a resident of Gales Ferry and a Boston University graduate who is teaching English in Ukraine. Emily Howell Heller, a Niantic resident and Connecticut College graduate, is serving in Panama as an Environmental Education volunteer. Justin Lamountain, who is serving in the Philippines, is a forest and land management consultant as part of the Peace Corps Response program.

Another volunteer, Chelsea Krieger, is serving as a HIV/AIDS technical health advisor in Malawi. Chelsea previously spent a year in Honduras through the Peace Corps; however, the Honduras program was suspended only a year into her service. Chelsea completed a Master's in Public Health and was motivated to apply for a Peace Corps response position to use her knowledge to assist those in need. Lantham Avery Jr. is currently serving in Kenya, a country currently experiencing unrest in the wake of the upcoming national elections. Additionally, one of my former interns, Gabrielle Tassone from Montville, is serving in Madagascar as an education volunteer. Other eastern Connecticut residents are serving in countries from Armenia to Tanzania to Gambia, and Kenya.

As we recognize the 52nd Anniversary of the founding of the Peace Corps program, it is important to recognize the over 210,000 American volunteers that have participated in this important service program. Volunteers have shown the international community the American value of service in over 139 countries. This program provides the best and brightest of our young people the opportunity to represent their country abroad, by teaching English, by assisting with economic development programs, and by providing necessary support to small communities throughout the world. As we begin Peace Corps month, I am hopeful that we can all recognize all of these invaluable contributions to American values and global understanding.

Mr. Speaker, I ask all my colleagues to join me in honoring these distinguished volunteers from Connecticut and across the country, for their contributions to the developing world and for embodying the core value of service we all share.

RECOGNIZING THE ALLIANCE FOR LUPUS RESEARCH'S 10TH ANNUAL WALK WITH US TO CURE LUPUS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the Alliance for Lupus Research's tenth annual Walk With Us To Cure Lupus. Since its creation, Walk With Us To Cure Lupus has promoted awareness in our community and raised over one million dollars in support of medical research aimed at curing this disease.

Lupus is a chronic autoimmune disease in which a person's immune system attacks normal, healthy tissues. The underlying causes are unknown, and there is no cure. This disease may cause damage to various parts of the body including skin, joints, and internal organs. As a chronic disease, those who suffer from lupus can endure months of symptoms that may reemerge as flares throughout their lives.

It is estimated that over 1.5 million Americans have lupus, including 100,000 people in my home state of Florida. The worldwide total is now over 5 million. It is important that we

continue to support research to develop better treatments and find a cure, educate our friends, families, and health care professionals to improve diagnosis and treatment, and promote awareness of this disease and advocate on the behalf of those who are affected by it.

I am especially proud of the many Floridians who have contributed to these efforts. In particular, I would like to recognize my good friend and the district director for Florida's 21st Congressional District, Wendi Lipsich. Wendi was diagnosed with lupus 25 years ago. While she is well-known for her energetic advocacy on behalf of seniors, children, and families throughout our community, she deserves special recognition today for her contribution to the Alliance for Lupus Research. Ten years ago, with the help of her friends Allison Rubin and Randy Netko, Wendi launched the first annual Walk With Us To Cure Lupus event in South Florida. Eight hundred people attended the first walk in 2004 and raised \$200,000. Each year since, hundreds of thousands of dollars have been raised exclusively for the purpose of research into curing lupus. In total, the Alliance for Lupus Research has committed \$81 million to develop a greater understanding of this disease and find a cure.

This weekend on March 3, 2013, hundreds of participants will join together at Florida Atlantic University in Boca Raton, Florida to walk together in support of lupus research. I commend all of the participants and donors that will make the tenth annual Walk With Us To Cure Lupus a success. Congratulations to Wendi, Allison, and the other organizers of this year's walk. Together, you are providing hope to the millions of families touched by lupus and bringing our nation closer to finally discovering a cure.

INTRODUCING THE EVERGLADES FOR THE NEXT GENERATION ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Everglades for the Next Generation Act.

Everglades restoration is unfortunately at a standstill. All of the projects that can be started are already underway and nearing completion. It has been six years since the last Comprehensive Everglades Restoration Projects (CERP) were authorized. The Water Resources Development Act (WRDA) is supposed to be the vehicle for these authorizations, but clearly is not sufficient. In the 12 years since CERP was signed into law, Congress has passed only one WRDA bill. An awkward state of limbo is not the future Congress had in mind for the Everglades when it passed CERP, and it is not the future that the American people deserve. Congressional inaction has persevered for far too long despite bipartisan support for restoration.

Regardless of the real progress, restoration efforts will not succeed without the next generation of projects, which cannot begin without further Congressional authorizations. That is exactly what this bill does: authorizes the

shovel-ready projects which have been awaiting another WRDA. Additionally, this legislation will make it easier for the Army Corps of Engineers to move on many of the remaining projects in order to prevent future Congressional bottlenecks.

Restoration is not a theoretical exercise. CERP has demonstrable successes and biennial reports from the National Academy of Sciences. We know that the federal and state governments can successfully work together with private businesses and landowners to reach mutually beneficial agreements that restore the health of this unique, beautiful, wild, and wonderful resource that is absolutely essential for Florida.

I urge my colleagues to support critically important legislation.

STATEMENT ON SEQUESTRATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, I rise today to express my disappointment with the budget sequester that seems almost certain to occur. These automatic budget cuts will become effective tomorrow, Friday, March 1, 2013 unless Congress acts immediately. Many of my Democratic colleagues have proposed serious alternatives to the cuts, which I fully support.

Since the start of the 113th Congress, House Republicans have failed to bring a single bill to the floor that would prevent the cuts. The sequester will harm every American, especially the constituents of my district.

Estimates from the Center on Budget and Policy Priorities demonstrate that the Women, Infant and Children nutrition program will be unable to assist between 600,000 and 775,000 individuals. Low income families depend on food assistance programs. Too many children in my district come to school hungry, which leads to the inability to focus on their schoolwork.

Sequestration will also undermine federally-funded programs that provide low income, underinsured, and uninsured women access to breast and cervical cancer screening and diagnostic testing. The women in my community need these programs to receive proper treatment.

Layoffs and furloughs to the Social Security Administration will slow the processing of Social Security applications. Many of my constituents who are retired or have disabilities depend on Social Security. Americans have worked for their Social Security benefits, and have the right to expect service.

As a member of the Homeland Security Committee, I am concerned about cuts to airport security. This issue has enormous importance to me and my fellow New Yorkers, many of whom work in airport security at JFK and LaGuardia airports. The cuts present serious risks to the workers at these airports and to our national security. These men and women have dedicated their lives to serving this country to keep it safe. A reduction in security workers will increase complications in air travel and increase the possibility of danger to this nation and its people.

The sequester will also harm small businesses, by reducing support for loan programs administered by the Small Business Administration as well as government contracts, and training program for small businesses. I am extremely sensitive to the plight of small businesses, as a member of the Small Business Committee.

I urge my colleagues to prevent these cuts to important programs. Our constituents want us to compromise to prevent these drastic cuts. In the words of Mohandas Gandhi, "The best way to find yourself is to lose yourself in the service of others." We swore an oath to defend, protect and serve this country. Americans are depending on us to make the right decision. We should not delay a vote. We need to come together, make a decision and protect the interests of the people we represent.

VOICING SEQUESTER CONCERNS

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DELANEY. Mr. Speaker, the sequester is bad way to deal with deficit reduction and will likely have a negative effect on our economy, particularly Maryland's economy, which I have been saying for years is unusually vulnerable to reductions in government spending. We are faced with the sequester because our government has failed to act in a bi-partisan way for the good of the country. The cost of doing nothing is not nothing. Because we failed to take the necessary steps to deal with our deficit in a balanced way—and because special interests were uncompromising in the face of any proposals that affected them—we find ourselves facing a mini-doomsday machine in the sequester.

Unless Congress acts, sequestration would have a serious and disproportionate impact on job creation and economic growth in Maryland. The 60 non-military federal facilities and 17 military facilities in Maryland would see their ability to conduct operations significantly erode; nearly 140,000 federal civilian employees who work in Maryland would face furloughs and potential pay cuts; and thousands of jobs in Maryland would be put at risk. Our students, small businesses, families, and first-responders would also be affected by devastating cuts to investments in education, law enforcement, infrastructure, innovation, research, and other areas that are critical to building a strong middle class.

Our focus should be on avoiding the sequester and passing a grand budget deal along the lines of Simpson-Bowles that reduces the deficit in a balanced way. We should do our job, which is to come together, negotiate in good faith, and find a solution.

THE 52ND ANNIVERSARY OF THE
PEACE CORPS**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise regarding the 52nd anniversary of the Peace Corps to recognize the service, sacrifice and commitment of the men and women who devote a portion of their lives to the task of helping to strengthen the ties of friendship and understanding between the people of United States and others around the world. These cultural ambassadors embody the legacy of service that is the foundation of this nation's image abroad. Since 1961, more than 210,000

volunteers have served in 193 countries around the world. Their efforts in Africa, Asia, Central and South America, Europe, the Middle East and elsewhere have made significant and lasting contributions in the areas of agriculture, business development, education, health, and youth development among others.

I know firsthand of the long-lasting benefits of the good work of the Peace Corps. My father served in the Navy and then went on to become a United States Foreign Service officer, proudly representing America in places like Turkey and India and Pakistan, where I was born. I learned a lot about the world as a child in those places, but I also learned a lot about America.

One memory of those years stands out. It was in the early 1970s, and I had just turned 14. One day, I traveled with my parents to a

tiny remote village in Sri Lanka. There, I walked into a family's small hut and as my eyes adjusted to the light, I noticed, hanging on the wall, a portrait of President John F. Kennedy. It was 10 years after he had been in the White House and half a world away from our country, but for these villagers it represented the America that had sent Peace Corps volunteers to help them. It represented the America they looked to as a land of opportunity and as a force for good and justice around the world. That portrait of our president represented an America that was a beacon of hope.

As we celebrate the fifty-second anniversary of the Peace Corps, let us salute the men and women who helped bring the best of America to the people of the world.

SENATE—Monday, March 4, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, sovereign of our Nation and Lord of our lives, thank You for infusing us with the confidence that You order our steps each day. Give our lawmakers courage and a strong resolve to glorify Your Name as they trust the unfolding of Your loving providence. Lord, as they remember what You have already done to bless this Nation, inspire them to march confidently toward tomorrow's difficulties with a total dependence on You. May they recommit themselves each day to faithfully fulfilling the awesome responsibility You have entrusted to them.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. KAINE). The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business until 5 p.m. today. Following that morning business, the Senate will proceed to executive session to consider the Chen and Failla nominations to be U.S. district judges, both in the State of New York. At 5:30 p.m. there will be two rollcall votes on confirmation of these nominations.

NOMINATIONS

Mr. REID. Mr. President, this week the Senate will consider a number of nominations.

Tonight we will vote, as I have just indicated, on Pamela Chen to be a judge for the Eastern District of New York and Katherine Failla to serve as district judge for the Southern District of New York.

Later this week we are going to consider the nomination of Caitlin Joan Halligan to the U.S. Court of Appeals for the DC Circuit. This circuit now has four vacancies. Ms. Halligan's colleagues say she has "a brilliant mind" and "an abiding respect for law." Those are direct quotes. But despite her outstanding credentials and strong support from across the political spectrum, Republicans filibustered her confirmation last Congress.

President Obama is the only President in the 65-year history of the DC Circuit Court not to have a single judge confirmed to that court during his first term. Remember, there are now four vacancies. Since she was nominated, two additional vacancies have opened on the DC Circuit. The court desperately needs more judges.

This week the Senate will consider the nomination of John Brennan to lead the Central Intelligence Agency. Mr. Brennan's nomination is expected to be reported out of the Intelligence Committee tomorrow.

Mr. Brennan served 25 years in the CIA in many extremely important delicate roles and 4 years on the White House national security staff, where he played an instrumental role in finding Osama bin Laden and decimating al Qaida. He is very qualified, he is a wonderful public servant, and he should be confirmed quickly.

This week will be a test of the Republicans' goodwill. My Republican colleagues say they respect the Senate's responsibility to advise and consent. My Republican colleagues say they don't plan to obstruct the confirmation process for the sake of obstruction, but they filibustered President Obama's nominee for Secretary of Defense—for the first time in the history of the country, being a former Republican Senator—delaying Senator Hagel's confirmation for at least 2 weeks.

Republicans say they will not filibuster, but their actions say otherwise. Republicans say they are just requiring 60-vote thresholds, but the difference between a filibuster and requiring a 60-vote threshold on nominations is a distinction with no difference. In a nation founded on the principle of justice for all, requiring a 60-vote threshold on nominations is unfair. It is unfair for all. It is extremely important that we adequately staff our Federal courts, and we have not done that.

At a time when America faces so many threats abroad, it is crucial we have a talented and dedicated individual such as John Brennan leading our Nation's most prominent intelligence agency. Yet Republicans again

and again inject politics into the confirmation process, both when considering judicial nominees and, most recently, when considering Cabinet nominees.

There was once a time when Republicans were the ones defending the right of the President to choose the players on his team. Back then it was a Republican in the White House.

In 2001, the senior Senator from Utah touted the "longstanding tradition in the Senate . . . [to] afford the President a significant degree of deference to shape his Cabinet as he sees fit."

Four years later, after President Bush was reelected, the senior Senator from Arizona pointed out that elections have consequences and said, "The President has a right to put into place the team he believes will serve him best."

As we consider key nominations this week and in the future, I hope my Republican colleagues honor the long-standing tradition of the Senate that they have identified and we agree with. I urge my Republican colleagues to consider that if the Senate fails to properly staff our national security agencies or the Nation's judicial system, our inaction will also have consequences.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

NOMINATIONS

Mr. LEAHY. Mr. President, I thank the majority leader for what he said on these nominations. As he knows, we have an awful lot of them that have come out, and then every time he has tried to move them quickly on the Senate floor there has been opposition from the other side.

It has been frustrating when we actually had nominations that waited months, or will have a cloture vote, and then they will get 90 or 95 votes for confirmation.

Mr. REID. Mr. President, would my friend yield for a question?

Mr. LEAHY. Of course.

Mr. REID. I ask the chairman of the Judiciary Committee to explain to everyone within the sound of our voices

how important the DC Circuit is to our country.

Mr. LEAHY. Mr. President, it would be hard to state it any better than the Senator from Nevada has. But so many of the issues we grapple with every single day on this floor—regulatory issues, issues that affect the various departments of government—when there are appeals of those issues, when there are questions of what the Departments do, they invariably go to the DC Circuit. They don't go to the U.S. Supreme Court.

The U.S. Supreme Court, as the distinguished Presiding Officer and the distinguished majority leader know, takes only a tiny percentage of cases that are appealed. But every one of these major legal issues that are appealed are heard by the DC Circuit, and it is frustrating to know there is a concerted effort on the other side to try to stop having a balance in the DC Circuit.

Every one of us as lawyers would hope we could come into a courtroom and know that if we have a good case, we would win it; and if we have a bad case, we would lose but that the cards aren't stacked against us because we are a Republican or Democrat. Because of the makeup of the DC Circuit, more and more people are getting the view—rightly or wrongly—it is stacked. The efforts of the Republican Party to block anybody else from going down there except for people they have vetted increase that impression that the court is stacked. That doesn't help the system of justice in the United States. It actually doesn't help whether you are a Republican or a Democrat because it destroys the idea of the impartiality of the courts.

Mr. REID. Mr. President, I ask for permission to ask one more question of the senior Senator.

Mr. LEAHY. Of course.

Mr. REID. Legal scholars have said, and I have read, that they believe the DC Circuit is just a little bit below the Supreme Court; that it hears cases of such significance. That is why it was established some 65 years ago: to take care of cases the Supreme Court couldn't.

Is that true?

Mr. LEAHY. Mr. President, the Senator from Nevada is absolutely correct. I would even argue that in some areas it is more important than the Supreme Court because on so many of the issues that go there, they will have the final word. The Supreme Court could never hear all of the requests for appeals from the DC Circuit, and they become the final word.

So on the issues that involve average Americans based on what their government does, they will be decided in that circuit court, not in the Supreme Court. So it is extraordinarily important that we have a balanced court there.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTHCARE

Mr. BARRASSO. Mr. President, I rise today to talk about the policy changes and choices made in Washington and how they affect the spending and the well-being of so many people all around this great country. There has been a great deal of talk recently about how we can get our out-of-control Washington spending under control. How can we curb spending?

We also need to keep in mind some of the policies of the Obama administration and how they have impacted spending and how they have created economic conditions that have forced many of these hard choices to be made by American families. I believe our weak economic recovery is a result of bad policy choices that have cost Americans their jobs, and it has cost them dollars—money—they cannot spare.

The list of the administration's bad policy choices is long and, in my opinion, right at the top of that list is the President's health care law. Last week, we learned from a GAO study requested by Senator SESSIONS that the President's health care law will add \$6.2 trillion to Washington's debt. Of course, that is debt on the back of every young person in America and on the back of future generations. It is a debt upon the entire Nation.

It is also adding to the financial burden in this country. Recently, the Obama administration has released more rules for how this health care law will be implemented. The new regulations that have just come out lay out something called "essential benefits." These are the government-mandated items that health care policies will now have to offer.

Along with other parts of the health care law, these new rules will raise the premiums American families pay for their health coverage. That is not what the American people wanted, that is not what they were promised by the President, and that is not what they need during this difficult economic time.

Remember, President Obama promised that under his health care plan insurance premiums, he said, would go down \$2,500 for the average family by the end of his first term. That has come and gone, but what the President promised the American people has not happened. Instead, premiums have gone

up by an average of more than \$3,000 family.

As more provisions of the law kick in, I can tell you it is going to get worse. As the Obama administration puts out more regulations, premiums are going to continue to go up and up. The American people are in for a serious case of premium sticker shock.

This is especially true for young people, people in their twenties, people in their thirties. That is not just my prediction. It is the warning we are getting from State officials who actually supported the President's health care law. Of course, they supported it before they knew what was in it.

The State insurance commissioner in Oregon has said the new regulations could push up premiums for young consumers by as much as 30 percent next year. According to a recent piece in the Los Angeles Times, that was not an accident. It was an intentional effect of trying to lower prices for older Americans by raising the prices for younger people. In fact, the cost-shifting was a top priority of the AARP during the debate.

Of course, I believe the administration was not honest about it. They did not come out and tell young people: Hey, you are going to have to pay a higher premium so someone else pays less. No. Democrats in Congress and the White House tried to say young people were going to pay lower prices, but now we are seeing it was never true.

The premium increases are also going to be worse if you do not get insurance through your employer. That is because you may end up in the individual market. A recent Gallup poll found that fewer people are getting their insurance through work. Just since 2008, the number has dropped significantly. Among people between the ages of 18 and 25 years old, only 32 percent now get their health insurance through work.

Healthier people—people who take the time to focus on staying healthy—are actually going to pay more too. Even if you eat a good diet, you exercise, you do the things people would be encouraged to do so they do not get sick, you are going to pay more under the President's health care law.

According to a new survey of insurance companies, younger and healthier customers can expect premium increases of 169 percent, on average, in 2014. That is in the individual market, that more people will find themselves forced into as their employers drop coverage.

The Congressional Budget Office says that even when you take into account the subsidies some of these people will get under the law, premiums will still go up an average of 10 to 13 percent even after the subsidies are applied.

If that happens, a family buying coverage on its own may end up paying

\$2,100 a year more because of the health care law. You might ask yourself, why are the premiums going up so fast? It is because of the law's new requirements.

For one thing, there is something called the essential health benefits. We just got new rules on these from the administration. Those are the specific mandates that require insurance plans to cover a wide range of services. For most consumers it is going to mean a more extensive and longer list of benefits. That might sound good, but they may be for things the consumers do not want. It does not matter. Under the law, the consumers have to pay for them. It is still higher costs—much higher costs. People cannot just get the insurance they and their family want, that is right for them, and they can afford. No, that is not enough. They must buy Obama administration-approved health insurance. That is what they have to buy. That is what the law says, and it is going to be much more expensive than what they might want, they might need or they can afford and think is good for them.

Families are going to have to pay for insurance that covers the whole laundry list of benefits, whether they want them or not. Why should the government—Washington—tell a single 33-year-old man he has to pay for ovarian cancer screening? Why should someone without children have to pay for a plan that covers pediatric eye exams? Even the American Academy of Ophthalmology has said that requirement goes too far. They are worried that once insurance has to cover it, there will be overuse of comprehensive eye exams on children who do not even need them. Of course, that may happen. If it is covered by insurance, people are going to want more of it. That drives up health care costs, and health insurance costs go up even more.

To make matters worse, the law requires the Secretary of Health and Human Services to update the list of these benefits every year. These are the benefits you still may not want—certainly do not want to be forced to pay for—but you are stuck with them now. We all know this list is not going to get any shorter. It is going to grow longer, and the costs are going to continue to go up.

That is what has happened at the State level. Health insurance mandates in some States now include everything from circumcisions to breast implant removal, and mandates add anywhere from 10 to 50 percent to the cost of insurance.

It is no way to run a health care program. Consumers should decide what benefits they want, what benefits they think they may need, not Washington bureaucrats.

Finally, I will give just one more example of how the new rules will drive up premiums. This has to do with new

age rating rules in the law. The age rating limits the amount premiums can vary between healthy younger individuals and unhealthy older consumers. This is the most direct way Democrats are taxing the young to pay for everyone else.

Under the President's health care law, the premium charged to a sicker older person cannot be more than three times what a healthy 21-year-old has to pay. So those younger people are going to end up paying more. Rather than pay the higher cost, many younger people will just not purchase insurance at all. They will just pay the law's tax penalty instead. That is because it is still cheaper than the insurance premiums that have been driven up due to the President's health care law. That means premiums will go up even faster for the people left in the insurance pool, and the whole thing will keep spiraling out of control.

The White House says it will not budge on these age-rating rules. So people in their twenties and thirties and early forties should just prepare themselves now for the premium hikes they are going to see under the President's health care law.

Those are just a few of the new rules and just a few of the ways the health care law continues to raise costs and raise premiums for hard-working Americans. It seems to me the President is still in his campaign mode, so he will not admit it, but he is not fooling anybody.

I recently completed a statewide tour of Wyoming. I visited a dozen towns across the State and met with hundreds of people. I can tell you, in those meetings, people still say the health care law is unworkable, it is unaffordable, and it remains very unpopular.

The people of Wyoming, as did people across the country, knew what they wanted from health care reform. They wanted the care they need, from a doctor they choose, at lower costs. What they got were higher premiums, higher taxes, and more government control over their personal health care decisions.

When the new rules were released 1 week ago, HHS Secretary Kathleen Sebelius said: "Being sick will no longer keep you, your family, or your employees from being able to get affordable health coverage."

What she should have added was: The President's own health care law will be the thing that keeps people from getting affordable coverage.

The law that was passed was the wrong solution and the wrong way to reform our health care in this country. Hard-working American families cannot afford it, and they deserve better.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. NELSON pertaining to the introduction of S. 436 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. NELSON. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF PAMELA KI MAI CHEN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

NOMINATION OF KATHERINE POLK FAILLA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The legislative clerk read the nominations of Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York, and Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate equally divided in the usual form.

Mr. LEAHY. Mr. President, last week, Congress failed to act to avoid indiscriminate across-the-board cuts from sequestration. These automatic cuts are in the tens of billions of dollars at a time when our economy is finally recovering but remains fragile. Among those who will have to endure these cuts are the overburdened Federal courts already suffering from longstanding vacancies that number almost

90 and have remained near or above 80 for almost 4 years. Budgetary cuts will mean more difficulty for the American people to get speedy justice from our Federal justice system.

Two senior district judges, one appointed by President Reagan and one appointed by President Clinton, wrote last week in *U.S. News and World Report* that sequestration will “devastate the judicial branch.” They wrote: “[C]ourts may need to close periodically, furlough employees, and cut security, thereby, delaying proceedings. These realities, combined with a reduction in supervision of persons on bond and convicted felons who are released from prison, compromise public safety.” They conclude: “[Our Federal courts provide access to justice, protect against abuses of power, and defend the Constitution. Failure to avert sequestration by March 1 undermines the ability of the Federal courts to fulfill this Constitutional mandate.” I ask unanimous consent that this article be printed in the *RECORD* at the conclusion of my statement.

As we hear these warnings from judges and other officials across our three branches of Government, I hope Senators understand that sequestration is bad for the courts, bad for the economy, and bad for the American people.

Over the past 4 years, unprecedented obstruction by Senate Republicans has meant that all judicial nominees have become wrapped around the axle of partisanship. Senators from both sides of the aisle used to agree that Federal courts are supposed to be impartial and outside of politics. Yet, the actions of Senate Republicans over the last 4 years have undermined that principle of our constitutional system and hurt the integrity of the judiciary. I hear this from judges appointed by Republican Presidents and those appointed by Democratic Presidents. They say the unprecedented delays that nominees face politicize the courts and destroy the appearance of impartiality the Federal courts need. Supreme Court Justice Anthony Kennedy said last year that this extreme partisanship erodes the public's confidence in our courts and “makes the judiciary look politicized when it is not, and it has to stop.”

This obstruction has also contributed to keeping judicial vacancies at a damagingly high level for over 4 years. Persistent vacancies mean that fewer judges have to take on growing case-loads and make it harder for Americans to have access to speedy justice. There are today 89 judicial vacancies across the country. By way of contrast, that is more than double the number of vacancies that existed at this point in the Bush administration.

Senate Republicans chose to depart dramatically from well-established Senate practices from the moment

President Obama took office in their efforts to delay and obstruct his judicial nominations.

Until 2009, judicial nominees reported by the Judiciary Committee with bipartisan support were generally confirmed quickly. Until 2009, we observed regular order, we usually confirmed nominees promptly, and we cleared the Senate Executive Calendar before long recesses. Until 2009, if a nominee was filibustered, it was almost always because of a substantive issue with the nominee's record. We know what has happened since 2009. The average district court nominee has been stalled 4.3 times longer and the average circuit court nominee has been stalled 7.3 times as long as it took to confirm them during the Bush administration. No other President's judicial nominees had to wait an average of over 100 days for a Senate vote after being reported by the Judiciary Committee.

Some Republicans have ignored the facts I just cited even though they came from the nonpartisan Congressional Research Service (CRS). No invented statistic can change the fact that no president's nominees have ever waited as long for a vote as President Obama's.

Senate Republicans have also claimed that President Bush had only 74 percent of his nominees confirmed during his first term. This is also not true. President Bush nominated 231 men and women to serve as circuit and district judges; of them, 205 were confirmed. That is a confirmation rate of 89 percent. During President Obama's first term, only 173 district and circuit judges were confirmed, and a much lower percentage. Contrary to the claims of Senate Republicans the Senate has confirmed far fewer of President Obama's nominees and confirmed them at a significantly lower rate at the same points in his and President Bush's administrations. Senate Republicans talk about how much progress we made during the 112th Congress, when we confirmed 113 of President Obama's circuit and district nominees. But they ignore the fact that 19 of those nominees could and should have been confirmed during the 111th Congress, and the fact that the 60 confirmations they allowed in the 111th Congress was the lowest total for a new president in over 30 years. They ignore the fact that in President Obama's first year in office they allowed just 12 of his circuit and district nominees to be confirmed, which, according to CRS, was the lowest one-year confirmation total since the Eisenhower administration when the Federal bench was barely one-third the size it is today. We have yet to make up the ground we lost during those first 2 years. Looking only at the confirmation total from last Congress while ignoring the historic obstruction of nominations that preceded it and the backlog that was

created provides an incomplete and misleading picture.

There can be no question about the effect of the unprecedented effort by Senate Republicans to obstruct President Obama's judicial nominations. Despite bipartisan calls to address longstanding judicial vacancies, the delays and obstruction of judicial confirmations have led to judicial vacancies to the remaining near or above 80 for almost 4 years.

During the vote on Judge Bacharach last week, some Senators defending the filibuster that blocked his confirmation for 7 months claimed that it was just the usual Senate practice in a presidential election year. During the filibuster last year of Judge Bacharach, there was not even a pretense of any substantive concern—Senate Republicans just decided to shut down the confirmation process and contorted the “Thurmond Rule.” But personal attacks on me, trying to repackage their own actions as if following the Thurmond Rule, do not change the facts. The fact is that in the past six presidential election years, Senate Democrats have never denied an up-or-down vote to a consensus circuit nominee; Senate Republicans cannot say that. Until last year, no circuit nominee with bipartisan Judiciary Committee support had ever been successfully filibustered. Senators claiming to be upholding Senate tradition while engaging in a filibuster that had no precedent in Senate history are not supported by the facts.

After last year's filibuster, Judge Bacharach waited another 7 months before being allowed a vote on the merits. The outcome of that vote was that he was confirmed unanimously. It is hard to understand why 7 months of delay were necessary. During the 7 months of additional unnecessary delay since his filibuster, Judge Bacharach could have been working on behalf of the people of Oklahoma, Kansas, New Mexico, Colorado, Wyoming, and Utah. Likewise there is no reason to delay further the confirmation of Caitlin Halligan, whose nomination to the D.C. Circuit was first reported nearly 2 years ago. Senate Republicans justified their filibuster of her nomination a year ago by arguing that the Circuit did not need another judge. Since that time, the number of vacancies on that court has doubled, and it is now more than one-third vacant. It needs Caitlin Halligan. She is the kind of moderate, superbly qualified nominee who should easily be able to be confirmed under any standard by which the Senate has considered judicial nominees in the past. It is well past time to walk back from the precipice marked by the wrongheaded filibuster of Ms. Halligan. The continued filibuster of her nomination does harm to the Senate, to the important D.C. Circuit, and to the American people.

At a time when judicial vacancies have again risen to almost 90, we must

do more for our overburdened courts. It is past time for the partisan obstruction to end. We have a long way to go. After 4 years of delay and obstruction, we remain far behind the pace of confirmations we set during President Bush's administration, and there remain far too many judicial vacancies that make it harder for Americans to have their day in court. During President Bush's entire second term, the 4 years from 2004 through 2008, vacancies never exceeded 60. Since President Obama's first full month in office, and as far into the future as we can see, there have never been fewer than 60 vacancies, and for much of that time many, many more. The Senate must do much more to fill these vacancies and make real progress.

Senate Republicans claim that we cannot do more because President Obama has not made a sufficient number of nominations. But it is Senate Republicans themselves, and their unwillingness to work with a President who has reached out to them to submit recommendations and to work with him, that has delayed many nominations.

Unlike his predecessor, President Obama has worked hard to solicit recommendations from home State Senators, including those from the other party. This President has consistently selected qualified, mainstream nominees. For the judicial vacancies in States with 2 Republican Senators, just 11 percent have a nominee. I urge Senate Republicans to do a better job providing consensus recommendations and fulfilling their own constitutional responsibility to "advise" the President on nominations and work with President Obama to fill these vacancies.

The Senate today will finally vote on the nominations of Pamela Chen and Katherine Failla. Both nominees should have been confirmed last year. Pamela Chen is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Eastern District of New York. She has worked as an Assistant U.S. Attorney for the district to which has now been nominated to be a judge for all but one of the last 14 years, rising from a line prosecutor to serve as chief of Civil Rights Litigation, deputy chief of the Public Integrity Section, and chief of the Civil Rights Section, Criminal Division. Between January and April 2008, she served as the deputy commissioner for enforcement at the New York State Division of Human Rights. Previously, she spent 7 years as a trial attorney and senior trial attorney in the Special Litigation Section of the Civil Rights Division of the U.S. Department of Justice. She began her legal career as an associate in private practice. She earned her B.A., with honors, from the University of Michigan, and her J.D. from Georgetown University Law Center. When confirmed, Pamela Chen will

be only the second female Chinese-American in U.S. history to serve on a Federal district court. She will also be one of only a few openly gay Federal judges.

Katherine Failla is nominated to serve on the U.S. District Court for the Southern District of New York. Since 2000, she has served as an Assistant United States Attorney in that division, and since 2008 she has served as the chief of the office's Criminal Appeals Unit. Prior to her government service, she was an associate in the New York office of Morgan Lewis & Bockius LLP. In her career, she has tried 10 trials to verdict. After law school, she clerked for the Honorable Joseph E. Irenas, U.S. District Judge for the District of New Jersey. She graduated with honors from the College of William & Mary, and Harvard Law School.

After today's votes, there are still another 15 judicial nominees pending before the Senate. All of these nominees had to be renominated after being returned at the end of the last Congress. It is unusual to have such a backlog so early in a Congress, and this is the result of Senate Republicans' refusal to allow votes on 11 nominees at the end of last year, almost all of whom had been reported with bipartisan support, and their refusal to consider another 4 who had hearings and could have been expedited. I urge that the Senate act quickly on these long-pending nominations. Further delay does not serve the interests of the American people. Hardworking Americans deserve better.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Feb. 27, 2013]

SEQUESTRATION THREATENS AMERICAN JUSTICE

(By Charles N. Clevert, Joseph H. Rodriguez)

As senior U.S. district judges, we urge members of the House and Senate to act by March 1 to halt sequestration—looming, indiscriminate, 5.1 percent budget cuts for the nation's federal courts. Crippling across-the-board budget cuts would threaten constitutional rights, American justice, and court security. Relatively little light has been shed on the effects that these budget cuts would have on our federal court system.

These cuts would devastate the judicial branch, which receives a mere two 10ths of 1 percent of the federal budget. Federal courts operate on a lean budget and have embraced cost containment by measures including staff reduction below authorized levels. Thus, we urge the House and Senate to act quickly and reach a budget agreement that prevents sequestration and all its attendant harms.

Lawmakers, businesses, and citizens alike must recognize that budget sequestration imperils fundamental constitutional rights and courts that protect those rights. The right to be heard, the right to a speedy and public trial, and the right to effective assistance of counsel in criminal cases are cornerstones of our democracy. Sequestration could dissuade attorneys from accepting ap-

pointments to represent indigent defendants because of inadequate funding. Moreover, courts may need to close periodically, furlough employees, and cut security, thereby, delaying proceedings. These realities, combined with a reduction in supervision of persons on bond and convicted felons who are released from prison, compromise public safety. Additionally, offenders with mental health needs or drug and alcohol abuse problems would receive inadequate monitoring and substandard treatment.

Access to justice is not a luxury. If budget cuts slam courthouse doors and postpone trials, some criminal cases may need to be dismissed. Therefore, trust and confidence in our federal courts would be at risk. Additionally, limited funds needed to pay citizen jurors and the priority that must be given to criminal proceedings could delay civil cases as well. At the same time, budget related delays would prevent bankruptcy courts from functioning normally in providing relief to struggling debtors and ailing businesses seeking reorganization. These individuals, businesses, and employees would be harmed and economic recovery will be slowed.

Cuts to courthouse security personnel and programs may be as high as 30 percent. These cuts would compromise the safety of all who visit or work in federal courthouses, including witnesses, jurors, and judges. Recent tragic shootings at or near courthouses in Delaware and South Carolina underscore that concerns about courthouse safety are not theoretical matters; cuts to funding for courthouse safety will only deepen these concerns.

America's courts are the final line of protection for the legal rights of all. They provide access to justice, protect against abuses of power, and defend the Constitution. Failure to avert sequestration by March 1 undermines the ability of the federal courts to fulfill this Constitutional mandate.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LEAHY, Ms. COLLINS, Mrs. GILLIBRAND and Mr. KIRK pertaining to the introduction of S. 443 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEAHY. Mr. President, I reserve the remainder of my time.

I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HALLIGAN NOMINATION

Mr. SESSIONS. Mr. President, I rise to express my opposition to the nomination of Caitlin Halligan to be a judge for the U.S. Circuit Court of Appeals for the D.C. Circuit. That is an important court, one of the most important

courts, one step below the Supreme Court.

I would note that the Senate has already once rejected proceeding with consideration of this nomination and, in my opinion, for good reason. We do not do that lightly. We should not do that lightly. But it is an important question, and nominees do have to clear the Senate, and the Senate is not a rubber stamp.

Ms. Halligan has a well-documented record of advocating extreme positions on constitutional issues, pushing legal arguments beyond what I think is reasonable, including in cases involving Second Amendment gun rights, abortion, the death penalty, and others.

But one of the most troubling of her views pertains to the war on terror and the detention of enemy combatants. This is alarming not only because the arguments she has advanced in this regard are contrary to well-settled law, but because the court she seeks to join the D.C. Circuit has a critical role in national security matters, including deciding habeas petitions of terrorist detainees.

As a member of the Association of the Bar of the City of New York's Committee on the Federal Courts, she joined a 2004 report, the self-described purpose of which was specifically to "address, in particular, the role the federal courts should play in striking [the] balance [between, in this case, national security and civil liberties concerns] with respect to the detention and trial of suspected terrorists or their accomplices designated as 'enemy combatants' by the executive branch."

The report comes to the untenable conclusion that the congressional Authorization for Use of Military Force does not authorize the indefinite detention of enemy combatants.

These are prisoners of war. Not only did the Supreme Court hold that it does, in fact, authorize indefinite detention in *Hamdi v. Rumsfeld*, but the Obama administration has argued for a broad construction of that authority itself. And, in a series of rulings joined by judges across the ideological spectrum, the D.C. Circuit has adopted, itself, that broad definition.

The report also adopts—this is the bar association report. And I have to say, lawyers and bar association committees, they sign on reports dealing with the national security of the United States of America. They sign on reports dealing with how prisoners of war are to be determined and handled. At a time of national crisis, when we are in a national debate about that, they should know what they are talking about, and this bar association did not.

The report also adopts the unsupported view that the war on terrorism "seems closer to a law enforcement effort than to a military campaign."

But I would say to that, the Congress voted and declared it to be a military

effort. Tell that to the soldiers in Afghanistan chasing down al-Qaida operatives, that it was not a war.

The report goes on. But this was part of the attempt at the time to undermine President Bush's ability to effectively manage the war effort. The report argues vigorously against the use of military commissions—that is where you try prisoners of war for violations of the rules of war, in military commissions—and maintains that the preferred place to try them are Article III civilian courts, normal civilian courts, except in "exceptional circumstances."

They say, of course, to try them in a civilian court would provide the terrorists—enemies of the United States, participating in a war against the United States—with all the same constitutional rights that a person who defrauded the IRS or robbed a bank would have. But it is a different situation. You do not give those kind of rights to people at war with the United States, whose goal is to destroy the United States and to replace the government. That has never been the position in our country, nor in any other nation in the world that I am aware of. But that is the position she signed on.

While Obama surrogates and supporters during the campaign often attacked Bush and made these kinds of allegations, the Obama administration, after taking office, has been forced to abandon those positions. They are untenable.

One of the report's flawed arguments of why you should try unlawful enemy combatants—that is people at war against the United States in Article III civilian courts is as follows: "It seems self-evident that the same [constitutional] protections [afforded ordinary criminals] should presumptively extend to those individuals whom the government has seized and proposes to detain for an extended, and perhaps indefinite, period of time because they are suspected of having engaged in conduct intended to further terrorist aims, thus violating applicable criminal laws."

Well, applicable criminal laws were violated, but it was an attack on the United States, not a normal crime. And the Nation made a very clear decision on which I thought all of us were in agreement that we had moved from a time of criminal activity to a time of war, and we acted in that fashion. So there is nothing self-evident about the position in the report that an unlawful enemy combatant whose only connection with the United States is his acts of war against it should be afforded the constitutional due process rights of an American citizen who committed an crime.

Andy McCarthy, a former longtime Department of Justice veteran prosecutor, who tried the Blind Sheikh case, said this:

The only thing the framers might have found more appalling is the notion that the

Constitution licenses lawfare—i.e., that it permits the American people's courts (which, other than the Supreme Court, are creatures of statute not required by the Constitution) to be used by foreign enemies to put on trial the armed forces of the American people over the manner in which they conduct wartime combat operations that have been authorized by the American people's representatives.

I think Andy McCarthy is right about that. I think that is basically what happened. I do not dispute it is fully acceptable for lawyers to defend unpopular clients. However, it is curious to me that while this Nation has hundreds of thousands of fine lawyers and thousands of proven prosecutors, the ones who seem to have a leg up—I am saying this carefully because I have observed this now for 4 years. I think it is significant. The ones who seem to have a leg up in this administration's nomination process are those who have challenged the legal policies of the former President of the United States as he attempted to conduct a war to defend the United States against an enemy dedicated to its destruction.

Time and time again, these are the people who have been nominated for high Department of Justice offices and to the courts. The lifetime appointment to which Ms. Halligan has been nominated demands independence and a commitment to the rule of law and not to a political agenda.

At her hearing, she did attempt to distance herself from the report, variously claiming she had not seen it until just before the hearing and that she had not attended all the meetings at which the report was discussed. She admitted, however, that she could have requested that her name not be on the report, as did four other members of the committee, but she did not. She signed it.

In fact, according to her own testimony, she never took any action to repudiate the report or its contents before her nomination or even before her hearing. The first time she expressed any disagreement with the report, it seems, was at her confirmation hearing. Some call that a confirmation conversion. A serious attorney would have taken swift action to either remove their name from the report or to repudiate it. No serious attorney would affix their name to a report on such important matters in a time of war without studying it carefully, surely.

It can only be assumed the report represented her views on the role of a civilian Article III court with respect to detention and trial of enemy combatants. It would have done more for her credibility to own up to that fact, rather than paying lip service to what might be more helpful during the confirmation process.

The report continues its irresponsible description of the al-Qaeda supporter and convicted terrorist Ali al-Marri as a "civilian in this country legally,

[who] seems suspected of providing logistical support for al-Qaeda sleeper cells: presumably criminal activity, if proven, but not 'combatant' activity under any likely definition of the term." Al-Marri eventually pleaded guilty to providing material support to al-Qaeda and was sentenced to eight years in federal prison. In his guilty plea, he admitted that he attended terrorist training camps in the years prior to the 9/11 terrorist attacks; that he was instructed by Khalid Sheikh Mohammed, the mastermind of 9/11, to enter the U.S. just prior to 9/11 and await further instruction from al-Qaeda; and that while here, he researched chemical weapons and communicated with al-Qaeda members. Investigators also discovered that he had made several phone calls to Mustafa al-Hawasawi who had wired money to the 9/11 hijackers.

When al-Marri's case came before the Supreme Court, Ms. Halligan, as a private practitioner, donated her legal services pro bono to co-author an amicus brief on his behalf. The brief argued the United States lacked the authority to detain al-Marri as an enemy combatant, and that the AUMF did not authorize his seizure and indefinite military detention, without criminal trial. At the hearing, Ms. Halligan claimed—unconvincingly in my view—that the brief did not represent her personal views. But the fact remains that she chose to donate her professional legal services to defend a radical Islamic terrorist instead of the millions of Americans who need legal representation, or victims of terrorism in this country and all over the world, or women in Afghanistan fighting for equal rights, or those suffering from religious persecution in Islamic countries. The fact that she would sign her name to the Bar report, and her decision to co-author and file an amicus brief in the al-Marri case, is a very serious matter. And those actions cast doubt on her testimony that she was not aware of the contents of the Bar report.

Much of Ms. Halligan's testimony did not match up with her record as an attorney both in private practice and public service. During her testimony, she attempted to evade the activist views she spent her career advancing, claiming, for example, that she now embraces original intent as the preferred method of Constitutional interpretation. At the same time, however, she was forced to admit that, prior to her "confirmation conversion," she had never once espoused such views. That is not surprising, given her well-documented record over the course of many years of advocating for the restriction of Second Amendment rights, including in favor of liability for gun manufacturers, for same sex marriage, for limiting the death penalty, for back pay for unauthorized illegal alien workers, and for affirmative action. All posi-

tions utterly unsupportable by an original intent approach to constitutional interpretation.

Her attempts to distance herself from her record were simply unconvincing. There is no question where she stands on these issues. She herself has said that the "courts are the special friend of liberty . . . the dynamics of our rule of law enables enviable social progress and mobility."

Her testimony did nothing to convince me that her written record does not paint the accurate picture of what her tenure on the bench would look like if she were confirmed. We have judges who follow their oaths to serve under the Constitution and the laws of this country. They are never above it. They are never free to alter the meaning of words to advance a personal agenda.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 1 additional minute.

Mr. SCHUMER. Reserving the right to object, I have some remarks I would like to make before 5:30.

I do not object.

Mr. SESSIONS. I will try to not utilize the 30 seconds the Senator used in agreeing to this. But I would point out there are other different complaints that we have about the circumstances of this nomination. I do think it is an extraordinary circumstance. I take that decision seriously. There have not been many that I found that to have occurred.

Therefore, I will oppose the motion for cloture and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank my colleague from Alabama for taking only 30 seconds because of the 30 seconds I took to explain to him. I have three parts to my little statement. I will speak briefly on each.

First, I rise in support of the nominations of Katherine Failla for the Southern District of New York and Pam Chen for the Eastern District. I have enthusiastic support for both of them. They are superb nominees to the Federal bench. Let me talk a little bit about each.

Similar to many proud New Yorkers, Chen was not born in New York City. But she is now a valid and valuable member, not just of the New York Bar but of our entire community. Chen was born in Chicago after her parents came here from China. She came by her zeal for public service honestly because her father worked for the IRS for over 30 years, while her mother was a professor of political science.

When I first met Chen, I do not think it took more than 5 minutes before she talked about how proud she was of her

parents, how grateful for the sacrifices they made so she and her brother could excel in later life.

She graduated from the University of Michigan and then Georgetown Law Center. As a young lawyer, she began as a litigator in private practice, and then began her illustrious career in public service by joining the Special Litigation Section of DOJ's Civil Rights Division.

Fortunately for the people of New York, she came to the Office of the U.S. Attorney for the Eastern District of New York—which serves principally Brooklyn and Long Island—in 1998, and has been there ever since.

At one of the premier U.S. Attorney's offices in the Nation, she rose to be chief of the civil rights litigation unit and later the civil rights section in that office.

She has prosecuted all manner of public corruption, gang, narcotics, and terrorism cases.

She is one of those highly intelligent, analytical individuals who was probably born to be a lawyer, and, once a lawyer, was almost certainly destined to be a judge.

Born in Edison, NJ, she earned her B.A. from William & Mary, and her law degree from Harvard. After clerking for the Federal court in New Jersey, she practiced in New York City with the law firm of Morgan, Lewis & Bockius, and 6 years later joined the U.S. Attorney's office.

She has now served as a prosecutor for 12 years. In her work as head of the criminal appeals section, she defends some of the most important criminal convictions in the Nation, including terrorism cases such as the East African bombing case against bin Laden and his associates, complex white-collar cases, and RICO cases.

Her colleagues report to a person that her advice on legal arguments and matters of judgment is the most sought after in the whole * * *

Everyone attests to the fact she is fair, decent, honest, and very smart. I wish to finally add that I look for three qualifications in a nominee: excellence, she clearly has that; moderation, she has that; and all else being present, diversity. Chen will be only the second female Chinese-American article III judge in U.S. history, making this day yet another step forward in our path to making the Judiciary reflect both the talent and depth of experience of our communities.

Katherine Failla is currently U.S. attorney in charge of the important and prestigious Criminal Appeals Unit in the Southern District of New York. She is one of those highly intelligent, analytical individuals who was probably born to be a lawyer, and once a lawyer, was almost destined to be a judge.

She has served as a prosecutor for 12 years. Her colleagues report to a person that her advice on legal arguments

and matters of judgment is the most sought after in the whole office. This is the Southern District of New York. It is an amazing office.

She also came to her dedication to public service through a hard-working family. This is evident through her siblings as well, a school teacher's aide and a submarine commander.

I ask that my colleagues vote for both of them shortly.

HALLIGAN NOMINATION

I also wish to say a few words this evening about the President's longest standing nominee to any office, Caitlin Joan Halligan. The DC Circuit is currently one-third vacant; 4 of the 11 slots are without active judges. What some people call the second most important court in the country is firing only on two-thirds of its cylinders. Halligan is one of the President's nominees for two of these four slots. Her nomination has been pending for 23 months.

Since her name has been sent to the Senate, she has not had an up-or-down vote. She has never had an up-or-down vote despite the fact that her academic and professional credentials are superb: Princeton University, GW Law School, prestigious clerkships on the DC Circuit, including Patricia Wald, the first female member of the court, and then to Justice Steven Breyer.

She has never had an up-or-down vote despite the fact that she has spent most of her career in public service as a prosecutor, first with the Office of the New York Attorney General, now as assistant district attorney who serves as the general counsel for the Manhattan DA's office.

She has never had an up-or-down vote despite the fact that she would be only the sixth woman to serve on the court since its inception in 1801. Two years ago, when her nomination was filibustered, many of my colleagues cited the DC Circuit's relatively low caseload for the reason the Senate did not need to confirm another judge. But now, 2 years later, there are only seven judges hearing cases on the court. The caseload for judges has risen 21 percent since President Bush made his last nomination to the court in 2006.

My colleagues know how difficult and time-consuming these cases are. I have great respect for my friend and colleague and the person I exercise with in the gym every morning, JEFF SESSIONS. But to say this is an extraordinary circumstance based on the smidgen of evidence he has mentioned—please, please, please.

Let's hope there is not a concerted effort by the other side to keep this important DC circuit empty—unfilled. It is unfair and it is not right to this fine women and to the need to proceed with justice in these United States of America.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

VOTE ON NOMINATION OF KATHERINE POLK FAILLA

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York?

Mr. WHITEHOUSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 28 Ex.]

YEAS—91

Alexander	Coburn	Gillibrand
Ayotte	Cochran	Graham
Baldwin	Collins	Grassley
Barrasso	Coons	Hagan
Baucus	Corker	Harkin
Bennet	Cornyn	Hatch
Blumenthal	Cowan	Heinrich
Blunt	Crapo	Heitkamp
Boozman	Cruz	Heller
Boxer	Donnelly	Hirono
Burr	Durbin	Hoeven
Cantwell	Enzi	Inhofe
Cardin	Feinstein	Isakson
Carper	Fischer	Johanns
Casey	Flake	Johnson (SD)
Chambliss	Franken	Johnson (WI)

Kaine	Moran	Sessions
King	Murphy	Shaheen
Kirk	Murray	Shelby
Klobuchar	Nelson	Stabenow
Landrieu	Portman	Tester
Leahy	Pryor	Thune
Lee	Reed	Toomey
Levin	Reid	Udall (NM)
Manchin	Risch	Warner
McCain	Roberts	Warren
McCaskill	Rubio	Whitehouse
McConnell	Sanders	Wicker
Menendez	Schatz	Wyden
Merkley	Schumer	
Mikulski	Scott	

NOT VOTING—9

Begich	Lautenberg	Rockefeller
Brown	Murkowski	Udall (CO)
Coats	Paul	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each. And I ask unanimous consent that I speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SEQUESTER

Mrs. BOXER. Mr. President, one of the virtues of traveling back home is to hear what the people are saying about us. And it isn't good. The people are on anxiety overload. The purpose of my remarks is not to increase anyone's anxiety but just to tell it the way it is.

How did we get to a place where we are having mindless, across-the-board cuts in spending with absolutely no thought? It came about because the Republicans refused to increase the debt ceiling. We were about to default on our obligations, after raising the debt ceiling many times—18 times under Ronald Reagan. And Ronald Reagan warned us in those times never to play games with the debt ceiling. Well, the Republicans did. They played games with the debt ceiling, and they did it because, if you follow what the Republican leader said, his highest priority was defeating President Obama. I am sure they thought that kind of chaos would lead the way. It didn't happen, clearly. Our President was reelected, and he was reelected with the big vote.

We got into this situation with the sequester because there were games

being played with the debt ceiling, and as a way to get out of it, we did something we thought would never come to pass.

We said: OK, give us this ability to raise the debt ceiling so we can pay our bills and not become a third-world nation and not lose our credit rating even more than we have already lost it, and then we will look at deficit reduction. If the supercommittee can't come up with a deal, we will have these across-the-board cuts.

No one thought they would happen, and they are happening. And now what we hear is, oh, it is really no big deal. Our Republican friends are saying it is OK.

Maybe people watching this in their homes may not be touched by the sequester, but let me tell you who will be touched by the sequester, and let me make the argument that when these people are touched by it, we are all touched by it. This is one Nation under God, and when we hurt our people, we get hurt.

Seventy thousand children will not get Head Start. Is that supposed to be good for the country? Ten thousand teacher jobs will be lost. Is that supposed to be good for the country? How about 7,200 special ed teachers, teaching every day kids who have such a hard time just getting dressed in the morning? Is that good for America?

I would argue that this list is terrible for our country. Maybe you don't have a kid in Head Start. I don't. Maybe you don't know a special ed teacher. The point is that we are one country, and we do best when we help our most vulnerable.

How about this: 424,000 HIV tests conducted by the Centers for Disease Control will no longer happen. Is that good for the country, to have HIV-infected people walking around not knowing they have HIV? How about 25,000 fewer breast and cervical cancer screenings? Maybe it is not your wife or your sister or your mom, but somebody's sister or somebody's daughter is not going to find out she has breast cancer. Tell me how that is good for this country.

I am not even talking about the cuts to defense, some of which I think we can do but many of which don't make sense. I am just looking at the cuts to the most vulnerable people. Four million fewer meals will be served to senior citizens. Does that make you proud, Republicans? I hope you are proud. Programs such as Meals on Wheels are going to be impacted, and 600,000 women and children won't get nutrition assistance. There will be 1,000 FBI agents and other law enforcement personnel laid off or furloughed, and 1,000 criminal cases won't be prosecuted. Is that good for America? Maybe your family wasn't the victim of a crime. Maybe it is not your relative who happens to be a law enforcement officer. But this is one Nation under God, with liberty and justice for all.

How does it make sense for these cuts to go into effect when all we have to do to avert them is reform the Tax Code and take away those juicy little tax loopholes companies that ship their jobs overseas get? How about asking someone who earns \$2 million a year to pay the same effective tax rate as their secretary? What kind of a country is this? You would rather have these kinds of brutal cuts to the least among us than just have a fair Tax Code?

In the last 40 years only one party balanced the budget, and that party is the Democratic Party. Bill Clinton and the Democratic Congress—the only party that ever balanced the budget. So spare me the lectures from my friends on the other side of the aisle about how they are the ones who know how to do it. No, they don't, because when you make these mindless cuts and people are furloughed and they have less money to spend, they don't go to the corner store and take their family for lunch or dinner. They don't spend as they would normally spend, and it is a trickle-down effect on this economy. As a matter of fact, Mark Zandi, the respected, nonpartisan economist, said it is going to take a half a point off economic growth at a time when we are not growing that robustly.

Here is the point. When President Obama inherited the job—because we elected him to it—he faced the \$1.2 trillion deficit of George W. Bush, who had turned the Bill Clinton surplus into raging deficits, and the deficits are down now to \$850 billion. So don't say we are not making progress. A Democratic President is making progress on the deficit. But let's do the rest of this deficit cutting wisely, in a balanced way. We have cut \$1.7 trillion in spending and, yes, \$700 billion in revenue. We have raised taxes on those earning a lot of money. But there are a lot more cuts we have made than revenue increases we have made.

So I come to the floor to say this is a self-inflicted wound. And if I hear anyone say: It doesn't really affect me, let me tell you that is not true because when our kids are hurt, we are hurt. When our health care system is hurt and people are walking around with diseases, we are all hurt. When our senior citizens don't get the meals, we are all hurt. Otherwise, what is the point in having a country if it is everyone for themselves? That isn't the greatness of America.

So I was proud to vote to avert the sequester. We had a majority vote before we left here for the weekend, but my Republican friends filibustered that. We had over 50 votes to get rid of the sequester, and the Republicans filibustered. Enough already. I hope they will come to their senses so we can do this deficit reduction in a serious way that makes sense.

CLIMATE CHANGE

Mrs. BOXER. Now I wish to talk about climate change. It is one of the most serious threats facing our Nation. All you really have to do is look out the window to see it is already happening.

I would like to talk about a great thing that happened recently. When USA TODAY, the Nation's largest newspaper in print form—more people read that paper than any other. They announced in a front-page story last Friday, on March 1, that they are going to spend a year looking at the issue of climate change.

This is the front page. They show that the temperatures are going up. They talk about more asthma. But let's look at what they say because I am appalled that with all of this going on around us, we seem to have no way forward on this issue. I am going to be here every Monday after votes to talk about this, and I urge every Member of the Senate, Democratic or Republican, who cares about this issue to join me. We have to wake up the American people to the fact that this Senate is doing nothing. Even though I believe there is a majority for doing something, we don't have the 60 votes. So let's talk about it.

This is what USA TODAY says:

"Why you should sweat climate change."

More American children are getting asthma and allergies, and more seniors are suffering heat strokes. [Already] food and utility prices are rising. Flooding is overrunning bridges, swamping subways and closing airport runways.

We know this is true.

People are losing jobs in drought-related factory closings. Cataclysmic storms are wiping out sprawling neighborhoods. Towns are sinking.

And Congress does nothing.

USA TODAY:

This isn't a science-fiction, end-of-the-world scenario. . . . these scenes are already playing out somewhere in the United States, and they're expected to get worse in the years ahead.

People need to act quickly.

Climate change is not a place and time distant—it's here and now.

That is a quote from Kim Knowlton, who is a health professor at Columbia University, and this was shown in USA TODAY.

The most recent decade was the Nation's hottest on record.

This isn't a guess, this is the truth.

The most recent decade was the Nation's hottest on record, and 2012 was the hottest single year. The average U.S. temperature has risen 1.5 degrees Fahrenheit since reliable recordkeeping began in 1895—80% of that has occurred since 1980.

The economic costs of all these changes are enormous—not only for those directly affected but for the nation's taxpayers, who are stuck with the bills for disaster relief, national flood insurance and drought-related crop losses.

Now, what are we supposed to do about this? Clearly, scientists tell us

there is too much carbon pollution in the air, and I will show you where it is coming from. The electricity sector gives us 34 percent of the carbon; the transportation sector, 27 percent of the carbon comes from there; the industrial sector, 20 percent; the agriculture sector, 7 percent; residential and commercial building, 11 percent.

We know President Obama has done an amazing job in leading us, with Members here in the Senate, bipartisan. Senators SNOWE and FEINSTEIN worked so hard on this. He said it is time for us to get better fuel economy. Fuel efficiency is going to take carbon out of the air, and we are moving toward 55 miles per gallon. That is excellent. And we can continue to make great progress as we move toward plug-in hybrids—I drive one of those myself—and eventually electric cars. I can tell you, when you drive those cars, you don't visit those gas stations. It saves you money. It is a win-win. The environment gets cleaned up. You save money. It is all good.

We know the electricity sector is complicated, but what we want to do—many of us here—is to say: If you put a price on carbon, it will move us away from the dirtiest types of electricity production toward clean, clean electricity.

That is what we are trying to do. So Senator SANDERS wrote a very strong bill of which I am a cosponsor. It would put a price on carbon and we would take the funds we get from that price on carbon—I think it is \$20 a ton when you start—and it will bring in many billions. What we will do with it is 60 percent of it will go to the people to soften the blow of higher electricity prices until we have moved to clean energy. We have to move on this.

On residential and commercial buildings, I have a bill to move forward through the GSA, the biggest landlord in the country, and we can move forward with economies to those buildings by making sure the windows do not let in all that air or let all that heat escape, we can make those weather-related improvements and we can encourage them to move to solar and other ways. The industrial sector is the same. Once there is a price on carbon, they will move toward putting solar and the rest.

In closing, we have one self-inflicted wound called the sequester. We can get out of it easily by working together on deficit reduction in a balanced way and stop these mindless cuts that hurt the people of our Nation, the children of our Nation, the seniors of our Nation, law enforcement of our Nation—our busiest airports, trains, and the rest. We can avoid all that if we are smart and we say we want a balanced approach.

I believe if we recognize what USA Today is saying, which is we should sweat climate change because it is hap-

pening now, if we can come together we can move forward and do our part. We just heard, in the Environment and Public Works Committee—I am proud to chair it—we heard from four scientists. They were asked if we do nothing what will happen. They said parts of our Nation will not exist anymore. Imagine hearing people say no more Atlantic City, no more New Orleans. In Florida—you wouldn't recognize it. That is the first answer. We did not even get to what happens in the West.

We know from Senators such as TOM UDALL what would happen to that beautiful State of New Mexico. It would become a desert environment; no more green, and the fires have already been starting. I am sad to say we have done little to nothing. I can only say this President has done whatever he could do. Any progress we have had has come from his executive orders and, I might add, the States.

My home State of California is moving forward, creating jobs in clean energy, moving forward, being a model, and I am going to support them and our Governor, Jerry Brown. He gets this. It doesn't take a degree in climatology to see what is happening to our climate—and it is happening. We understand it.

I saw a movie, "Chasing Ice." O God, if you have not seen it, I suggest you watch it. This is a great photographer who goes to four different places, including Montana, Greenland, Iceland, and Alaska. He puts these cameras up there to watch the glaciers. You see what happens over 2 years. These glaciers are disappearing. This is not some kind of cry for attention on my part. I love my grandkids, and I want them to have a planet that is habitable for them. They deserve that. They are going to look back to this time someday and say: My goodness, what were they thinking?

It is not too late for us. With USA Today leading the way, I think we can turn public opinion around and get going on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

(The remarks of Mrs. GILLIBRAND pertaining to the introduction of S. 443 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. GILLIBRAND. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF CAITLIN JOAN HALLIGAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. REID. Mr. President, I have been told the Republicans are not able to clear an agreement for consideration of the Halligan nomination. Therefore, I move to proceed to Calendar No. 13 and proceed in executive session to do that.

The PRESIDING OFFICER. The question is on the motion to proceed.

Without objection, the motion is agreed to. The clerk will report the nomination.

The legislative clerk read the nomination of Caitlin Joan Halligan, of New York, to be a United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER (Mr. DONNELLY). The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Barbara Boxer, Benjamin L. Cardin, Robert P. Casey, Jr., Bill Nelson, Barbara A. Mikulski, Amy Klobuchar, Al Franken, Jack Reed, Sheldon Whitehouse, Robert Menendez, Kirsten E. Gillibrand, Richard Blumenthal, Max Baucus, Sherrod Brown, Dianne Feinstein

Mr. REID. Mr. President, I ask unanimous consent that the quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now proceed to legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ROSSI RALENKOTTER

Mr. REID. Mr. President, I rise to recognize a milestone in Nevada history as my friend Rossi Ralenkotter

celebrates 40 years with the tourism industry. As president of the Las Vegas Convention and Visitors Authority, LVCVA, Rossi has been influential in transforming Las Vegas into a globally recognized brand and an entertainment destination. I am proud to honor him today.

After moving to Las Vegas in 1951 and graduating from Bishop Gorman High School, Rossi served our Nation in the United States Air Force. Upon returning home to Southern Nevada, he entered the tourism industry. Las Vegas hasn't been the same since.

Rossi championed the use of research and data in developing advertising and marketing strategies for Southern Nevada. He helped establish the LVCVA's research department in the early 1970's. This innovative approach transformed advertising and marketing for the LVCVA.

Rossi was part of the effort to bring professional sports to Southern Nevada and he convinced the Triple-A baseball affiliate in Spokane, WA, to move to Las Vegas. He worked in partnership with other communities to bring NASCAR and the NBA All-Star Game to Southern Nevada. When the National Finals Rodeo outgrew Oklahoma City, Rossi helped persuade the event to make Las Vegas its new home.

By the 1990s, Rossi was overseeing incredible growth in Southern Nevada's tourism industry and changing the face of Las Vegas from a regional gaming market into an international resort destination. Rossi was part of the team that developed the most successful tourism ad campaign in history. Today, Las Vegas is synonymous with "What happens here, stays here." Rossi was named Co-Brand Marketer of the Year by Brandweek magazine for his work with this advertising campaign.

Every resident of Clark County has benefited from Rossi's successful marketing and branding effort. Tourism supports jobs for 370,000 Southern Nevada residents and generates more than \$41 billion for the local economy. Today, 20 of the world's 27 largest hotels and resorts are located on Las Vegas Strip. And our resorts count on Rossi and the LVCVA to help fill rooms. Under Rossi's leadership, Las Vegas has also transformed itself from a weekend destination into the number one trade show destination in North America for 18 consecutive years. With the slogan "Vegas means business," Rossi and his team have attracted and signed multiyear contracts to host major conventions from the Consumer Electronics Show to the International Apparel show known as MAGIC.

Rossi's magic touch and marketing brilliance caught the attention of national leaders in the tourism industry. Last year, Rossi became the chairman of our Nation's largest tourism group, US Travel. He was appointed to the Commerce Department's Travel and

Tourism Advisory Board and serves as a delegate to the White House Conference on Tourism. The American Marketing Association and the Travel and Tourism Research Association have both presented Rossi with a Lifetime Achievement Award.

While everyone knows that "What happens in Vegas, stays in Vegas," it is my honor to make sure that what has happened on Rossi's watch is properly recognized. On behalf of the U.S. Senate, I am proud to congratulate Rossi Ralenkotter on 40 years in the tourism industry. All Nevadans have benefited from his leadership at the LVCVA and I look forward to many more years of working together.

S. 415, THE SMALL BUSINESS DISASTER RECOVERY ACT

Mr. COCHRAN. Mr. President, I am pleased to join the Senator from Louisiana in introducing the Small Business Disaster Recovery Act. The purpose of this bill is to streamline certain burdensome procedures for small businesses that are affected by a Presidentially declared disaster. This bill would complement provisions adopted by this body and enacted into law earlier this year that the Senator from Louisiana and I sponsored to improve FEMA procedures. Like the bill we are introducing today, we derived these provisions from our States' experiences with Hurricane Katrina. They will not cost anything, but they will improve government services at times when they are most critical.

Through two budget-neutral provisions, this bill continues to improve the way we respond and recover from disasters using the lessons that we have learned from past disasters. Current practice dictates that small business owners can only use their homes as collateral for a post-disaster loan. The legislation's first provision clarifies that the collateral requirement for SBA disaster loans can include business assets of actual value other than a primary residence. This removes a key obstacle to small business owners who want to restart operations after a disaster but are unable or unwilling to use their homes when they could conceivably provide sufficient business assets as collateral for the loan.

The bill clearly states that these assets should be of equal or greater value to the amount of the loan and ensures that the Small Business Administration is responsive to the needs of small businesses seeking disaster loans less than the maximum allowable. I encourage the Small Business Administration to ensure that the asset requirements for collateral are established in a way that minimizes any potential waste, fraud, and abuse. This bill will maintain the traditional standards for appropriate collateral assets, which includes commercial real estate, machin-

ery and equipment, business inventory, and furniture and fixtures.

The second provision included in this legislation addresses assistance provided by small business development centers, or SBDCs, to out-of-State businesses. It seeks to repeal processes that discourage SBDCs to work across State lines when doing so actually makes good sense. Sharing resources and knowledge across State lines is essential when disasters overwhelm local capacity or expertise. This legislation has the support of the Association of Small Business Development Centers and the International Economic Development Council because it encourages such information and resource sharing.

I am pleased to join the distinguished Senator from Louisiana in encouraging States and SBDC networks to formalize partnerships across State lines before disasters strike. We are both aware that any action or decision that takes place prior to a disaster is an action that does not waste time or resources during a time of crisis. The Emergency Management Assistance Compact system shows how well this can work.

I thank the Senator from Louisiana and her staff for working with me and my staff to make sure that this legislation addresses the need for SBDCs to be properly reimbursed for work when they appropriately respond to concerns in another state.

The reforms in this bill represent commonsense lessons that we have learned from our constituents after experiencing the effects of some of the most severe natural disasters in our Nation's history. I urge serious consideration of this legislation and invite other Senators to cosponsor this bill.

ADDITIONAL STATEMENTS

OBSERVING RARE DISEASE DAY

• Mr. BROWN. Mr. President, since 2009, the last day of February has been observed as National Rare Disease Day to raise awareness of and provide support for Americans living with a rare disease or disorder.

By definition, each rare disease or disorder affects a small patient population, less than 200,000 people. However, the combined 7,000 individual rare diseases affect nearly 30 million Americans. Sadly, children with rare genetic diseases account for more than half of the rare disease population.

Many of these rare diseases are serious, even life-threatening: epidermolysis bullosa; progeria; muscular dystrophy; sickle cell anemia; Tay-Sachs; cystic fibrosis; many childhood cancers; and fibrodysplasia ossificans progressiva.

Patients with rare diseases face unique challenges. Too many of these conditions lack effective treatments

and cures. And too often people with rare diseases experience challenges in obtaining an accurate diagnosis. In addition, there is often difficulty finding physicians or treatment centers with the necessary expertise in rare diseases or disorders.

Great strides have been made in research and treatment as the result of the Orphan Drug Act, legislation passed in 1983 to encourage pharmaceutical companies to bring treatments for rare diseases to market.

This year, the Rare Disease Day Resolution also pays tribute to the 30th Anniversary of the Orphan Drug Act and calls for us to reflect upon the successes of that Act and the challenges to be addressed in the future to prevent, identify, combat, and treat rare diseases.

Rare Disease Day is also an important opportunity to honor lifesaving advances in science and research that continue to transform the diagnosis, treatment, and standard of care for many orphan diseases, thanks in no small part to the advocacy efforts of the National Institutes of Health, the medical community, patients and their families, and rare disease organizations, especially the National Organization for Rare Disorders.

By designating February 28, 2013, as Rare Disease Day, I hope we create greater awareness of these conditions, encourage accurate and early diagnosis of rare diseases and disorders, and help demonstrate and support a national and global commitment to improve treatment options for individuals with rare diseases and disorders.●

REMEMBERING BARRY HORSTMAN

● Mr. PORTMAN. Mr. President, today I wish to remember Barry M. Horstman of Cincinnati, OH, for his dedication to his community and distinguished career in journalism. Mr. Horstman passed away suddenly while working in the newsroom of the Cincinnati Enquirer on February 25, 2013.

Known as a "newsman's newsman," Barry Horstman developed a reputation as a tough but fair investigative reporter who showed his commitment to his community by being relentless in his work.

Horstman's passion for journalism was inspired by his fourth grade teacher who encouraged him to write. In high school, he started a column for the Western Hills High School newspaper called "Straight from the Horstman's Mouth." He went on to earn a journalism degree from The Ohio State University.

While a student, Horstman worked at the Cincinnati Post, jumpstarting his long and fruitful career in journalism. Horstman's career included positions as a Washington correspondent for Scripps Howard News Service, a reporter at the Los Angeles Times, a re-

porter for the Cincinnati Post, and a writer and supervisor for the Las Vegas Sun before he returned to his hometown to join the Cincinnati Enquirer in 2008.

Barry covered me off and on for over 20 years, and even when I might have wished his story had been written a little differently, I never questioned his professionalism as a journalist, his commitment to reporting the facts as he saw them, and his decency and fairness as a person.

A local history buff, Horstman wrote profiles of local Cincinnati area newsmakers that were compiled into a book published in 1999: *100 Who Made a Difference: Greater Cincinnati's Who Made a Mark on the 20th Century*. He was known for his high energy and enthusiasm in all endeavors, especially for taking fantastic vacations around the globe.

Horstman grew up on the west side of Cincinnati, raised in an apartment above the Glenmore Bowl, the bowling alley managed and later owned by his father, Les. He was an avid runner and a talented bowler.

I honor Barry Horstman for his dedication to Cincinnati and contributions to the field of journalism.●

CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13288 ON MARCH 6, 2003, WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF ZIMBABWE AND OTHER PERSONS TO UNDERMINE ZIMBABWE'S DEMOCRATIC PROCESSES OR INSTITUTIONS, AS RECEIVED DURING RECESS OF THE SENATE ON MARCH 1, 2013—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes

or institutions is to continue in effect beyond March 6, 2013.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, March 1, 2013.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on March 1, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, she had presented to the President of the United States the following enrolled bill:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-550. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenpyrazamine; Pesticide Tolerances" (FRL No. 9373-9) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-551. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyrooxasulfone; Pesticide Tolerances" (FRL No. 9379-9) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-552. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetochlor; Pesticide Tolerances" (FRL No. 9377-6) received in the Office of the President of the Senate on February 26, 2013;

to the Committee on Agriculture, Nutrition, and Forestry.

EC-553. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyraflufen-ethyl; Pesticide Tolerances" (FRL No. 9379-6) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-554. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Identification of Additional Qualifying Renewable Fuel Pathways under the Renewable Fuel Standard Program" (FRL No. 9686-3) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Environment and Public Works.

EC-555. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; The 2002 Base Year Emissions Inventory for the Delaware Portion of the Philadelphia Nonattainment Area for the 1997 Annual Fine Particulate Matter National Ambient Air Quality Standard" (FRL No. 9786-4) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Environment and Public Works.

EC-556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Declaration of Prion as a Pest Under FIFRA; Related Amendments; and Availability of Final Test Guidelines" (FRL No. 9372-7) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Environment and Public Works.

EC-557. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-66) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-558. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Extension of Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items" (FAC 2013-007) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-559. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Changes to Time-and-Materials and Labor-Hour Contracts and Orders" (FAC 2011-025) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-560. A communication from the Senior Procurement Executive/Deputy Chief Acquisition

Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Definition of Contingency Operation" (FAC 2013-003) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-561. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-66; Introduction" (FAC 2005-66) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-562. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Entity Compliance Guide" (FAC 2005-66) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-563. A communication from the General Counsel, National Mediation Board, transmitting, pursuant to law, the report of a rule entitled "Representation Procedures and Rulemaking Authority" (RIN3140-AZ01) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-564. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-589, "The Elizabeth Ministry, Inc. Affordable Housing Initiatives Real Property Tax Relief Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-565. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-591, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-566. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-592, "Public Library Hours Expansion Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-567. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-593, "Howard Town Center Real Property Tax Abatement Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-568. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-610, "Ignition Interlock Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-569. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-611, "Chuck Brown Park Designation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-570. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 19-612, "Breath Test Admissibility in Criminal Proceedings Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-571. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-590, "Neighborhood Contractor Daytime Parking Permit Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-572. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-613, "Grandparent Caregivers Program Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-573. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-615, "Sustainable DC Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-574. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-616, "Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-575. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-625, "Access to Justice for Bicyclists Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-576. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-626, "Greater Mount Calvary Way Designation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-577. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-627, "Child Sexual Abuse Reporting Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-578. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-628, "Closing of a Public Alley in Square 393, S.O. 11-08780, Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-579. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-629, "District Department of Transportation DC Streetcar Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-580. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-630, "Reckless Driving Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-581. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-631, "Public Vehicle-for-Hire Innovation Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-582. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-633, "Regulation of Body Artists and Body Art Establishments Clarifying Amendments Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-583. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-634, "Excise Tax Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-584. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-637, "Affordable Dwelling Unit Hardship Waiver Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-585. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-638, "Pipefitting, Refrigeration and Air Conditioning Mechanic Occupations Equality Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-586. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-639, "Department of Parks and Recreation Revenue Generation Clarification Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-587. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-640, "Foster Youth Statements of Rights and Responsibilities Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-588. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-641, "Criminal Fine Proportionality Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-589. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-642, "Basic Business License Renewal Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-590. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-643, "Autonomous Vehicle Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-591. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-644, "New and Used Tire Dealer License Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-592. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-645, "Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-593. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-646, "Pre-litigation Discovery

of Insurance Coverage Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-594. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-647, "Consumer Protection Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-595. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-648, "Workforce Job Development Grant-Making Authority Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-596. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the District's Workforce Development Programs"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs:

Special Report entitled "Report on the Activities of the Committee on Banking, Housing, and Urban Affairs of the United States Senate During the 112th Congress pursuant to Rule XXVI of the Standing Rules of the United States Senate" (Rept. No. 113-2).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 434. A bill to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation and the State of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ:

S. 435. A bill to ban the exportation of crude oil or refined petroleum products derived from Federal land, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON (for himself and Mrs. McCASKILL):

S. 436. A bill to require that the salaries of Members of Congress be sequestered during any sequester under the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

By Mr. MENENDEZ:

S. 437. A bill to authorize the Department of Housing and Urban Development to transform neighborhoods of extreme poverty into sustainable, mixed-income neighborhoods with access to economic opportunities, by revitalizing severely distressed housing, and investing and leveraging investments in well-functioning services, education opportunities, public assets, public transportation, and improved access to jobs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 438. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in early child-

hood education, to expand the deduction for certain expenses of teachers to teachers in early childhood education, and to modify the credit for dependent care services; to the Committee on Finance.

By Mr. REID (for Mr. BEGICH):

S. 439. A bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to support the modernization, renovation, or repair of career and technical education facilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 440. A bill to amend the Higher Education Act of 1965 to provide for loan forgiveness for early childhood educators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 441. A bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to provide professional development activities for educators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 442. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, and Mr. KING):

S. 443. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Ms. COLLINS (for herself and Mr. KING):

S. 444. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations.

By Mr. FRANKEN (for himself, Mr. LEAHY, Mr. BLUMENTHAL, Mr. COONS, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. GRAHAM, and Mr. BOOZMAN):

S. 445. A bill to improve security at State and local courthouses; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BURR, Mr. THUNE, Mr. GRASSLEY, Mr. ROBERTS, Mr. ENZI, Mr. CORNYN, Mr. ISAKSON, Mr. TOOMEY, and Mr. CRAPO):

S.J. Res. 9. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 117

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 117, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 172

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 172, a bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes.

S. 209

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 230

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 230, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 237

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 237, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes.

S. 294

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting

permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 325

At the request of Mr. TESTER, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 325, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 326

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 326, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 359

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 359, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the

Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 369

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 375

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 379

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 379, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 399

At the request of Mr. HATCH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 399, a bill to protect American job creation by striking the Federal mandate on employers to offer health insurance.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 429

At the request of Mr. NELSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. NELSON (for himself and Mrs. McCASKILL):

S. 436. A bill to require that the salaries of Members of Congress be sequestered during any sequester under the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

Mr. NELSON of Florida. Mr. President, I, like many of my colleagues, have just flown in our Nation's airways, going through a fairly crowded airport in Florida, coming into a crowded airport here in Washington, and in 30 days those TSA lines are going to get longer.

For the international flights, I and others have worked very hard to get additional customs agents to cut the time it takes to process our international visitors. In airports such as Miami and Orlando where there is quite a bit of international traffic, getting those additional customs folks has meant a great deal because we even had some airlines that would come in, for example, to Orlando, and they would have to keep the international passengers on the airplane for upwards of an hour before they could get off the airplane so that there was room, with the personnel available.

Well, you see where I am going, because all of that is going to change unless—as the Good Book says, come, let us reason together. Unless our sharply divided politics—be it partisan, be it ideological—unless we can come together and reach consensus to stop this ridiculous thing that went into effect last Friday called the sequester, which was never intended to go into effect, but because of the inability of the parties to come together, in fact, it is in effect, and it is cutting, in an indiscriminate way, like a meat cleaver across the board.

In certain agencies, such as the Department of Transportation, it even gets exacerbated because the cuts can only occur in certain accounts. Thus, civilian employees are going to be furloughed.

It is also happening in the Department of Defense. In my State of Florida alone, there are going to be 31,000 defense civilian employees who are going to be furloughed. What does a furlough mean? It means that after the 30-day notice, so about 30 days from now, that number of employees—in this example, in the Defense Department—is going to be laid off 1 day a week, under the law, for up to a maximum of 22 weeks. Is that in the interest of national security? Of course not.

Why is it exacerbated in the Department of Defense? Because the existing appropriations law—remember, we are not operating on a current law; we are operating on last year's appropriations law. That has so constrained the managers—in other words, the Secretary,

the Deputy Secretary—that they can't move the money around, and what they are having to do is to take the sequester cuts out of operations and maintenance instead of out of acquisitions of systems or programs. That is the worst possible place—out of operations and maintenance.

Now, I am an optimist. I couldn't be in this business if I were not an optimist. I have ultimate faith in the American people. And I know every one of these Senators here, from the extreme left to the extreme right, are all good people, and there can be consensus found if everybody would get out of their little silos and realize the greater good.

Senator CLAIRE McCASKILL and I want to help them, so we are filing a bill today. Since this was never intended and all these civilian Federal employees are going to be furloughed, our bill will say that Members of Congress will get docked the same percentage of their pay that the furloughed workers are docked in the percentage of their pay.

Now, the question is, Will this pass? I hope it doesn't pass because I hope it is not necessary to pass. We have 30 days of notice before the furloughs take place. I am certainly hopeful that happens by the end of this month, clearly by the time of March 27 when the existing appropriations bill—which is last year's appropriation—ceases to exist and the government can come to a screeching halt unless we continue the appropriations for the remainder of the fiscal year.

I am hopeful our legislation will not pass, but somebody needs to understand how ridiculous this whole thing is. Conservatives want to cut spending. You can do it in a more intelligent and rational way. If we are going to get serious about \$4 trillion of deficit reduction over the decade—and we have already enacted policies that will take us down about 2.5 trillion of deficit reduction—we have about \$1.5 trillion to go in enacting policies over that decade and we ought to be able to do that in a nanosecond.

Senator McCASKILL and I want to try to help nudge the process along. What is good for the goose is good for the gander. You are going to dock all of these civilian employees who have lives, who have families, who have children, who have expenses, who need to buy milk and so forth and so on. You are going to dock them their pay because of the inability of the Members of Congress to get together to do what should have been done, by the way, a year and a half ago when this whole thing was enacted. The meat cleaver sequester was put there because it was so ridiculous that surely it would encourage, a year and a half ago, the supercommittee of six from the House, six from the Senate, half and half of each party—surely it was going to en-

courage them to come together in agreement. All it needed was one vote. Instead of a 6-to-6 deadlock it would have been 7 to 5. It did not happen, and here we are a year and a half later.

What is good for the goose is good for the gander. If you are going to dock Federal workers' pay because you are going to force them into a furlough which was never intended, is not rational policy, is not good administration, then you are going to be docked your own pay.

This is not pontificating. Again, I say I hope this never passes because I hope it is moot. But it is trying to bring into focus just how ridiculous the goings-on here are right now. So I am very hopeful.

I say I love the Members of the Senate, every one of these Members of the Senate. I have a great relationship with almost every one of these Senators. They are all good people. We need to come together, give a strong statement of consensus building, and then send it down there to the House and tell them they have to get off the dime.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, and Mr. KING):

S. 443. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

Mr. LEAHY. Today I am proud to introduce modified legislation to combat the practice of straw purchasing and illegal trafficking in firearms. Since my initial introduction of the Stop Illegal Trafficking in Firearms Act at the very beginning of the 113th Congress on January 22, I have had productive conversations with several Senators who share my goal of reducing this destructive criminal conduct. Today I am pleased to be joined by Senator COLLINS, Senator DURBIN, Senator KIRK, Senator GILLIBRAND, and Senator BLUMENTHAL. These Senators understand the weaknesses in our current law and the challenges faced by law enforcement officials. I thank them for their commitment to this legislation, for their support of law enforcement, and for their cooperation in making progress in our collective efforts to prevent and reduce gun violence.

I hope that as other Senators on both sides of the aisle become more familiar with our bipartisan proposal, they will understand how it provides law enforcement with the tools they need to go after those who engage in the straw purchasing and illegal trafficking of firearms. The practice of straw purchasing is used for one thing to put firearms into the hands of those that are prohibited by law from having them. Many are then used to further violent crimes.

I have heard again and again from Senators on both sides of the aisle that

keeping guns away from those who should not have them is a goal worth pursuing. This bill will further that effort and help answer the call from Gabrielle Giffords and so many Americans for us to take action.

I want to commend the senior Senator from Maine, Senator COLLINS, for her leadership on this matter and for her willingness to work across the aisle to make real progress. She helped unite us to get this done. Without her, we would not have made the progress we have, or be in position to consider this comprehensive response to what law enforcement has told us they need.

This week, the Senate Judiciary Committee will continue our consideration of four measures to reduce gun violence. The issue of gun trafficking and straw purchasing is before the Committee. I will amend my original trafficking bill that is pending on the Committee agenda with the text of this bipartisan compromise, which combines the proposals that I put forward with Senator DURBIN at the beginning of this Congress as well as proposals that have been championed by Senator GILLIBRAND and Senator KIRK. Our substitute amendment will improve the language already pending before the Committee. As I did before introducing any measure related to gun violence this year, I also hope to continue my outreach to the Judiciary Committee's Ranking Member. I invite Senator GRASSLEY and other members of the Committee from both sides of the aisle to join with us so that I can report this measure with strong bipartisan support and without delay for consideration by the Senate.

Law enforcement officials have complained for years that they lack the legal tools necessary effectively to combat illegal straw purchasing and firearms trafficking. Congressional inquiry during the last Congress put a spotlight on the very difficult legal environment within which law enforcement officials currently operate. In fact, one of the whistleblowers who testified about the misguided tactics used by Federal law enforcement in firearms trafficking investigations in Arizona described the current laws as "toothless." If we are to address gun violence, we should respond to this clear vulnerability that is being exploited by criminals.

The Stop Illegal Trafficking in Firearms Act will make important changes to Federal firearms statutes that will better equip law enforcement officials to investigate and prosecute the all-too-common practices of straw purchasing and illegal trafficking of firearms. Straw purchases typically involve a person, who is not prohibited by Federal law, purchasing a firearm on behalf of a prohibited person, or at the direction of a drug trafficking or other criminal organization. These practices result in the support of larger

criminal organizations, and the illegally obtained guns are often sold and re-sold across state lines. This trafficking in firearms results in the proliferation of illegal firearms and gun violence in our communities. Straw purchasers circumvent the purposes of the background check system, and they put law enforcement officials and law-abiding firearms dealers in difficult positions. Gun trafficking and straw purchasing make our communities less safe.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called "paperwork" violations such as misrepresentations on a Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers, often the lowest rungs on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

The bipartisan bill we introduce today will add two new provisions to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms and trafficking in firearms. The bill establishes tough penalties for these offenses in an effort to punish and importantly, deter this conduct. We need a meaningful solution to this serious problem. Talk about prosecuting mere paperwork offenses is no answer.

Under current law, it is a crime to transfer a firearm to another with the knowledge that the firearm will be used in criminal activity. This bill would strengthen this existing law by prohibiting such a transfer where the transferor has "reasonable cause to believe" that the firearm will be used in criminal activity. We listened to concerns about family members who give firearms as gifts and other transfers that are not designed to get around the existing background check system. As a result, the bill contains important exemptions for the innocent transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

Another key provision of our bipartisan bill is that it complements existing law that makes it a crime to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States. In light of what we know is occurring, particularly on our Southwest border, this is an important improvement to current law and another tool that was needed but missing over the last few years.

The provisions laid out in our legislation are focused, commonsense remedies to the very real problems of fire-

arms trafficking and straw purchasing. Our bill does not affect lawful purchases from Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity. I hope Federal firearms licensees welcome a stronger deterrent to keep criminal straw purchasers out of their business.

The problems of gun trafficking and straw purchasers, particularly along the Southwest border, are matters we have been talking about for years. Senator DURBIN chaired a hearing on border violence back in early 2009. Law enforcement officials have called for a firearms trafficking statute that can be effective to go after straw purchasers. That is something agents did not have when they initiated Operation Wide Receiver during the Bush administration and later the disastrous Fast and Furious effort. Their frustration with the limits of the current law contributed to their looking for another way to make a difference in their fight against gun trafficking. Their initiative was a failure. What we need to do now is to create better law enforcement tools. I hope that those who have been concerned about Fast and Furious, whose investigation established that it was the local ATF agents in Arizona who initiated and so poorly implemented that effort, will join with us to close the loophole in the law that Mexican drug cartels are continuing to exploit.

Our bill was drafted at the request of law enforcement. It will provide needed tools to fight against the drug cartels and other criminals who threaten our communities. It will not undermine the Second Amendment rights of lawful gun owners. It has the support of many law enforcement organizations—both leadership and rank and file. Indeed, the original bill I introduced with Senator DURBIN has been supported by the National Fraternal Order of Police, the National Law Enforcement Partnership to Prevent Gun Violence, the Federal Law Enforcement Officers Association, the International Association of Chiefs of Police, the Major Cities Chiefs Association, the National District Attorneys Association, and the Police Executive Research Forum. I urge everyone who cares about keeping firearms out of the hands of criminals to join in this effort.

We have an obligation to find solutions to reduce gun violence and I thank these Senators for their strong leadership. We can do this in a way consistent with the rights guaranteed by the Second Amendment. I believe our bipartisan legislation meets those goals. As Chairman of the Judiciary Committee, a Senator, a Vermonter, an American, a father and a grandfather, I look forward to continuing our progress on this important legislation.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me begin my remarks by thanking the distinguished chairman of the Judiciary Committee for his very gracious comments and for his extraordinary leadership on a bill that I believe can bring all of us together.

I also want to thank our other cosponsors of the bill, particularly Senator GILLIBRAND, who has had a great interest in cracking down on the practice of straw purchasing.

The practice of straw purchasing is intended to achieve one result—to put a gun in the hands of a criminal. These individuals are easily exploiting currently weak Federal laws to obtain guns.

Peter Forcelli, ATF Supervisory Special Agent and Fast and Furious whistleblower, told the House Oversight and Government Reform Committee in June of 2011 that: “Some people view [the current penalties for straw purchasing] as no more consequential than doing 65 in a 55 zone.”

These guns are frequently sold, resold, and trafficked across State lines, resulting in the proliferation of illegal firearms in our communities. This has also fueled the violence across our southern border associated with Mexican drug cartels as well as gang violence in our cities.

Straw purchasing and gun trafficking put guns in the hands of criminals. According to the ATF, of the nearly 94,000 firearms that have been recovered in Mexico in the last 5 years, more than 64,000 were sourced to the United States. Similarly, a large percentage of the guns used in crimes in our largest cities were trafficked across State lines.

The congressional inquiry into the ATF's Wide Receiver and Fast and Furious investigations revealed how difficult it is for law enforcement officials to deter and punish these crimes effectively.

Current loopholes in Federal law make preventing and prosecuting these offenses very difficult for law enforcement officials. Right now, a straw purchaser can only be prosecuted for lying on a Federal form, which is treated as a paperwork violation.

Because straw purchasers by definition are nonprohibited persons and can lawfully purchase a firearm, prosecuting these individuals is difficult and any potential punishment is likely to be minimal.

Because of these weak laws, prosecutors have minimal leverage over straw purchasers who, in turn, have little incentive to cooperate and assist law enforcement in investigating trafficking crimes and crimes involving gun violence. For years, law enforcement has been asking Congress for better tools to crack down on this type of criminal conduct.

It is time to give law enforcement the tools it needs to combat this activity effectively.

Our bill reflects a combination of advice from law enforcement officials and leadership by many Senators. It gives law enforcement officials the comprehensive framework they have been seeking from Congress.

First, the bill creates new, specific criminal offenses for straw purchasing and trafficking in firearms. Instead of a slap on the wrist, these crimes would be punishable by up to 25 years in prison.

The proposal also increases the punishment for an individual who serves as an organizer of a straw purchasing or trafficking enterprise.

This bipartisan bill also strengthens existing laws that make it unlawful to smuggle guns into the United States.

The bill protects legitimate private sales and is drafted to avoid sweeping in innocent transactions and placing unnecessary burdens on lawful private sales.

When buying from a private seller, the buyer is only in violation of the new straw purchasing prohibition if the buyer purchases a firearm for someone known to the buyer as a prohibited person, meaning a felon, drug addict, someone subject to a domestic violence order, or someone with serious mental illness.

When buying from a federally licensed firearms dealer, it is prohibited to buy a firearm on behalf of or for another person. This is consistent with current law that requires a person buying from a dealer to certify that they are the “actual buyer.” It is important to note, however, that the bill also expressly exempts transactions like gifts and transfers that occur in raffles and auctions.

The bill is supported by numerous organizations, including the Fraternal Order of Police, the Federal Law Enforcement Officers Association, the FBI Agents Association, the International Association of Chiefs of Police, the Major Cities Chiefs Association, the National Law Enforcement Partnership to Prevent Gun Violence, the National District Attorneys Association, and the Police Executive Research Forum.

This bill helps to keep guns out of the hands of criminals without infringing in any way upon the second amendment right of law-abiding citizens.

I urge my colleagues to support this much needed legislation.

I am, again, very pleased to have been able to work under the leadership of the chairman of the Judiciary Committee. I am delighted he is going to proceed to mark up our bipartisan compromise this week, and I thank him for the opportunity to work with him.

THE PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to talk about an issue that every mother in America is thinking about.

Every parent in America who saw what happened in Connecticut bleeds for this issue. We have to do something in our country about senseless gun crime. We have to do something about making sure criminals do not have easy access to weapons to shoot down our children and loved ones in the areas that should be the safest places for them. We have seen these mass deaths, whether at a school, whether at a university, whether in a movie theater, whether in a community center; these crimes are happening over and over again.

I can tell you that from when I was first appointed to the Senate in 2009, I have realized our State of New York suffers from grave gun crime all across our State. We have gang violence. We have gun trafficking. We have straw purchasing. Networks of weapons flow into our State. Eighty-five percent of the weapons used in crimes in my State come from out of State and 90 percent of those weapons are illegal.

I had to look into the eyes of parents who had just lost their daughter because of a stray bullet from a gang member. Nyasia's parents deserve an answer. The parents of the children in Connecticut deserve an answer.

I have good news today because the Senate is working on a bipartisan bill that is introduced today by the chairman of the Judiciary Committee, Chairman LEAHY, to begin to solve this problem. This bill has wide bipartisan support. It started out with Senator MARK KIRK and I working together. He has a real tough problem in Illinois with gang violence that he wanted to address and crack down on. That bipartisan work began to address other bipartisan work. The ranking member, Senator GRASSLEY, was very interested in this bill and has been working with us to shape the bill, make it stronger. SUSAN COLLINS, who has been a leader on this issue, began to work with us to shape this bill and make it better. Senator LEAHY and Senator DURBIN have been working on the issue separately. We all joined forces to begin to write a bill that can tackle this problem, to make it a stronger solution, a better solution.

We now have cosponsors. We have the Presiding Officer right now, Senator JOE DONNELLY. We have both Senators from Connecticut who must answer the parents of their State, that they are doing something about these senseless deaths. Senator BLUMENTHAL, a former attorney general, knows what law enforcement needs to take on these criminals. Senator MURPHY, Senator KLOBUCHAR—also a previous attorney general—know what it takes to crack down on these kinds of crime and this senseless death. Senator KING, an Independent, also signs on to this bill because he knows it can do something to crack down on gun violence in this country.

Of all the laws on the books in this country today, not one Federal law

says you cannot buy a truckload of guns, bring them to another State, and sell them to a criminal network. It is not even prohibited. You would not believe it. How could that be true in a country such as ours, where the Federal Government's No. 1 job is to protect our families? That is what this bill does. It makes it a Federal crime to traffic, to be a straw purchaser, to sell these guns to criminal networks with the intent of breaking the law.

The law enforcement agencies—whether it is ATF, NYPD, FBI—will now have the tools they need on the Federal level to begin to tackle this crisis.

I urge my colleagues on both side of the aisle, if they want to do something about the senseless gun deaths in this country, this is a bill they can support. For all the law-abiding gun owners in this country who support the second amendment, as I do, they can look at this bill and say: That is a bill we are supporting; that bill should pass because it goes after the criminals and the illegal weapons that are the scourge of this country. Thirty people get killed a day because of gun violence—30 deaths. One is too many. When I look at Nyasia's parents, one is too many.

Enough is enough. I am certain that when this bill passes this Chamber and when law enforcement begins to have the tools, we will save lives.

I thank my colleagues again for all the hard work they have done. I thank Senator MARK KIRK for his courage for being the first Republican to stand up to do a gun bill, the first bipartisan gun bill introduced in this Chamber.

• Mr. KIRK. Mr. President, I rise in support of the Stop Illegal Trafficking in Firearms Act of 2013, which I am proud to join in introducing with Senators LEAHY, GILLIBRAND, DURBIN and COLLINS. There are an estimated 33,000 gangs with 1.4 million active members who live in our neighborhoods, towns and cities across the United States. With more than 100,000 gang members, the city of Chicago has more gang members who terrorize its residents than any other city in the United States. The Chicago Crime Commission also reported the existence of an additional 15,000 gang members operating in our suburbs.

Gangs such as the Vice Lords, Gangster Disciples, and the Latin Kings are responsible for nearly 80 percent of the city's homicides, which just last summer amounted to 500 deaths in Chicago. These homicides are most often perpetrated with illegal weapons. Law enforcement officers in Chicago confiscate an average of 13,000 illegal weapons each year. It must end.

That is why I have joined this bipartisan group to take serious action to prevent weapons trafficking and straw purchasing, where a third party member legally purchases a firearm then

sells or trades it to a criminal who is legally barred from purchasing such a weapon. Our bipartisan, consensus legislation includes the Gun Trafficking Prevention Act, which Senator GILLIBRAND and I introduced earlier this year, that would for the first time make it a Federal crime to traffic illegal guns. The Stop Illegal Trafficking in Firearms Act also strengthens the tools law enforcement need to crack down on straw purchasers, particularly those who transfer those weapons in furtherance of crimes of violence or drug trafficking. This legislation also calls upon the Sentencing Commission to substantially increase the penalties when these crimes are committed by individuals affiliated with gangs and other criminal enterprises.

A portion of this new anti-illegal gun trafficking legislation is named after Hadiya Pendleton, a 15-year-old who was shot and killed by gang gunfire in Chicago. For Hadiya and thousands of other victims, my hope is we can break through the gridlock here in Washington to actually get something done to save lives.●

By Ms. COLLINS (for herself and Mr. KING):

S. 444. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations.

Ms. COLLINS. Mr. President, I rise today to discuss two separate problems facing our Nation—the first is sequestration, which is underway now and indiscriminately affecting a wide range of programs. The second is the prospect of a long-term Continuing Resolution to fund the Federal government for the remainder of the fiscal year, also not the way we should be doing business. Both will result in damage to our military readiness.

In order to tackle these two separate but equally devastating problems, I am introducing two measures today.

The first bill, which I am pleased to join my colleague, Senator UDALL, in sponsoring, will help mitigate the consequences of sequestration by providing Department and agency heads additional flexibility in implementing the cuts. The second bill, which I am introducing with my colleague from my home state of Maine, Senator KING, will fund the Department of Defense for the remainder of the fiscal year at levels approved by the Senate Appropriations Committee in the funding bill that was reported unanimously by the Committee on August 2, 2012.

As Deputy Secretary of Defense Ash Carter has repeatedly warned, failing to pass an annual defense appropriations bill and requiring the Pentagon to operate under last year's law will continue to lead to dangerous absurdities that have ramifications that last far beyond the six months left in this fiscal year.

Military readiness will suffer. A hollow force will be created. The Pentagon will be unable to increase production rates for existing weapons, start new programs, or sign multiyear procurement contracts that would provide significant savings for taxpayers.

When I questioned Deputy Secretary Carter on February 14, at a Senate Appropriations Committee hearing about what the continuing resolution means for the Navy and our domestic shipbuilding capability, he testified that:

We're in the absurd position where we're five months into the fiscal year and we have the authority to build the ships that we built last year and no authority to build the ships that we plan to build this year. That's crazy . . . and that has nothing to do with sequester, by the way, that's the CR.

I have long argued that we need to bring the annual appropriations bills to the floor to be considered individually on their merits. I believe that CRs represent an abdication of our responsibility and should be avoided altogether. But given where we find ourselves today, at the very least we should be able to come together to pass the full-year Department of Defense funding bill and the Military Construction/Veterans Affairs appropriations.

With regard to sequestration, we have known this day could arrive for a year and a half now. Yet, instead of working together to avert sequestration and replace it with a more rational alternative, the time has been spent jockeying for partisan advantage and engaging in a blame game. Last week, the Senate spent time voting against proceeding to debate on two partisan proposals that both sides knew beforehand were doomed.

The bill Senator UDALL and I are introducing today is a bipartisan effort to mitigate the harmful effects of sequestration. As a result of sequestration, vital priorities such as defense, education, transportation, and biomedical research, all face indiscriminate, meat-ax cuts. No distinction is made between high-performing programs and poorly performing ones.

The legislation we introduce today seeks to fix that. Instead of mindless across-the-board budget cuts, this legislation provides the heads of Federal agencies and departments with the flexibility to implement the savings targets required by the Budget Control Act until such time as a bipartisan agreement is reached to replace the sequester cuts or until Congress passes new appropriations bills for fiscal year 2013 that meet the sequester levels.

The bill requires these agency and Department heads to submit their proposals to the Appropriations committees of both the House and the Senate for approval.

This approval is an important step in the process because these Committees know the budget of each agency and can provide oversight of agency plans.

This provides a strong incentive for each agency to put forth serious plans in order to avoid the across-the-board sequestration cuts that would otherwise take effect.

Let me emphasize that while our proposal is intended to mitigate the harmful and mindless across-the-board approach of sequestration, a comprehensive, bipartisan approach to put our fiscal house in order must remain a top priority.

I urge my colleagues to support both bills that we are introducing today.

AMENDMENTS SUBMITTED AND PROPOSED

SA 25. Mr. PAUL submitted an amendment intended to be proposed by him to the resolution S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 25. Mr. PAUL submitted an amendment intended to be proposed by him to the resolution S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; which was ordered to lie on the table; as follows:

On page 31, line 22, strike "IN GENERAL.—The Senate National" and insert the following: "RECONSTITUTION.—

(A) IN GENERAL.—The Senate National
On page 32, between lines 2 and 3, insert the following:

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as extending or providing funding authority to the Working Group.

On page 35, strike line 2 and all that follows through page 36, line 3, and insert the following:

(1) DESIGNATION OF PROFESSIONAL STAFF.—
On page 36, strike line 14 and all that follows through page 37, line 2.

On page 37, line 3, strike "(C)" and insert "(B)".

On page 37, line 8, strike "(D)" and insert "(C)".

On page 37, line 10, strike "(4)" and insert "(3)".

On page 37, strike lines 13 through 22 and insert the following:

(2) LEADERSHIP STAFF.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

On page 37, line 23, strike "(4)" and insert "(3)".

On page 39, strike line 3 and all that follows through page 40, line 2.

On page 40, line 3, strike "(d)" and insert "(c)".

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, March 7, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "Safe and Supportive Schools: Lessons from the Field."

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 228-6685.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, March 12, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "Job Corps Budget Shortfall: Safeguarding Workforce Training for America's Disconnected Youth."

For further information regarding this meeting, please contact Anna Porto of the committee staff on (202) 224-5363.

ORDERS FOR TUESDAY, MARCH 5, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday,

March 5, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use until later in the day, and that following any leader remarks, the Senate proceed to a period of morning business until 11:45 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; further, that following morning business, the Senate proceed to consideration of S. Res. 64; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be at least one rollcall vote tomorrow at 12:15 p.m. on the Paul amendment to S. Res. 64.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:32 p.m., stands adjourned until Tuesday, March 5, 2013, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 2013:

THE JUDICIARY

PAMELA KI MAI CHEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

KATHERINE POLK FAILLA, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

HOUSE OF REPRESENTATIVES—Monday, March 4, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 4, 2013.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, every year Washington imposes thousands of pages of rules and regulations on small businesses and local governments across this country. Hidden in those pages are costly mandates that make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets clean and parks safe.

Republicans and Democrats alike agree that each regulation the Federal Government dictates should be deliberative and economically defensible. That is why I've banded together with Democrats LORETTA SANCHEZ, MIKE MCINTYRE, and COLLIN PETERSON and Republican JAMES LANKFORD to introduce H.R. 899, the Unfunded Mandates Information and Transparency Act. This legislation will ensure a public and bureaucratic awareness about the cost, in dollars and in jobs, that Federal dictates pose to the economy and to local governments.

There is precedent for bipartisanship on this issue. In 1995, Members from both parties got behind, and President Clinton signed, the Unfunded Mandates Reform Act (UMRA), which sought to expose Washington's abuse of unfunded Federal mandates. By forcing the Federal Government to estimate how much its mandates would cost local governments and employers, regulation would necessarily become better and more efficient for everyone involved. And it has, to a certain extent.

But over the years, weaknesses in the original legislation have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited. The Unfunded Mandates Information and Transparency Act will correct these oversights and put some weight behind UMRA to ensure no government body, purposely or accidentally, skirts public scrutiny when jobs and scarce resources are at stake.

The spirit of the Unfunded Mandates Information and Transparency Act and its underlying principle, that the American people would be better served by a government that regulates only with the best information, is truly bipartisan.

Lawmakers and unelected regulators should know the price of their dictates. So, too, should the people, private enterprises, and governments, all of whom are being asked to foot the bill.

Funds are very tight for families across this country. Millions of Americans remain unemployed, and many more still rely on small businesses and local governments for jobs, health care, public safety, and education. Washington should think carefully before it decrees mandates that could siphon from the limited dollars governments and private sector job creators use to keep people employed and localities functioning. But as loopholes within the original UMRA legislation have revealed, Federal mandates are not universally preceded by thoughtfulness. The Unfunded Mandates Information and Transparency Act we have introduced will require that from government.

DOING OUR BUSINESS DIFFERENTLY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. What's so maddening about the sequester drama, just

like the earlier fiscal cliff drama and the looming government shutdown drama, is that it is hopelessly beside the point.

The path to fiscal sustainability is not merely cutting budgets, raising tax rates, or closing a few loopholes. It is about fundamentally doing business differently.

Health care costs demand that we accelerate health care reform, which we're already working on in Oregon and in a number of other communities and health care systems across the country. These reforms, if put into effect nationally, would save more in health care costs over the next 10 years than the entire \$1.2 trillion sequester.

Everybody is getting excited about across-the-board cuts in the Department of Defense, but no one is talking about how we fundamentally change our philosophy of military compensation, benefits, and the size of the force to come to grips with the cost of an all-volunteer Army.

Of course, at a minimum, we should also dramatically reduce and shift resources away from the vast nuclear weapons stockpile and the three redundant delivery systems which we haven't used in 68 years and probably never will. We have 10 times more nuclear firepower than we need for deterrence. It is past time to scale down that archaic symbol of the Cold War and save hundreds of billions of dollars at no risk to American security.

It is time for Congress and the administration to work meaningfully for agriculture reform to give more support for America's farmers and ranchers at a fraction of the cost. We should reform the outrageous, inefficient, and unproductive crop insurance program. We should restore investments in nutrition, conservation, research, and marketing that will make a difference for most farmers and ranchers, improve long-term productivity, and support value-added agriculture. This saves money in the long run and doesn't distort our trade position or make Americans unhealthy.

By all means, we must reform our Tax Code, but reform is not likely to raise anything near what a growing and aging America is going to need.

Yes, close more of the egregious loopholes, but we need another broad-based source of revenue. A carbon tax would fit the bill, help reduce the deficit, and help us protect the planet from increasingly catastrophic weather events and the budget-busting disaster relief that inevitably follows.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

We should, for the first time in 30 years, increase the gas tax, as recommended by the Simpson-Bowles report, a user fee that will help enable us to provide more support for transportation, put more people to work rebuilding and renewing America.

We might take a lesson from the history and our failed 14-year effort to prohibit alcohol, where the government spent a fortune in a fruitless effort to enforce prohibition, lost a fortune in revenue, and made a fortune for the Mafia, the underworld cartels of the 1920s, that haunts us to this day.

□ 1210

We ought to treat marijuana like we treat alcohol: the Federal Government regulates and taxes while the States decide what they want to do to legalize for medical or recreational use. Given what's already happened in 23 States and the District of Columbia, let's save money on enforcement, raise revenue from taxation, and invest in drug treatment and efforts to keep drugs out of the hands of children.

Let's take a break from the endless debates that are basically beside the point. Let's commit to doing business differently with health care, the military, enact broad-based taxes to both raise money and fix a broken Tax Code, stop cheating the majority of farmers and ranchers and the environment.

This is not rocket science. We could start now if people address the big issues in a thoughtful way. Even when some of the measures may be controversial or hard, it's a whole lot better than doing stupid things that alienate everybody.

THE PARADOX OF HUNGER AND OBESITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, in our efforts to end hunger now, it is important to look at all aspects of hunger. Today, I want to talk about hunger and obesity and to highlight the unfortunate paradox between these two conditions.

How can an obese person also be food insecure? To put it bluntly, how can an overweight person be hungry? The question may be simple, but the answer is not. Unfortunately, this link is all too prevalent among millions of low- and middle-income people.

The simple truth is that hunger exists because people do not have enough money to buy enough healthy food, but obesity is more complex. Just because someone has enough money to buy food doesn't mean they have the resources to buy nutritious food. Ultimately, this is a problem of poverty in America.

The families who struggle with hunger not only struggle to put food on

their tables, they struggle to make the food they can afford on a few dollars a day as nutritious as possible. For a variety of reasons, even well-to-do families are finding it more difficult today to prepare nutritious meals. A big part has to do with the amount of widely available, inexpensive, nonnutritious food—high-calorie, high-fat, low-nutrient food—and part of that has to do with the time constraints on families today.

But it is even more difficult for low-income, food-insecure families because they generally don't have access to full-service grocery stores. The local stores they do have access to, for the most part, do not sell fresh produce, and the fresh produce they do sell is expensive. So in order to stretch their food dollar, these families buy high-calorie, low-nutrient food that is more affordable.

Obesity, like hunger, is often a function of poverty, and low-income families are especially vulnerable to obesity because of the additional risk factors associated with poverty. When taken together, these risk factors make it easy to see how obesity and hunger are related.

There are at least four general risk factors for obesity that are associated with poverty:

First, low-income neighborhoods are underserved by full-service supermarkets. In inner cities, food is most readily available at small neighborhood convenience stores where fresh produce and lower-fat food items are most limited. In rural areas, full-service grocery stores are many miles away. This is commonly referred to as a food desert, something that can exist in both urban and rural areas;

Second, when healthy food is available, it is oftentimes more expensive than less healthy options. Low-income families must stretch their budgets in ways that make it difficult to purchase higher priced, more nutritious food items. This means that these families are forced to buy cheaper, high-calorie, high-fat, high-sodium food that lasts longer just so they can make their food budgets stretch through the month;

Third, there are fewer opportunities for physical activity in neighborhoods and schools. Safe open space can be difficult to find in many of our neighborhoods where lower income families live, sometimes because of lack of parks and other times because of higher crime rates;

Fourth, high levels of stress and limited access to health care can contribute to weight gain. Hunger is truly a health issue, and it is important to note that stress and lack of access to quality health care can trigger physiological responses that contribute to obesity.

Mr. Speaker, I remind people that food is medicine. My grandmother used to say "an apple a day keeps the doctor

away." It used to annoy me, but she was right. We missed an opportunity during the Affordable Care Act to address the issues of hunger and nutrition. We must do so now.

Adequate access to good, nutritious foods can help lower the instances of diabetes and heart disease. That will improve the quality of life for people, but it will also save us money from avoidable health care issues. Hunger costs us dearly, and the cost to fix and solve the problem is cheaper than the status quo.

So to all my colleagues who believe that the only problem we face is the budget deficit, I urge you to join us in this effort to end hunger now. It is fiscally the right thing to do, and it is our moral obligation.

Hunger and obesity are two sides of the same coin. Yes, we have excellent antihunger safety net programs like SNAP and the school meal programs that help reduce incidences of hunger in America; yes, the First Lady's Let's Move campaign is working to address obesity in America, primarily among children; but we must do more to address these two issues together. Because of all of these factors, it is clear that we simply cannot address hunger or obesity. We must address both of these issues at the same time if we are going to end hunger now. It is why I believe we need a White House conference on food and nutrition, a Presidential summit that brings all the stakeholders together, a forum where we can develop and agree on one strategy to reduce hunger and obesity together.

In addition, I would plead with my colleagues to not cut our antihunger safety net programs like SNAP and WIC, programs which provide a minimum food benefit. To do so would only worsen the problem of hunger and obesity in America. We must end hunger now, but we cannot do so just by increasing access to high-calorie, low-nutrient food. It is a real challenge, but it's one that we are capable of meeting. We just need to muster the political will to make it happen. End hunger now.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 16 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MEADOWS) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your Spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems.

May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day, and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Oklahoma (Mr. MULLIN) come forward and lead the House in the Pledge of Allegiance.

Mr. MULLIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRESIDENT'S SEQUESTER
CREATES RISKS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last Friday, our national security was placed at risk when the President's sequester began implementation. Sadly, this nearly \$600 billion budget cut was the third attack on our Nation's military. In 2010, the Defense Department experienced a \$100 billion budget cut. And again in January 2012, President Obama removed \$487 billion from our military in the annual budget.

Maintaining a strong national defense is a primary function of the Fed-

eral Government. Removing these resources so drastically places American families and our allies, such as Israel, at risk of future attacks. In fact, nearly half of all of the reductions in spending are on the defense budget, which is only 18 percent of the entire Federal budget.

As a member of the House Armed Services Committee, I appreciate Chairman BUCK MCKEON's efforts that our national security not be sacrificed to fight our Nation's debt crisis. It is my hope that the President and Senate leadership will work with House Republicans to address our spending problem by reducing wasteful spending and not by holding our national security hostage.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

PUT AMERICA FIRST

(Mr. MULLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MULLIN. Mr. Speaker, I come to you today not as a Republican or a Democrat, but an American committed to the United States Constitution. I regularly hear from my constituents who are fed up with the bipartisan fighting. We pledge allegiance to the United States of America, not our political parties. In President George Washington's farewell address, he said:

With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts of common dangers, sufferings, and successes.

Washington was right. We are all united by common bonds. Although we have our differences, we are more alike than we are different.

In his address, Washington was not speaking to one party, but to all people of the young Republic. If we don't start putting this country first and partisanship last, we are going to ruin the country our fathers founded.

It is no secret that we are facing difficult decisions, but I am committed to working with any Member of Congress regardless of party, as long as they're willing to put country first.

ENHANCING THE HEALTH OF OUR
YOUTH

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, a report issued by the Centers for Disease Control on February 13 made headlines with the news that young adults account for 50 percent of all STD infections.

This caught my attention because, as a father with two of my four kids in

their late teens, I want them to avoid such risks. I am not alone. A recent national survey revealed that most parents feel the same way, regardless of race or political affiliation. They want their children to have the best chance for optimal health and, so, support risk avoidance education, sometimes called "abstinence education," for their kids.

However, currently there is a troubling 16 to 1 Federal funding disparity between contraception-centered education and risk-avoidance education. That is why I introduced H.R. 718, the Abstinence Education Reallocation Act. The bill brings some parity to programs that give our kids the facts about contraception and avoiding risky behavior.

Mr. Speaker, our teens deserve the best and most accurate information for their optimal health.

SEQUESTRATION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President is wrong to suggest taking more money away from the American people would ease the effects of his sequester or correct the debt crisis his policies have exacerbated.

Despite high tax revenue, Washington has been overspending by at least \$1 trillion each year of the Obama Presidency. When families run out of money, they do the smart thing—stop spending so much. Washington has to do the same, but arbitrarily cutting budgets through sequestration isn't the best way.

Twice since last summer, House Republicans passed legislation to achieve the same savings while completely removing the indiscriminate threat of sequestration. Our plans targeted waste and limited government growth. The President threatened to veto our proposals because they didn't include taxes, and the Senate never agreed on a sequester alternative.

As the President's sequester begins to take effect, I will continue to advocate for common sense: replacing the arbitrary cuts with less wasteful spending and reforms to debt-driving programs.

SEQUESTER IN PERSPECTIVE

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, \$85 billion is a lot of money, yet it represents just 2 percent of the \$3.6 trillion this Nation spends every year.

I hold in my hand two pennies, two pennies to represent the 2 percent of budget reductions we are asking for in this \$85 billion sequester. Does anybody in this country believe that our Federal Government is so efficient and so

effective that we cannot afford to trim two pennies out of every dollar?

Over the last 4 years, too many parents have had to come home and tell their children they're out of work, and too many young people have had to come home and tell their parents they can't find a job. We need leaders in this Nation that will go to work for the people who live here and trim the two cents off every dollar we need to restore a healthy economy and put folks back to work.

□ 1410

MEDICARE ADVANTAGE AND THE AFFORDABLE CARE ACT

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, the Affordable Care Act was passed now almost 3 years ago, and the Affordable Care Act was going to lower costs. And why wouldn't you like it? You get free stuff.

Well, how do you pay for that free stuff?

It turns out five new taxes were started on January of this year. What are they, and who do they affect?

Well, there's a big tax on medical devices. Now everyone talks about wanting to encourage American investment, encourage American manufacturing. But with this tax we're encouraging manufacturers to go offshore.

Flexible spending accounts are now limited. Who's affected by flexible spending accounts? Well, people with predictable recurrent medical expenses who might want to set some of those dollars aside and pay for them with pretax dollars. Those amounts are now limited, so people with chronic illnesses, families with special needs children are going to be affected.

There's a surtax on investment income. The economy's trying to recover. Why would we tax investment income?

Itemized deductions are now going to be limited for people who itemize their deductions. So who is affected by that? People with the highest medical expenses.

And then finally, the Medicare payroll tax hike. Might sound like a good idea. Medicare might need more money, but this money doesn't go to Medicare. This money goes to fund new programs.

Look, 3 years ago we were all told, if you like what you have, you can keep it. If you like your insurance, you can keep it. If you like your doctor, you can keep him or her.

Turns out, what we should have been hearing is, you're going to pay a lot more to get a lot less.

HONORING THE CENTENNIAL OF THE TOWN OF HAYESVILLE, NORTH CAROLINA

(Mr. MEADOWS asked and was given permission to address the House for 1 minute.)

Mr. MEADOWS. Mr. Speaker, I rise today in honor of the centennial of Hayesville, a city nestled between the mountains and valleys of Clay County in western North Carolina.

Located along an old trading route at the site of the former Cherokee town of Quanasee, Hayesville became a resting place for many settlers in the early 1800s during their westward expansion.

As the population in the area grew, the need for local governance increased, and in 1861, State representative George Hayes introduced legislation establishing Clay County, and Hayesville was named to recognize his efforts.

As the county and community continued to grow, a county courthouse and village square were established in the town, and in March of 1913, Hayesville was officially recognized as an incorporated town and the county seat of Clay County.

Throughout the 1900s, Hayesville's importance to western North Carolina only grew as it became a center of commerce point between Franklin to the east, Murphy to the west, and communities in Georgia to the south.

Hayesville continues to be an important representative of the small-town family values and our mountain culture so important to all of us in the western part of the State.

I'm proud to represent such a strong community, and it is with great honor I recognize the centennial of Hayesville, North Carolina.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. MESSER) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), I am pleased to appoint former Rep. Ellen Tauscher of Washington, D.C. to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore (Mr. MEADOWS). The Chair announces the

Speaker's appointment, pursuant to 22 U.S.C. 1928(a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. POE, Texas, Vice Chair
Mr. SHIMKUS, Illinois
Mr. MILLER, Florida
Mr. GUTHRIE, Kentucky
Mr. MARINO, Pennsylvania
Mr. COTTON, Arkansas

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 1, 2013, at 2:22 p.m., and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to Zimbabwe.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-14)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2013.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA,
THE WHITE HOUSE, March 1, 2013.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, March 1, 2013:

S. 47, to reauthorize the Violence Against Women Act of 1994.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 4, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 4, 2013 at 1:12 p.m.:

Appointments:
Commission on Security and Cooperation in Europe (Helsinki).

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1715

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 5 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZA- TION ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”.

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING NATIONAL PRE- PAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.

Sec. 102. Assistant Secretary for Preparedness and Response.

Sec. 103. National Advisory Committee on Children and Disasters.

Sec. 104. Modernization of the National Disaster Medical System.

Sec. 105. Continuing the role of the Department of Veterans Affairs.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RE- SPONSE

Sec. 201. Temporary reassignment of State and local personnel during a public health emergency.

Sec. 202. Improving State and local public health security.

Sec. 203. Hospital preparedness and medical surge capacity.

Sec. 204. Enhancing situational awareness and biosurveillance.

Sec. 205. Eliminating duplicative Project Bio-shield reports.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.

Sec. 302. Authorization for medical products for use in emergencies.

Sec. 303. Definitions.

Sec. 304. Enhancing medical countermeasure activities.

Sec. 305. Regulatory management plans.

Sec. 306. Report.

Sec. 307. Pediatric medical countermeasures.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RE- SEARCH AND DEVELOPMENT

Sec. 401. BioShield.

Sec. 402. Biomedical Advanced Research and Development Authority.

Sec. 403. Strategic National Stockpile.

Sec. 404. National Biodefense Science Board.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

SEC. 101. NATIONAL HEALTH SECURITY STRAT- EGY.

(a) *IN GENERAL.*—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh-1) is amended—

(1) in subsection (a)(1), by striking “2009” and inserting “2014”; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “, including drills and exercises to ensure medical surge capacity for events without notice” after “exercises”; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “facilities), and trauma care” and inserting “and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,”; and

(II) by inserting “(including related availability, accessibility, and coordination)” after “public health emergencies”;

(ii) in subparagraph (A), by inserting “and trauma” after “medical”;

(iii) in subparagraph (B), by striking “Medical evacuation and fatality management” and inserting “Fatality management”;

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following new subparagraph:

“(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.”;

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting “(which may include such dental health assets)” after “medical assets”; and

(vii) by adding at the end the following:

“(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.”;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting “, including the unique needs and considerations of individuals with disabilities,” after “medical needs of at-risk individuals”; and

(ii) in subparagraph (B), by inserting “the” before “purpose of this section”; and

(D) by adding at the end the following:

“(7) COUNTERMEASURES.—

“(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological, or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

“(B) For purposes of this paragraph, the term ‘countermeasures’ has the same meaning as the terms ‘qualified countermeasures’ under section 319F-1, ‘qualified pandemic and epidemic products’ under section 319F-3, and ‘security countermeasures’ under section 319F-2.

“(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability of States, local communities, and tribal communities to prepare for, respond to, and be resilient in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

“(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

“(B) promoting familiarity with local medical and public health systems.”.

(b) *AT-RISK INDIVIDUALS*.—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh-16) is amended—

- (1) by striking paragraphs (5), (7), and (8);
- (2) in paragraph (4), by striking “2811(b)(3)(B)” and inserting “2802(b)(4)(B)”;
- (3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;
- (4) by inserting before paragraph (2) (as so redesignated), the following:

“(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;”;

- (5) by amending paragraph (2) (as so redesignated) to read as follows:

“(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);”;

- (6) by inserting after paragraph (6), the following:

“(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

“(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.”.

SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

(a) *IN GENERAL*.—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh-10) is amended—

- (1) in subsection (b)—
- (A) in paragraph (3), by inserting “, security countermeasures (as defined in section 319F-2),” after “qualified countermeasures (as defined in section 319F-1)”;

- (B) in paragraph (4), by adding at the end the following:

“(D) *POLICY COORDINATION AND STRATEGIC DIRECTION*.—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

“(E) *IDENTIFICATION OF INEFFICIENCIES*.—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

“(F) *COORDINATION OF GRANTS AND AGREEMENTS*.—Align and coordinate medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

- “(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and
- “(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

“(G) *DRILL AND OPERATIONAL EXERCISES*.—Carry out drills and operational exercises, in consultation with the Department of Homeland

Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

- “(i) identified threats for which countermeasures are available and for which no countermeasures are available; and
- “(ii) unknown threats for which no countermeasures are available.

“(H) *NATIONAL SECURITY PRIORITY*.—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures.”; and

- (C) by adding at the end the following:

“(7) *COUNTERMEASURES BUDGET PLAN*.—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasures priorities described in subsection (d). Each such plan shall—

“(A) include consideration of the entire medical countermeasures enterprise, including—

- “(i) basic research and advanced research and development;

“(ii) approval, clearance, licensure, and authorized uses of products; and

- “(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

“(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

“(C) identify medical countermeasure life-cycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasure enterprise consistent with section 319F-2; and

“(D) be made available to the appropriate committees of Congress upon request.”;

- (2) by striking subsection (c) and inserting the following:

“(c) *FUNCTIONS*.—The Assistant Secretary for Preparedness and Response shall—

“(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

“(2) have authority over and responsibility for—

“(A) the National Disaster Medical System pursuant to section 2812;

“(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C-2;

“(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L;

“(D) the Medical Reserve Corps pursuant to section 2813;

“(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

“(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary;

“(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

“(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C-1;

“(B) the Strategic National Stockpile pursuant to section 319F-2; and

“(C) the Cities Readiness Initiative; and

“(4) assume other duties as determined appropriate by the Secretary.”; and

- (3) by adding at the end the following:

“(d) *PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN*.—

“(1) *IN GENERAL*.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees of Congress a coordinated strategy and accompanying implementation plan for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the ‘Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan’.

“(2) *REQUIREMENTS*.—The plan under paragraph (1) shall—

“(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), or qualified pandemic or epidemic products (as defined in section 319F-3) for each threat;

“(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization;

“(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats;

“(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

“(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

“(ii) an identification of projected timelines, anticipated funding allocations, benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile;

“(E) be informed by the recommendations of the National Biodefense Science Board pursuant to section 319M;

“(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii);

“(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F-2(h) and the impact this funding will have on meeting the requirements under section 319F-2;

“(H) incorporate input from Federal, State, local, and tribal stakeholders;

“(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

- “(i) a list of such countermeasures and products necessary to address the needs of pediatric populations;

“(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations;

“(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

“(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C);

“(J) identify the use of authority and activities undertaken pursuant to sections 319F–1(b)(1), 319F–1(b)(2), 319F–1(b)(3), 319F–1(c), 319F–1(d), 319F–1(e), 319F–2(c)(7)(C)(iii), 319F–2(c)(7)(C)(iv), and 319F–2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

“(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used;

“(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities;

“(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity;

“(iv) whether, with respect to each procurement that is approved by the President under section 319F–2(c)(6), a contract was entered into within one year after such approval by the President; and

“(v) with respect to section 319F–1(d), for the one-year period for which the report is submitted, the number of persons who were paid amounts totaling \$100,000 or greater and the number of persons who were paid amounts totaling at least \$50,000 but less than \$100,000; and

“(K) be made publicly available.

“(3) GAO REPORT.—

“(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the first Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

“(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

“(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C);

“(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

“(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

“(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed.”.

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) (as added by subsection (a)(3)), the Secretary of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Department of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

“SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

“(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the ‘National Advisory Committee on Children and Disasters’ (referred to in this section as the ‘Advisory Committee’).

“(b) DUTIES.—The Advisory Committee shall—

“(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

“(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

“(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

“(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

“(d) MEMBERSHIP.—

“(1) IN GENERAL.—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

“(2) REQUIRED MEMBERS.—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

“(A) the Assistant Secretary for Preparedness and Response;

“(B) the Director of the Biomedical Advanced Research and Development Authority;

“(C) the Director of the Centers for Disease Control and Prevention;

“(D) the Commissioner of Food and Drugs;

“(E) the Director of the National Institutes of Health;

“(F) the Assistant Secretary of the Administration for Children and Families;

“(G) the Administrator of the Federal Emergency Management Agency;

“(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

“(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

“(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

“(e) MEETINGS.—The Advisory Committee shall meet not less than biannually.

“(f) SUNSET.—The Advisory Committee shall terminate on September 30, 2018.”.

SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting “, including at-risk individuals as applicable” after “victims of a public health emergency”;

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B), the following:

“(C) CONSIDERATIONS FOR AT-RISK POPULATIONS.—The Secretary shall take steps to ensure that an appropriate specialized and focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.”.

“(D) ADMINISTRATION.—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement.”; and

(2) in subsection (g), by striking “such sums as may be necessary for each of the fiscal years 2007 through 2011” and inserting “\$52,700,000 for each of fiscal years 2014 through 2018”.

SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking “such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011” and inserting “\$155,300,000 for each of fiscal years 2014 through 2018 to carry out this section”.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

SEC. 201. TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

“(e) TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

“(1) EMERGENCY REASSIGNMENT OF FEDERALLY FUNDED PERSONNEL.—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or a tribal organization or such Governor or tribal organization’s designee, the Secretary may authorize the requesting State or Indian tribe to temporarily reassign, for purposes of immediately addressing a public health emergency in the State or Indian tribe, State and local public health department or agency personnel funded in whole or in part through programs authorized under this Act, as appropriate.

“(2) ACTIVATION OF EMERGENCY REASSIGNMENT.—

“(A) PUBLIC HEALTH EMERGENCY.—The Secretary may authorize a temporary reassignment

of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

“(B) CONTENTS OF REQUEST.—To seek authority for a temporary reassignment of personnel under paragraph (1), the Governor of a State or a tribal organization shall submit to the Secretary a request for such reassignment flexibility and shall include in the request each of the following:

“(i) An assurance that the public health emergency in the geographic area of the requesting State or Indian tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

“(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary reassignment of State and local personnel described in paragraph (1).

“(iii) An assurance that the requested temporary reassignment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C-1.

“(iv) An identification of—

“(I) each Federal program from which personnel would be temporarily reassigned pursuant to the requested authority; and

“(II) the number of personnel who would be so reassigned from each such program.

“(v) Such other information and assurances upon which the Secretary and Governor of a State or tribal organization agree.

“(C) CONSIDERATION.—In reviewing a request for temporary reassignment under paragraph (1), the Secretary shall consider the degree to which the program or programs funded in whole or in part by programs authorized under this Act would be adversely affected by the reassignment.

“(D) TERMINATION AND EXTENSION.—

“(i) TERMINATION.—A State or Indian tribe's temporary reassignment of personnel under paragraph (1) shall terminate upon the earlier of the following:

“(I) The Secretary's determination that the public health emergency no longer exists.

“(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or Indian tribe's request for such reassignment flexibility.

“(ii) EXTENSION OF REASSIGNMENT FLEXIBILITY.—The Secretary may extend reassignment flexibility of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(II) if the public health emergency still exists as of such date, but only if—

“(I) the State or Indian tribe that submitted the initial request for a temporary reassignment of personnel submits a request for an extension of such temporary reassignment; and

“(II) the request for an extension contains the same information and assurances necessary for the approval of an initial request for such temporary reassignment pursuant to subparagraph (B).

“(3) VOLUNTARY NATURE OF TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL.—

“(A) IN GENERAL.—Unless otherwise provided under the law or regulation of the State or Indian tribe that receives authorization for temporary reassignment of personnel under paragraph (1), personnel eligible for reassignment pursuant to such authorization—

“(i) shall have the opportunity to volunteer for temporary reassignment; and

“(ii) shall not be required to agree to a temporary reassignment.

“(B) PROHIBITION ON CONDITIONING FEDERAL AWARDS.—The Secretary may not condition the award of a grant, contract, or cooperative agreement under this Act on the requirement that a State or Indian tribe require that per-

sonnel eligible for reassignment pursuant to an authorization under paragraph (1) agree to such reassignment.

“(4) NOTICE TO CONGRESS.—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

“(A) any initial request for temporary reassignment of personnel; and

“(B) any request for an extension of such temporary reassignment.

“(5) GUIDANCE.—The Secretary shall—

“(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary reassignment of personnel under this subsection; and

“(B) after providing notice and a 60-day period for public comment, finalize such guidance.

“(6) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on temporary reassignment under this subsection, including—

“(A) a description of how, and under what circumstances, such temporary reassignment has been used by States and Indian tribes;

“(B) an analysis of how such temporary reassignment has assisted States and Indian tribes in responding to public health emergencies;

“(C) an evaluation of how such temporary reassignment has improved operational efficiencies in responding to public health emergencies;

“(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily reassigned have been adversely affected by the reassignment; and

“(E) recommendations on how medical surge capacity could be improved in responding to public health emergencies and the impact of the reassignment flexibility under this section on such surge capacity.

“(7) DEFINITIONS.—In this subsection—

“(A) the terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act; and

“(B) the term ‘State’ includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

“(8) SUNSET.—This subsection shall terminate on September 30, 2018.”

SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a) is amended—

(1) in subsection (b)(1)(C), by striking “consortium of entities described in subparagraph (A)” and inserting “consortium of States”;

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

“(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether naturally occurring, unintentional, or deliberate;

“(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g);”

(ii) in clause (iv), by striking “and” at the end; and

(iii) by adding at the end the following:

“(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

“(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

“(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and response activities related to emerging diseases and infectious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

“(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers;”

(B) in subparagraph (C), by inserting “, including addressing the needs of at-risk individuals,” after “capabilities of such entity”;

(3) in subsection (f)—

(A) in paragraph (2), by adding “and” at the end;

(B) in paragraph (3), by striking “; and” and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

“(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and”

and

(B) in paragraph (2)(A), by adding at the end the following: “The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).”

(5) by striking subsection (h);

(6) by redesignating subsections (i), (j), and (k) as subsections (h), (i), and (j), respectively;

(7) in subsection (h), as so redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “\$824,000,000 for fiscal year 2007, of which \$35,000,000 shall be used to carry out subsection (h),” and inserting “\$641,900,000 for fiscal year 2014”; and

(II) by striking “such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$641,900,000 for each of fiscal years 2015 through 2018”;

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(B) in subparagraphs (C) and (D) of paragraph (3), by striking “(1)(A)(i)(I)” each place it appears and inserting “(1)(A)”;

(C) in paragraph (4)(B), by striking “subsection (c)” and inserting “subsection (b)”;

(D) by adding at the end the following:

“(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year

shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as described in subsection (g).”; and

(8) in subsection (i), as so redesignated—

(A) in paragraph (1)(E), by striking “subsection (k)” and inserting “subsection (j)”; and

(B) by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d–1(e)) is amended by striking “such sums for each of fiscal years 2007 through 2011” and inserting “\$30,800,000 for each of fiscal years 2014 through 2018”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 319C–1(b)(1)(B) of the Public Health Service Act (42 U.S.C. 247d–3a(b)(1)(B)) is amended by striking “subsection (i)(4)” and inserting “subsection (h)(4)”.

(2) Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(A) in subsection (i), by striking “(j), and (k)” and inserting “(i), and (j)”; and

(B) in subsection (j)(3), by striking “319C–1(i)” and inserting “319C–1(h)”.

SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d–6(a)(5)(B)) is amended by striking “public health or medical” and inserting “public health, medical, or dental”.

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d–7b(k)) is amended by striking “\$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011” and inserting “\$5,000,000 for each of fiscal years 2014 through 2018”.

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh–15) is amended—

(A) in subsection (d)(2), by adding at the end the following: “Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency.”; and

(B) in subsection (i), by striking “\$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$11,200,000 for each of fiscal years 2014 through 2018”.

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a), by inserting “, including, as appropriate, capacity and preparedness to address the needs of children and other at-risk individuals” before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking “centers, primary” and inserting “centers, community health centers, primary”;

(3) by striking subsection (c) and inserting the following:

“(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.”;

(4) by striking subsection (g) and inserting the following:

“(g) COORDINATION.—

“(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with activities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

“(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).”;

(5) in subsection (i)—

(A) by striking “The requirements of” and inserting the following:

“(1) IN GENERAL.—The requirements of”; and

(B) by adding at the end the following:

“(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802.”; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated \$374,700,000 for each of fiscal years 2014 through 2018.”; and

(B) by adding at the end the following:

“(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).”.

SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

(a) IN GENERAL.—Section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting “poison control centers,” after “hospitals.”;

(B) in paragraph (2), by inserting before the period at the end the following: “, allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort”; and

(C) in paragraph (3), by inserting before the period at the end the following: “and update such standards as necessary”;

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively;

(4) in subsection (c), as so redesignated—

(A) in the subsection heading, by striking “PUBLIC HEALTH SITUATIONAL AWARENESS” and inserting “MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE”;

(B) in paragraph (1)—

(i) by striking “Pandemic and All-Hazards Preparedness Act” and inserting “Pandemic

and All-Hazards Preparedness Reauthorization Act of 2013”; and

(ii) by inserting “, novel emerging threats,” after “disease outbreaks”;

(C) by striking paragraph (2) and inserting the following:

“(2) STRATEGY AND IMPLEMENTATION PLAN.—

Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to—

“(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

“(B) modernize and enhance biosurveillance activities; and

“(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.”;

(D) in paragraph (3)(D), by inserting “community health centers, health centers” after “poison control.”;

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

“(A) utilize applicable interoperability standards as determined by the Secretary, and in consultation with the Office of the National Coordinator for Health Information Technology, through a joint public and private sector process.”; and

(F) by adding at the end the following:

“(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying with the preceding sentence, the National Biodefense Science Board shall—

“(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

“(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

“(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities.”;

(5) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking “subsection (d)” and inserting “subsection (c)”;

(B) in paragraph (4)(B), by striking “subsection (d)” and inserting “subsection (c)”;

(C) in paragraph (5)—

(i) by striking “4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act” and inserting “3 years after the

date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013"; and

(ii) by striking "subsection (d)" and inserting "subsection (c)";

(6) in subsection (f), as so redesignated, by striking "such sums as may be necessary in each of fiscal years 2007 through 2011" and inserting "\$138,300,000 for each of fiscal years 2014 through 2018"; and

(7) by adding at the end the following:

"(g) **DEFINITION.**—For purposes of this section the term 'biosurveillance' means the process of gathering near real-time biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity."

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—Section 319C-1(b)(2)(D) of the Public Health Service Act (42 U.S.C. 247d-3a(b)(2)(D)) is amended by striking "section 319D(d)(3)" and inserting "section 319D(c)(3)".

SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d-6c) is repealed.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B)) is amended by striking "size of clinical trials intended" and all that follows through ". The sponsor or applicant" and inserting the following: "size—

"(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

"(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

"(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies. The sponsor or applicant".

SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.

(a) **IN GENERAL.**—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "sections 505, 510(k), and 515 of this Act" and inserting "any provision of this Act";

(B) in paragraph (2)(A), by striking "under a provision of law referred to in such paragraph" and inserting "under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act"; and

(C) in paragraph (3), by striking "a provision of law referred to in such paragraph" and inserting "a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)";

(2) in subsection (b)—

(A) in the subsection heading, by striking "EMERGENCY" and inserting "EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE";

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "may declare an emergency" and inserting "may make a declaration that the circumstances exist";

(ii) in subparagraph (A), by striking "specified";

(iii) in subparagraph (B)—

(I) by striking "specified"; and

(II) by striking "; or" and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

"(C) a determination by the Secretary that there is a public health emergency, or a significant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or"; and

(v) by adding at the end the following:

"(D) the identification of a material threat pursuant to section 319F-2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.";

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

"(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.";

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking "advance notice of termination, and renewal under this subsection." and inserting ", and advance notice of termination under this subsection."; and

(E) by adding at the end the following:

"(5) **EXPLANATION BY SECRETARY.**—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.";

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting "the Assistant Secretary for Preparedness and Response," after "consultation with";

(ii) by striking "Health and" and inserting "Health, and"; and

(iii) by striking "circumstances of the emergency involved" and inserting "applicable circumstances described in subsection (b)(1)";

(B) in paragraph (1), by striking "specified" and inserting "referred to"; and

(C) in paragraph (2)(B), by inserting ", taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable" after "risks of the product";

(4) in subsection (d)(3), by inserting ", to the extent practicable given the circumstances of the emergency," after "including";

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking "circumstances of the emergency" and inserting "applicable circumstances described in subsection (b)(1)";

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

"(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.";

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "manufacturer of the product" and inserting "person";

(II) by striking "circumstances of the emergency" and inserting "applicable circumstances described in subsection (b)(1)"; and

(III) by inserting at the end before the period "or in paragraph (1)(B)";

(ii) in subparagraph (B)(i), by inserting before the period at the end ", except as provided in section 564A with respect to authorized changes to the product expiration date"; and

(iii) by amending subparagraph (C) to read as follows:

"(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose conditions that would restrict distribution or administration of the product when distributed or administered for the approved use."; and

(D) by amending paragraph (3) to read as follows:

"(3) **GOOD MANUFACTURING PRACTICE; PRESCRIPTION.**—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)—

"(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

"(B) requirements established under section 503(b); and

"(C) requirements established under section 520(e).";

(6) in subsection (g)—

(A) in the subsection heading, by inserting "REVIEW AND" before "REVOCATION";

(B) in paragraph (1), by inserting after the period at the end the following: "As part of such review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

"(A) an unapproved product for which an authorization was issued under this section; or

"(B) an unapproved use of an approved product for which an authorization was issued under this section."; and

(C) by amending paragraph (2) to read as follows:

"(2) **REVISION AND REVOCATION.**—The Secretary may revise or revoke an authorization under this section if—

"(A) the circumstances described under subsection (b)(1) no longer exist;

"(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

"(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.";

(7) in subsection (h)(1), by adding after the period at the end the following: "The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.";

(8) by adding at the end of subsection (j) the following:

"(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued.";

(9) by adding at the end the following:

"(m) **CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.**—

"(I) **IN GENERAL.**—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device

shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures (including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

“(A) such categorization would be beneficial to protecting the public health; and

“(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

“(2) CONDITIONS OF DETERMINATION.—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

“(3) EFFECTIVE PERIOD.—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b).”

(b) EMERGENCY USE OF MEDICAL PRODUCTS.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

“SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE PRODUCT.—The term ‘eligible product’ means a product that—

“(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

“(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

“(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

“(C) is intended for use during the circumstances under which—

“(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.

“(2) PRODUCT.—The term ‘product’ means a drug, device, or biological product.

“(b) EXPIRATION DATING.—

“(1) IN GENERAL.—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

“(A) the expiration date extension is intended to support the United States ability to protect—

“(i) the public health; or

“(ii) military preparedness and effectiveness; and

“(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

“(2) REQUIREMENTS AND CONDITIONS.—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

“(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized;

“(B) the duration of the extension; and

“(C) any other requirements or conditions the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, rec-

ordkeeping, periodic testing or retesting, or product disposition.

“(3) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

“(4) EXPIRATION DATE.—For purposes of this subsection, the term ‘expiration date’ means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

“(c) CURRENT GOOD MANUFACTURING PRACTICE.—

“(1) IN GENERAL.—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

“(2) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

“(d) EMERGENCY DISPENSING.—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

“(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

“(2) such dispensing without an individual prescription occurs—

“(A) as permitted under the law of the State in which the product is dispensed; or

“(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

“(e) EMERGENCY USE INSTRUCTIONS.—

“(1) IN GENERAL.—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product’s approved, licensed, or cleared conditions of use.

“(2) EFFECT.—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

“(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

“(B) by a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, in preparation for an emergency response.”

(c) RISK EVALUATION AND MITIGATION STRATEGIES.—Section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

“(k) WAIVER IN PUBLIC HEALTH EMERGENCIES.—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F-1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to mitigate the effects of, or reduce the severity of, the circumstances under which—

“(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.”

(d) PRODUCTS HELD FOR EMERGENCY USE.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

“SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE.

“‘It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

“(1) is intended to be held and not used; and

“(2) is held and not used, unless and until that product—

“(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

“(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

“(C) is authorized for use under section 564.”

SEC. 303. DEFINITIONS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4) is amended by striking “The Secretary, in consultation” and inserting the following:

“(a) DEFINITIONS.—In this section—

“(1) the term ‘countermeasure’ means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product;

“(2) the term ‘qualified countermeasure’ has the meaning given such term in section 319F-1 of the Public Health Service Act;

“(3) the term ‘security countermeasure’ has the meaning given such term in section 319F-2 of such Act; and

“(4) the term ‘qualified pandemic or epidemic product’ means a product that meets the definition given such term in section 319F-3 of the Public Health Service Act and—

“(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

“(B) is included under this paragraph pursuant to a determination by the Secretary.

“(b) GENERAL DUTIES.—The Secretary, in consultation”

SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 303, is further amended—

(1) in the section heading, by striking “**TECHNICAL ASSISTANCE**” and inserting “**COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE**”;

(2) in subsection (b), by striking the subsection enumerator and all that follows through “shall establish” and inserting the following:

“(b) **GENERAL DUTIES.**—In order to accelerate the development, stockpiling, approval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

“(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F-1, 319F-2, 319F-3, 319L, and 2811 of the Public Health Service Act;

“(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

“(3) promote countermeasure expertise within the Food and Drug Administration by—

“(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F-2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

“(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

“(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

“(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

“(4) maintain teams, composed of Food and Drug Administration personnel with expertise on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

“(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

“(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

“(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

“(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

“(5) establish”;

(3) by adding at the end the following:

“(c) **FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act

of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when human efficacy studies are not ethical or feasible.

“(2) **AUTHORITY TO EXTEND DEADLINE.**—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(d) **DEVELOPMENT AND ANIMAL MODELING PROCEDURES.**—

“(1) **AVAILABILITY OF ANIMAL MODEL MEETINGS.**—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive—

“(A) a meeting to discuss proposed animal model development activities; and

“(B) a meeting prior to initiating pivotal animal studies.

“(2) **PEDIATRIC MODELS.**—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

“(e) **REVIEW AND APPROVAL OF COUNTERMEASURES.**—

“(1) **MATERIAL THREAT.**—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F-2 of the Public Health Service Act for which the countermeasure under review is intended.

“(2) **REVIEW EXPERTISE.**—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the protocols established under subsection (b)(3)(D).”.

SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 304, is further amended by adding at the end the following:

“(f) **REGULATORY MANAGEMENT PLAN.**—

“(1) **DEFINITION.**—In this subsection, the term ‘eligible countermeasure’ means—

“(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F-2(c) of the Public Health Service Act; or

“(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

“(2) **REGULATORY MANAGEMENT PLAN PROCESS.**—The Secretary, in consultation with the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding the development and regulatory review of eligi-

ble countermeasures by facilitating the development of written regulatory management plans in accordance with this subsection.

“(3) **SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.**—

“(A) **IN GENERAL.**—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

“(B) **TIMING OF SUBMISSION.**—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

“(C) **RESPONSE BY SECRETARY.**—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

“(4) **PLAN.**—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

“(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

“(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

“(C) an agreement on how the plan shall be modified, if needed.

“(5) **MILESTONES AND PERFORMANCE TARGETS.**—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

“(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

“(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

“(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

“(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

“(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

“(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

“(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administration with respect to the eligible countermeasure, provided that such plan would not delay authorization under section 564, approval, licensure, or clearance for adults.

“(6) **PRIORITIZATION.**—

“(A) PLANS FOR SECURITY COUNTERMEASURES.—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

“(B) PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.”.

SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 305, is further amended by adding at the end the following:

“(g) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

“(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

“(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

“(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

“(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

“(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

“(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

“(C) explanations for any failure to meet such performance targets and goals;

“(3) the number of regulatory teams established pursuant to subsection (b)(4), the number of products, classes of products, or technologies assigned to each such team, and the number of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

“(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

“(A) Center-specific objectives and accomplishments; and

“(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

“(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

“(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

“(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

“(A) sponsors of a countermeasure as defined in subsection (a); or

“(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.”.

SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

“(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of the Public Health Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section.”; and

(2) in subsection (n)(1), by adding at the end the following:

“(C) For a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric studies in the written request issued by the Commissioner of Food and Drugs.”.

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

“(A) shall consider—

“(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response, metabolism of drugs and biologics in children, and pediatric clinical trials;

“(ii) particular pediatric diseases, disorders or conditions where more complete knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

“(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

“(B) may consider the availability of qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), and qualified pandemic or epidemic products (as defined in section 319F-3) to ad-

dress the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section.”; and

(2) in subsection (b), by striking “subsection (a)” and inserting “paragraphs (1) and (2)(A) of subsection (a)”.

(c) ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting “; and”; and

(2) by adding at the end the following:

“(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.”.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 401. BIOSHIELD.

(a) PROCUREMENT OF COUNTERMEASURES.—Section 319F-2(c) of the Public Health Service Act (42 U.S.C. 247d-6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking “eight years” and inserting “10 years”; and

(2) in paragraph (2)(C), by striking “the designated congressional committees (as defined in paragraph (10))” and inserting “the appropriate committees of Congress”.

(3) in paragraph (5)(B)(ii), by striking “eight years” and inserting “10 years”; and

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking “DESIGNATED CONGRESSIONAL COMMITTEES” and inserting “APPROPRIATE CONGRESSIONAL COMMITTEES”; and

(B) by striking “the designated congressional committees” and inserting “the appropriate congressional committees”; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting “including advanced research and development,” after “as may reasonably be required,”;

(B) in clause (ii)—

(i) in subclause (III), by striking “eight years” and inserting “10 years”; and

(ii) by striking subclause (IX) and inserting the following:

“(IX) CONTRACT TERMS.—The Secretary, in any contract for procurement under this section—

“(aa) may specify—

“(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

“(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

“(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

“(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).”; and

(C) by adding at the end the following:

“(viii) FLEXIBILITY.—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.”.

(b) REAUTHORIZATION OF THE SPECIAL RESERVE FUND.—Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (c)—

(A) by striking “special reserve fund under paragraph (10)” each place it appears and inserting “special reserve fund as defined in subsection (h)”;

(B) by striking paragraphs (9) and (10); and
(2) by adding at the end the following:

“(g) SPECIAL RESERVE FUND.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), \$2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

“(2) USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

“(3) RESTRICTIONS ON USE OF FUNDS.—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

“(4) REPORT.—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than \$1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

“(A) in meeting the security countermeasure needs identified under this section; and

“(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

“(h) DEFINITIONS.—In this section:

“(1) The term ‘advanced research and development’ has the meaning given such term in section 319L(a).

“(2) The term ‘special reserve fund’ means the ‘Biodefense Countermeasures’ appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).”

SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) DUTIES.—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting “(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)” after “development”; and

(2) in subparagraph (D)(iii), by striking “and vaccine manufacturing technologies” and inserting “vaccine-manufacturing technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies”.

(b) TRANSACTION AUTHORITIES.—Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(5)) is amended by adding at the end the following:

“(G) GOVERNMENT PURPOSE.—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.”

(c) FUND.—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d-7e(d)(2)) is amended to read as follows:

“(2) FUNDING.—To carry out the purposes of this section, there is authorized to be appropriated to the Fund \$415,000,000 for each of fiscal years 2014 through 2018, such amounts to remain available until expended.”

(d) CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(C)) is amended by striking “7 years” and inserting “12 years”.

(e) EXTENSION OF LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d-6a note) is amended by striking “6-year” and inserting “12-year”.

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on December 17, 2012.

(f) INDEPENDENT EVALUATION.—Section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) is amended by adding at the end the following:

“(f) INDEPENDENT EVALUATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section.

“(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1). Such report shall review and assess—

“(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

“(B) the activities supported by flexible manufacturing initiatives; and

“(C) the ability of flexible manufacturing activities carried out under this section to—

“(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

“(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.”

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F-1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d-6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking “to—” and inserting “—”;

(B) in clause (i)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking “; or” and inserting a semicolon;

(C) in clause (ii)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).”

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F-3(i)(7)(A) of the Public

Health Service Act (42 U.S.C. 247d-6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking “; or” and inserting “;”;

(B) in clause (ii), by striking “; and” and inserting “; or”; and

(C) by adding at the end the following:

“(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and”

(3) TECHNICAL AMENDMENTS.—Section 319F-3(i) of the Public Health Service Act (42 U.S.C. 247d-6d(i)) is amended—

(A) in paragraph (1)(C), by inserting “, 564A, or 564B” after “564”; and

(B) in paragraph (7)(B)(iii), by inserting “, 564A, or 564B” after “564”.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “consistent with section 2811” before “by the Secretary to be appropriate”; and

(ii) by inserting before the period at the end of the second sentence the following: “and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security”; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: “and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment”; and

(2) in subsection (f)(1), by striking “\$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).” and inserting “\$533,800,000 for each of fiscal years 2014 through 2018. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).”

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d-f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(iii) one such member shall be an individual with pediatric subject matter expertise; and

“(iv) one such member shall be a State, tribal, territorial, or local public health official.”; and

(B) by adding at the end the following flush sentence:

“Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).”; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, introduced by my colleague MIKE ROGERS from Michigan, would reauthorize programs designed to foster the development of medical countermeasures and strengthen the Nation's preparedness infrastructure. These programs are essential to helping our Nation prepare for public health emergencies, including those caused by terrorist attacks.

H.R. 307 reauthorizes programs for 5 years at the fiscal year 2012 appropriated level and does not create a new program, nor increase the authorization for appropriations for an existing program. According to the Congressional Budget Office, the bill does not increase spending.

Congress originally enacted the programs reauthorized in H.R. 307 through the Project Bioshield Act of 2004 and the Pandemic and All-Hazards Preparedness Act of 2006. Project Bioshield authorized funds for the purchase of medical countermeasures through the Special Reserve Fund and enabled the Secretary of Health and Human Services to authorize the emergency use of medical products.

The original PAHPA bill created the Biodefense Advanced Research and Development Authority within HHS to help with the development of medical countermeasures and increase communications between HHS and the developers of MCMs.

The House passed H.R. 307 back in January. The Senate made some minor changes to the bill and passed it by unanimous consent last week.

I would like to commend Chairman UPTON, Mr. ROGERS, Mr. WAXMAN, and Mr. PALLONE for their work on the bill. I also would like to thank Senator HARKIN, Senator ALEXANDER, Senator ENZI, and Senator BURR for their leadership.

I would urge all Members to support this critical piece of legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to rise in support of the Senate amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. And I want to recognize the work that Ms. ESHOO, my colleague on the committee, has been doing on this legislation for many years.

The legislation reauthorizes critical programs and activities first established as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, the 2004 Project Bioshield Act, and the 2006 Pandemic and All-Hazards Preparedness Act.

□ 1720

H.R. 307 passed the Senate in late February with an amendment that makes some changes to the House version passed in January. The new language updates the authorization period of programs to the fiscal years 2014–2018 instead of the fiscal years 2013–2017. It also modifies the authority for a State, territory or tribal organization to temporarily reassign public health personnel to respond to a public health emergency. In addition, there were some minor technical corrections to the House-passed legislation.

Over the past decade, Mr. Speaker, these programs have represented comprehensive efforts to prepare for and respond to public health emergencies. As a result of the investments that followed, our Nation is better equipped to respond to public health emergencies, but there is still a lot of work to be done.

Our Nation continues to face threats that require an ongoing commitment to public health and emergency preparedness. Of course, I am thinking of my district and the State of New Jersey after we experienced a devastating storm that destroyed entire communities. The Federal Government's support, including programs authorized by PAHPA, were critical in the wake of this disaster.

So I am pleased that Congress is finally able to get this legislation across the finish line. It reflects a bipartisan, bicameral effort that has been ongoing for more than a year—start to finish—and Members and staff have worked hard to see it through. Together, we have resolved differences and have made compromises, which is the way legislating is supposed to be done; and I was proud to be part of the process.

I would like to thank many members of the Energy and Commerce Committee who contributed to this important bill: of course Ms. ESHOO, who will speak; Congressmen MIKE ROGERS and GENE GREEN; Chairman UPTON; Chairman PITTS; Ranking Member WAXMAN; Congressman MARKEY; and all of their staffs. Everyone should be commended for their work.

I urge Members to join me in supporting the passage of the Senate amendment to H.R. 307, and I look forward to finally getting this bill to the President's desk.

I reserve the balance of my time.

OFFICE OF THE SECRETARY AND
LEGAL COUNSEL, ALLIANCE FOR
BIOSECURITY,

Washington, DC, March 4, 2013.

Hon. MIKE ROGERS,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE ROGERS: On behalf of the Alliance for Biosecurity, I write in strong support of the Pandemic All-Hazards Preparedness Reauthorization Act of 2013 (H.R. 307). The Alliance for Biosecurity is a collaboration of pharmaceutical and biotechnology companies working to develop medical countermeasures (MCMs) to prevent and treat diseases associated with bioterrorism and emerging infectious diseases. We are extremely pleased that both the House and the Senate have taken this legislation up so expeditiously this Congress and hope for quick House passage of the amended bill.

As you know, the chemical, biological, radiological, and nuclear (CBRN) threat is real and growing. It is critical that the country continue ongoing efforts to develop, procure, and stockpile MCMs to both deter an attack and protect our citizens should a bioterrorism event occur. The Congressionally-established Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism 2008 report predicted that "it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013." There is a limited commercial market for MCMs; consequently, without adequate advanced development and stockpiling funding, companies have neither the incentive nor the ability to invest in these life-saving therapies.

Reauthorization of PAHPA and Project BioShield is critical to ensuring the sustainability of the MCM enterprise. We urge you to pass the amended H.R. 307 without delay to ensure that our nation remains prepared to face such threats.

Respectfully submitted on behalf of the Alliance for Biosecurity,

THE ALLIANCE FOR BIOSECURITY,
Secretariat and Legal Counsel.

AMERICAN ACADEMY OF PEDIATRICS,
Elk Grove Village, IL, March 1, 2013.

Hon. MIKE ROGERS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN ROGERS: On behalf of the American Academy of Pediatrics (AAP), a professional organization of 60,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, I write to express our support for H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.

Representing twenty-five percent of the U.S. population, children are not little adults. Their developing minds and bodies place them at disproportionate risk during a disaster situation. Children are particularly vulnerable to aerosolized biological or chemical agents because they breathe more times per minute than adults and they are more vulnerable to agents that act on or through the skin because their skin is thinner and they have a larger surface-to-mass ratio than adults. Children need different dosages of medicine than adults, not only because they are smaller, but also because certain drugs and biologics may have different or unanticipated effects on developing children. From needles and tubing, to oxygen masks and ventilators, to imaging and laboratory

technology, children need medical equipment that has been specifically designed for their size and unique physiology.

Numerous expert bodies including the National Commission on Children and Disasters and the National Biodefense Science Board (NBSB) have found that, with respect to medical countermeasures (MCMs) for children, significant gaps remain in pediatric indications, dosages and formulations. H.R. 307 includes several important provisions that will help advance the development of MCMs for children by maximizing existing pediatric drug testing laws, increasing pediatric expertise at federal agencies involved in MCM development and procurement, and prioritizing children within the existing Public Health Emergency Medical Countermeasures Enterprise. Additionally, the expansion of existing emergency use authorization authority will be critical to ensuring that countermeasures for children are stockpiled in advance of a disaster or emergency.

In particular, the Academy thanks you for including a provision that will require the Secretary of Health and Human Services to establish a National Advisory Committee on Children and Disasters. With the termination of the National Commission on Children and Disasters, which helped focus attention on gaps in disaster planning and delivered practical recommendations to the President and Congress, the National Advisory Committee on Children and Disasters will help ensure that important progress made at various federal agencies, state and local levels, and throughout the private sector continues. Importantly, the Advisory Committee will bring together federal and non-federal partners to provide guidance and recommendations on our nation's preparedness to meet the needs of children before, during and after all-hazards emergencies. It is our hope that the Advisory Committee will comprehensively assess progress toward fulfilling the recommendations of the National Commission on Children and Disasters. The Academy looks forward to working with you and the Department of Health and Human Services to establish the National Advisory Committee on Children and Disasters.

H.R. 307 maintains the important role of the National Disaster Medical System (NDMS) while ensuring that the NDMS takes into account pediatric populations. It also ensures that the requirements for the Hospital Preparedness Program and the Public Health Emergency Preparedness Cooperative Agreement Program have specific pediatric performance measures. The AAP applauds the requirement in the legislation that the NBSB include an individual with pediatric subject matter expertise.

Thank you for your continued commitment to improving the health and well-being of children. We look forward to working with you on passage of H.R. 307.

Sincerely,
THOMAS K. MCINERNEY, MD, FAAP,
President.

—
BIOTECHNOLOGY INDUSTRY
ORGANIZATION,
Washington, DC, March 1, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the Biotechnology Industry Organization (BIO), I

am writing with our strong support for the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness (PAHPA) Reauthorization Act of 2013, which will be considered on the floor of the House on March 4th.

BIO represents more than 1,100 biotechnology companies, academic institutions, state biotechnology centers and related organizations across the United States. BIO members are involved in the research and development of healthcare, agricultural, industrial and environmental biotechnology products. Our members play a central role in ensuring the effective development of medical countermeasures (MCMs) to protect our nation's citizens against chemical, biological, radiological and nuclear threats, whether naturally occurring or man-made.

We strongly support the simultaneous reauthorization of Project BioShield and the Special Reserve Fund (SRF) with the reauthorization of PAHPA. Because the government represents the sole marketplace for the vast majority of MCMs, the funding available through the SRF is vital for private companies, considering the high cost and significant time commitment associated with the development and manufacture of these products.

We thank you for quickly moving the legislation forward in the House, and we look forward to this legislation passing, and then being signed into law in the near future. We wish to especially congratulate Reps. Mike Rogers (R-MI) and Gene Green (D-TX) for their leadership on this issue. Thank you.

Sincerely,
JAMES C. GREENWOOD,
President and CEO.

—
THE ROUNDTABLE ON
CRITICAL CARE POLICY,
Washington, DC, March 1, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The Roundtable on Critical Care Policy strongly supports the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act (PAHPRA) of 2013, and urges the House of Representatives to swiftly pass this vital legislation that will improve America's public health, medical preparedness and response capabilities, and enhance the nation's ability to care for the critically ill and injured in the aftermath of a public health emergency.

In particular, our organization strongly supports the Roundtable-endorsed provisions included in the current version of PAHPRA that would prioritize critical care within the National Health Security Strategy (NHSS). More specifically, these provisions would, for the first time, add care for critically ill patients in our nation's intensive care units (ICU) to the federal government's medical preparedness and surge capacity goals, thereby ensuring that critical care is included in federal, state and local planning efforts to increase preparedness for public health emergencies. This reauthorization would require the inclusion of medical surge capacity in the periodic evaluation of the nation's preparedness capabilities, enabling an efficient and effective medical response during an emergency.

The Roundtable also commends the inclusion of language in the NHSS that requires

coordinated medical triage and evacuation to appropriate medical institutions during a public health emergency, which supports the Roundtable's past calls for increased planning for patient evacuation in hospitals—including ICUs.

When our nation is faced with a health emergency, the critical care delivery system is an integral component of our nation's medical response. Yet, despite the fact that Americans depend on this delivery system to care for our most critically ill and injured—a system whose capacity is truly put to the test and often stretched to its limits in the event of a widespread health emergency—critical care medicine has not been given sufficient consideration in our disaster preparedness efforts, until now.

The Roundtable believes that the inclusion of these provisions in the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 will go a long way towards strengthening the nation's critical care infrastructure, and addressing the needs of the critically ill and injured in the event of a major public health crisis.

We applaud the U.S. House of Representatives under your leadership for working to improve our federal disaster preparedness efforts, and ensuring the prioritization of critical care within PAHPRA.

Sincerely,
STEPHANIE SILVERMAN,
President.

MARCH 1, 2013.

Hon. FRED UPTON,
Chairman, House of Representatives,
Washington, DC.

Hon. JOSEPH R. PITTS,
Chairman, House of Representatives,
Washington, DC.

Hon. MIKE ROGERS,
House of Representatives,
Washington, DC.

Hon. HENRY A. WAXMAN,
Ranking Member, House of Representatives,
Washington, DC.

Hon. FRANK PALLONE, Jr.,
Ranking Member, House of Representatives,
Washington, DC.

DEAR CHAIRMEN UPTON AND PITTS, RANKING MEMBERS WAXMAN AND PALLONE, AND REP. ROGERS: On behalf of the undersigned organizations, dedicated to protecting the public health of our nation, we write to express our support for the Pandemic and All-Hazards Preparedness Reauthorization Act of 2012 (PAHPRA). We urge swift passage in the House as this legislation is critical to the safety of our nation. We thank you for your leadership on this legislation that is critical to the safety of our nation.

PAHPRA is vital to state and local health and other public health practitioners who are a critical part of any community's first response to disease outbreaks, emergencies, and acts of terrorism. The following provisions in particular are essential to keeping communities healthy and safe:

Temporary Reassignment of Federally Funded Personnel During a Public Health Emergency (Section 201): The provision allows states and tribes to request from the Department of Health and Human Services (HHS) the authority to temporarily reassign public health personnel from other HHS-funded grant programs to respond to a major emergency. The authority would allow state and local governments to meet the tremendous staffing needs required by a disaster.

Reauthorization of the Public Health and Emergency Preparedness Grants (PHEP) (Section 202): The PHEP cooperative agreement program provides funding to local and

state public health departments to strengthen their capacity and capability to effectively respond to public health emergencies including terrorist threats, infectious disease outbreaks, natural disasters, and biological, chemical, nuclear, and radiological emergencies. State and local health departments work with federal government officials, law enforcement, emergency management, health care, business, education, and religious groups to plan, train, and prepare for emergencies so that when disaster strikes, communities are prepared.

Reauthorization of the Hospital Preparedness Program (HPP) (Section 203): HPP provides funding to state and local health departments to enhance hospital preparedness and improve overall surge capacity in the case of public health emergencies. The preparedness activities carried out under this program strengthen the capabilities of hospitals throughout the country to respond to floods, hurricanes, or wildfires, and also include training for a potential influenza pandemic or terrorist attack.

Carryover of Grant Use, Coordination (Section 202 and 203): The bill updates the preparedness grant programs at HHS giving grantees limited ability to carry over funds encouraging flexibility and efficiency. The provisions promote long-term planning currently impossible in an unpredictable fiscal environment.

Children's Preparedness (Sections 103, 307 and throughout): The bill establishes the National Advisory Committee on Children and Disasters to bring together federal and non-federal partners to provide guidance and recommendations on medical and public health preparedness for children before, during and after a disaster or public health emergency. The bill takes significant steps to consider the particular needs of pediatric populations in Medical Countermeasure (MCM) research and development. The bill also calls for consideration of the needs of children, as an at-risk population, in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, PHEP, HPP, and Medical Reserve Corps.

Enhancing Situational Awareness and Biosurveillance (Section 204): The bill calls for planning and integration of the current biosurveillance systems to strengthen the nation's bioterrorism and disease outbreak response capabilities. The bill also requires coordination with the National Biodefense Science Board. HHS is required to provide a report to Congress on their implementation plans and progress.

Individuals with Disabilities (Section 101): The bill calls for the consideration of the needs individuals with disabilities in the National Health Security Strategy.

Thank you again for your work to reauthorize this important legislation.

Sincerely,

GEORGES C. BENJAMIN, MD,
FACP, FACEP (E),
*Executive Director,
American Public
Health Association.*

ROBERT M. PESTRONK,
MPH,
*Executive Director,
National Association
of County and City
Health Officials.*

PAUL E. JARRIS, MD, MBA,
*Executive Director, As-
sociation of State
and Territorial
Health Officials.*

JEFF LEVI, PHD,

*Executive Director,
Trust For America's Health.*

Mr. PITTS. Mr. Speaker, I yield such time as he may consume to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Certainly, tonight I stand in support of this legislation, H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.

This legislation is going to help our Nation's families, local communities, first responders, and innovators as we prepare for and respond to public health emergencies, including those caused by terrorist attacks. As the Nation recovers from a severe flu season, the need to pass this legislation is evermore apparent.

This bill is going to help families by requiring that the special needs of our Nation's children are taken into account as medical countermeasures move through the FDA process and are purchased for the Strategic National Stockpile. The bill also would require the Department of Health and Human Services to improve public health emergency preparedness, response, outreach, and communication with respect to children.

H.R. 307 also would aid local communities and those on the front lines in disaster response, providing assistance to local law enforcement, emergency management and public health officials in planning, training and preparing for emergencies so that if disaster strikes their communities are ready. Last month, I had the opportunity to address the American Burn Association here in Washington. The bill's Hospital Preparedness Program is critical to them as it helps hospitals prepare for disasters that would result in a surge in the need for medical care.

In addition, this legislation is going to help innovators as they develop medical countermeasures that may be necessary in the event of a biological, nuclear, radiological, or chemical attack. The bill contains provisions to improve the predictability, consistency, and transparency of the FDA process. These improvements will assist innovators in getting their medical countermeasures across the finish line.

It is also important to note that H.R. 307 would reauthorize programs for 5 years at the fiscal year 2012 appropriated level. This bill would not create new programs; and according to the CBO, as Mr. PITTS said, it would not increase spending.

The House bill passed back in January, and the Senate passed a nearly identical version of the bill last week by unanimous consent. Upon House approval today, this critical legislation will, in fact, head to the President to be signed into law, ensuring that our Nation is preparing for the unthinkable.

I want to thank all of the Members who have worked on this issue, not

only this year but last year—certainly Mr. ROGERS of Michigan, Chairman PITTS, Mr. WAXMAN, Mr. PALLONE, and Ms. ESHOO. I also want to thank our Senate colleagues—Senator HARKIN, Senator ALEXANDER, Senator ENZI, and Senator BURR—for their leadership on this issue as we got together and got this bill ready tonight.

I urge my colleagues to support the bill.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO), one of the key sponsors of this legislation.

Ms. ESHOO. I thank our ranking member, Mr. PALLONE, for his leadership on the committee and for yielding time to me.

Mr. Speaker, I rise today to support the Pandemic and All-Hazards Preparedness Reauthorization Act. This is legislation that I wrote, together with Congressman MIKE ROGERS, going back to when we first introduced it in 2006, in order to better help our country prepare for a chemical, biological, radiological, or nuclear attack—all of the things that are really unthinkable; but in a post-9/11 era, we had to be prepared, and we developed this legislation. So it pleases me enormously that we are now reauthorizing it.

Right now, the American people are left wondering what the heck the Congress is doing—why we can't come together, why we can't work in a bipartisan way and develop consensus. Do you know what? On this bill, we are, and I am very proud of that. Developing and stockpiling appropriate countermeasures is essential for the safety of the American people, and these programs encourage American companies to invest in areas of critical need.

The bill before us today includes new provisions, which I think really enhance what we did originally, provisions that highlight the important needs of our Nation's children. Children are not just little adults. They need special care and medical attention. They are especially vulnerable to biological or chemical agents because of their size, their limited capacity to flush out toxins, their underdeveloped motor skills, and their total reliance on their parents or other caregivers.

I know firsthand the importance of stockpiling vaccines critical to our public health. I recently visited a company in my district, Bavarian Nordic. It is a company which clearly demonstrates that technical expertise and investment in this area must be backed by the government's commitment to preparedness. Because medical countermeasures don't always have a natural commercial market, it is our responsibility—right here in the Congress—to encourage and incentivize private companies to develop them. When I was meeting with them, they told me that,

when we were considering the original legislation and then passed it, they were immediately invested in it by the sum of some \$80 million because there was confidence in that particular market.

This legislation is supported by many, but I think it's a real honor roll in terms of the groups and organizations: the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, the Trust for America's Health, and the American Academy of Pediatrics.

This legislation, the Pandemic and All-Hazards Preparedness Reauthorization Act, did pass the House last month; and with minor changes, it passed the Senate last week, as my colleagues have said on both sides of the aisle. Today, I, once again, urge my colleagues to vote "yes" on the Senate-amended bill so that it may swiftly be sent to the President for his signature. I think, together, we will have something to celebrate because this is not only important, but it can and will make a difference for the American people.

□ 1730

Mr. PITTS. Mr. Speaker, I have no other speakers, and I continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I would just say at this point that I urge passage of this legislation. It is very important in terms of our ongoing commitment to public health and emergency preparedness; and, of course, once it passes today, it will go to the President for his signature, and so I urge passage.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I, too, urge all Members to support this critical legislation. It has strong bipartisan support. It is very important.

With that, I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in support of the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. H.R. 307 is the product of a lengthy, but extremely productive, process with our Senate colleagues and their staff to come together to bridge the differences between earlier House and Senate reauthorization efforts. In January, the House passed H.R. 307 by a vote of 395 to 29. Just last week, the Senate passed an amendment to H.R. 307 that makes further refinements to the legislation. Today, with House passage of the Senate Amendment, the Pandemic and All-Hazards Preparedness Reauthorization Act will finally head to the President's desk for his signature.

Toward that end, H.R. 307 reauthorizes and makes minor—but important—improvements to various programs and activities first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act;

2004 Project Bioshield Act; and the 2006 Pandemic and All-Hazards Preparedness Act, or as it is commonly referred to, "PAHPA." These programs and activities are key in helping to ensure that our nation is well prepared to successfully manage the effects of natural disasters, infectious disease outbreaks, and acts of bioterrorism.

H.R. 307 includes dozens of changes to these underlying authorities. Let me highlight just four provisions that deserve special attention:

First, the bill will ensure that the Food and Drug Administration focuses on medical countermeasures of the highest importance. Medical countermeasures are products designed to combat chemical, biological, radiological, and nuclear agents.

H.R. 307 will facilitate communication between the FDA and product sponsors—particularly on high priority countermeasures for which sponsors have developed regulatory management plans—to resolve scientific and regulatory questions and help make these products available more quickly. Recently, FDA approved the first drug developed and procured under Project BioShield.

The FDA provisions in H.R. 307 will also facilitate the rapid provision of existing medicines to people in need during an emergency. Taken together, these FDA provisions—along with the renewed emphasis in our countermeasure enterprise through other parts of the legislation—will make it possible for a greater number of drugs and devices to move from early development to procurement.

Second, the legislation makes improvements to the nation's blueprint for public health preparedness and response activities that will enhance the ability of our diverse health care system to respond to mass casualty emergencies. Among such improvements are provisions to clarify the role of the Assistant Secretary of Preparedness and Response as the lead office within the Department of Health and Human Services for emergency preparedness and response.

H.R. 307 also establishes a new authority to permit the Secretary of the Department of Health and Human Services to approve a request of a state, territory, or an Indian tribe to reassign certain federally-supported public health personnel during the time of a national emergency to geographic areas where these public health workers are needed most.

Finally, H.R. 307 continues support for investments in state and local public health departments. Such investments are necessary to make certain that we have the requisite public health infrastructure in place to respond immediately and appropriately to any public health threat that may arise.

This legislation reflects the effort of a number of Members and Senators—Democrats and Republicans alike. I'd like to commend my House colleagues and their staff who have been deeply involved in this process—Chairman UPTON, Chairman PITTS, Congressman ROGERS, Congressman GREEN, Congresswoman ESHOO, Congressman MARKEY, and our Health Subcommittee Ranking Member, Congressman PALLONE. I particularly want to thank Mr. PALLONE's staff member Tiffany Guarascio, as well as Chairman UPTON and Chairman PITTS' staff, Clay Alspach and Carly

McWilliams. I would also like to express my appreciation to House Legislative Counsel Warren Burke and Jessica Shapiro for their efforts. I'd also like to recognize my Senate colleagues, Chairman HARKIN and Ranking Member ALEXANDER, and their staff for their contributions to this legislation. And finally, I'd like to thank my own staff for the incredibly hard work they have put into this legislation—Karen Nelson, Ruth Katz, Anne Morris Reid, Rachel Sher, and Eric Flamm.

I urge my colleagues to vote in favor of the Senate Amendment to H.R. 307.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of the Pandemic and All-Hazards Preparedness Reauthorization Act which will reauthorize certain provisions of the Project Bioshield Act of 2004 and Pandemic and All-Hazards Preparedness Act of 2006.

This legislation was initially passed by Congress to help the U.S. develop medical countermeasures against chemical, biological, radiological, and nuclear terrorism agents and to provide a mechanism for federal acquisition of those newly developed countermeasures.

Since the first part of the last session of Congress, we have been working with Senators to perfect the language. We have passed it several times in the House and after many months, the Senate has sent it back for our approval. I am pleased that we finally have a bill that can be sent to the President and I am proud to support it.

This bill is important because our nation remains vulnerable to these threats because many of the vaccines and medicines that are needed to protect our citizens do not exist.

Developing and stockpiling these medical countermeasures requires time, resources, and research. All of which will be provided under the legislation before us today. I am pleased that language I supported during the committee process aimed at increasing emphasis on regionalized trauma care systems was included in this final version.

This bill is also very important to me because the University of Texas Medical Branch's Galveston National Laboratory is in my backyard.

The Galveston National Lab is the only BSL-4 lab located on a university campus. At the lab, scientists conduct research to develop therapies, vaccines, and diagnostic tests for naturally occurring emerging diseases such as SARS and avian influenza—as well as for microbes that might be employed by terrorists.

This is exactly the type of research we hope to encourage under the Pandemic and All-Hazards Preparedness Reauthorization Act.

As an original cosponsor of this bill with Mr. ROGERS, I am very pleased at how quickly we have moved this rare bipartisan piece of legislation.

I want to thank Mr. ROGERS, Chairman UPTON, Ranking Member WAXMAN, Ranking Member PALLONE, Ms. Myrick, Ms. ESHOO, and Mr. MARKEY for their work on this important legislation.

I strongly urge my colleagues to vote "yes" on this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, as amended by the

Senate. This legislation will reauthorize programs first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act, the 2004 Project BioShield Act, and the 2006 Pandemic and All-Hazards Preparedness Act. These programs are crucial to ensuring that our Nation is prepared to respond to public health emergencies, including those caused by natural disasters, disease outbreaks, and bioterrorism.

The Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 will reauthorize programs such as the Public Health Emergency Preparedness Cooperative Agreement, which provides grants to state and local health departments, the National Disaster Medical System, which helps manage the government's medical response in emergencies, and bio-surveillance programs, which help states coordinate with the Centers for Disease Control and Prevention to track and detect disease outbreaks. The legislation also allows the Food and Drug Administration to collect and analyze data about the safety and efficacy of products used in emergencies.

Mr. Speaker, in our changing world, public health emergencies can be created by sources as various as disasters due to climate change, global epidemics from an increasingly interconnected planet, and terrorists who target us. As we face these threats, it is our responsibility to remain vigilant and prepared for the sake of our children and our communities. The programs covered under the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 serve as essential tools in our endeavor to protect the health of all Americans.

Mr. KINGSTON. Mr. Speaker, I rise today in support of the Pandemic Reauthorization bill to acknowledge the importance of PHAPA and the pandemic and medical countermeasure community; however, I do so with reservations. While H.R. 307 does not allocate funds, this bill does reauthorize the Special Reserve Fund for five years. The multiyear fund gives industry a degree of certainty when embarking on long term, multi-million dollar investments to create treatments that do not have a private market to reply upon. This is an important goal. However, our federal budget is bloated with forty-two cents out of every dollar borrowed and the refunding of the Special Reserve Fund comes at a particularly difficult time. A better structure for this funding mechanism must be developed. Nonetheless, I support the work PHAPA supports and will continue to discuss fiscally-sound funding solutions for the Special Reserve Fund during the FY2014 Labor, Health and Human Services subcommittee on Appropriations hearings and meetings.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 307.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to 44 U.S.C. 2702, I am pleased to appoint Mr. John A. Lawrence of Washington, D.C. to the Advisory Committee on the Records of Congress.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 370, nays 28, not voting 33, as follows:

[Roll No. 56]

YEAS—370

Aderholt	Edwards	Lance
Alexander	Ellison	Langevin
Amodei	Ellmers	Lankford
Andrews	Enyart	Larsen (WA)
Bachmann	Eshoo	Larson (CT)
Bachus	Esty	Latham
Barber	Farenthold	Latta
Barletta	Farr	Lee (CA)
Barr	Fattah	Levin
Barrow (GA)	Fincher	Lewis
Barton	Fitzpatrick	Lipinski
Bass	Fleischmann	LoBiondo
Beatty	Fleming	Lofgren
Becerra	Flores	Long
Benishek	Forbes	Lowenthal
Bentivolio	Fortenberry	Lowe
Bera (CA)	Foster	Lucas
Billakis	Frankel (FL)	Luetkemeyer
Bishop (GA)	Franks (AZ)	Lujan Grisham
Bishop (NY)	Frelinghuysen	(NM)
Black	Fudge	Lujan, Ben Ray
Blackburn	Gabbard	(NM)
Bonamici	Galleo	Lummis
Bonner	Garamendi	Maffei
Boustany	Garcia	Maloney,
Braley (IA)	Gardner	Carolyn
Brooks (IN)	Garrett	Maloney, Sean
Brown (FL)	Gerlach	Marino
Brownley (CA)	Gibbs	Matheson
Buchanan	Gibson	Matsui
Bucshon	Gingrey (GA)	McCarthy (CA)
Burgess	Gowdy	McCarthy (NY)
Bustos	Granger	McCaul
Butterfield	Grayson	McClintock
Calvert	Green, Al	McCollum
Camp	Green, Gene	McGovern
Campbell	Griffin (AR)	McHenry
Cantor	Griffith (VA)	McKeon
Capito	Grimm	McKinley
Capps	Guthrie	McMorris
Capuano	Hahn	Rodgers
Cardenas	Hall	McNerney
Carney	Hanabusa	Meadows
Carson (IN)	Hanna	Meehan
Cartwright	Harper	Meeks
Cassidy	Harris	Meng
Castor (FL)	Hartzler	Messer
Castro (TX)	Hastings (FL)	Mica
Chabot	Hastings (WA)	Michaud
Chu	Heck (NV)	Miller (MI)
Cicilline	Heck (WA)	Miller, Gary
Clarke	Hensarling	Miller, George
Clay	Herrera Beutler	Moore
Cleaver	Higgins	Mulvaney
Clyburn	Himes	Murphy (FL)
Coffman	Hinojosa	Murphy (PA)
Cohen	Holding	Napolitano
Cole	Holt	Neal
Collins (NY)	Horsford	Negrete McLeod
Conaway	Hoyer	Neugebauer
Connolly	Huelskamp	Nolan
Conyers	Huffman	Nugent
Cook	Huizenga (MI)	Nunes
Cooper	Hultgren	Nunnelee
Costa	Hunter	O'Rourke
Cotton	Hurt	Olson
Courtney	Israel	Owens
Cramer	Issa	Pallone
Crawford	Jackson Lee	Pascarell
Crenshaw	Jeffries	Pastor (AZ)
Crowley	Jenkins	Paulsen
Cuellar	Johnson (GA)	Payne
Cummings	Johnson (OH)	Pearce
Daines	Johnson, E. B.	Pelosi
Davis (CA)	Johnson, Sam	Perry
Davis, Danny	Jordan	Peters (CA)
Davis, Rodney	Joyce	Peters (MI)
DeFazio	Kaptur	Peterson
DeGette	Keating	Pingree (ME)
Delaney	Kelly	Pittenger
DeLauro	Kennedy	Pitts
DelBene	Kildee	Pocan
Denham	Kilmer	Pompeo
Dent	Kind	Posey
DeSantis	King (IA)	Price (GA)
DesJarlais	King (NY)	Price (NC)
Deutch	Kingston	Quigley
Diaz-Balart	Kinzinger (IL)	Rahall
Dingell	Kirkpatrick	Rangel
Doggett	Klaine	Reed
Doyle	Kuster	Reichert
Duckworth	LaMalfa	Renacci
Duffy	Lamborn	Ribble

Rice (SC)
 Richmond
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Roybal-Allard
 Royce
 Ruiz
 Runyan
 Ruppersberger
 Ryan (OH)
 Ryan (WI)
 Salmon
 Sánchez, Linda
 T.
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schneider
 Schock
 Schrader
 Schwartz
 Schweikert

Scott (VA)
 Scott, Austin
 Scott, David
 Serrano
 Sessions
 Sewell (AL)
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Speier
 Stewart
 Stivers
 Swalwell (CA)
 Takano
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Titus
 Tonko
 Tsongas
 Turner

NAYS—28

Amash
 Bishop (UT)
 Brady (TX)
 Bridenstine
 Brooks (AL)
 Broun (GA)
 Carter
 Chaffetz
 Duncan (SC)
 Duncan (TN)

Fox
 Gohmert
 Goodlatte
 Graves (GA)
 Hudson
 Jones
 Labrador
 Marchant
 Massie
 Miller (FL)

Upton
 Valadao
 Van Hollen
 Vargas
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walorski
 Walz
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westmoreland
 Whitfield
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Yoder
 Yoho
 Young (IN)

NOT VOTING—33

Blumenauer
 Brady (PA)
 Coble
 Collins (GA)
 Culberson
 Engel
 Gosar
 Graves (MO)
 Grijalva
 Gutierrez
 Honda
 Loebsack
 Lynch
 Markey
 McDermott
 McIntyre
 Moran
 Nadler
 Noem
 Palazzo
 Perlmutter
 Polis
 Rohrabacher
 Rush
 Sanchez, Loretta
 Sires
 Smith (WA)
 Stutzman
 Veasey
 Vela
 Yarmuth
 Young (AK)
 Young (FL)

□ 1853

Messrs. RICHMOND, WESTMORELAND, LEVIN, WEBER, DANNY K. DAVIS of Illinois, RAHALL, and SALMON changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on February 28, 2013. Pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize 16 lease prospectuses included in the General Services Administration's FY2012 and FY2013 Capital Investment and Leasing Programs and 2 resolutions to authorize alteration projects for space consolidations and exigent needs.

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions approved by the Committee will save the taxpayer \$27.6 million annually or \$357 million over the terms of the leases. These resolutions ensure savings through lower rents, shrinking the space requirements of agencies, and efficiencies created through consolidation. In addition, the Committee has included space utilization requirements in each of the resolutions to ensure agencies are held to appropriate utilization rates.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures

cc: The Honorable Nick J. Rahall, II,
 Ranking Member



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA
PVA-07-WA12

James H. Zola, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 106,000 rentable square feet of space, including eight parking spaces, for the Department of Agriculture, Forest Service, currently located at 1601 and 1621 N. Kent Street, Arlington, Virginia, at a proposed total annual cost of \$4,134,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 182 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 182 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink, appearing to read "Bill Shuster".
Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS - LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 106,000 rentable square feet for the U.S. Department of Agriculture, Forest Service (USDA-FS), currently located in adjacent buildings at 1601 and 1621 N. Kent Street in Arlington, VA under three leases. USDA-FS elements housed in these buildings have mission requirements that result in regular interaction with FS headquarters operations housed in the Sidney Yates Building in Washington, DC.

The proposed increase in the annual cost of leasing space to meet USDA-FS requirements reflects the adjustment to current market rent of expiring leases that have been in effect since the 1998 to 2000 time frame. The proposed maximum RSF does not represent expansion space but the amount of space needed to provide 87,192 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.2 in order to maximize competition.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on December 31, 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

GSAPBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12
Congressional District: 8

Description

Occupants:	USDA-FS
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	101,234 (Current RSF/USF=1.15)
Proposed Maximum RSF:	106,000 (Market RSF/USF=1.2)
Expansion Space ¹ :	None
Current Usable Square Feet/Person:	182
Proposed Usable Square Feet/Person:	182
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Leases:	December 31, 2013
Proposed Delineated Area:	Northern, VA
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate ² :	\$39.00
Proposed Total Annual Cost ³ :	\$4,134,000
Current Total Annual Cost:	\$3,568,095 (leases effective 1998 and 2000)

Background

The Rosslyn Plaza C and Rosslyn Plaza E Buildings, located at 1601 and 1621 N. Kent Street in Arlington, VA, were constructed in 1965 and originally occupied by USDA-FS under leases with effective dates between September 1998 and December 2000.

Justification

USDA-FS must vacate the space it occupies at 1601 and 1621 N. Kent Street by the December 31, 2013, expiration of the current leases and requires continued housing to carry out its long-term mission requirements.

¹ The RSF/USF at the current location is approximately 1.15.

² This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12
Congressional District: 8

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS - LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA**

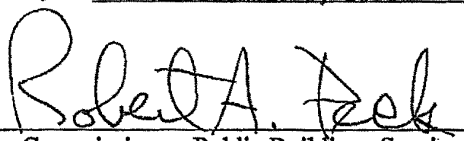
Prospectus Number: PVA-07-WA12
Congressional District: 8

Certification of Need


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

Northern, VA
PVA-07-WA12

Housing Plan
Department of Agriculture
Forest Service

August 2011

Leased Locations	Current					Proposed						
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)				
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1601 N Kent Street	286		37,234	500	5,000	42,734						
1621 N Kent Street	197		39,678	500	5,000	45,178						
Proposed Lease												
Total	483	483	76,912	1,000	10,000	87,912	483	483	76,912	1,000	10,000	87,912

Office Utilization Rate (UR) *	
Current	Proposed
Ratio	124

* UR = average amount of office space per person
Current UR excludes 16,920 usf of office support space
Proposed UR excludes 16,920 usf of office support space

USF/Person **	
Current	Proposed
Ratio	182

** USF/Person = housing plan total USF divided by total personnel

Total USF	RSF/USF	Maximum RSF
Current	87,912	1.15
Proposed	87,912	1.2 ***

*** Market R/U Factor for Competitive Procurement

Special Space	
	USF
Information Center	3,000
Telecom	1,500
Cafe/Kitchen	3,500
Conference	2,000
Total	10,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND
PMD-05-WA12

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 327,000 rentable square feet of space, including 30 parking spaces, for the Department of the Treasury, Financial Management Service, currently located at Metro II, 3700 East West Highway, Hyattsville, Maryland, at a proposed total annual cost of \$8,502,000 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 249 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 249 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE .
SUBURBAN MARYLAND**

Prospectus Number: PMD-05-WA12
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 327,000 rentable square feet (rsf) for the Department of the Treasury, Financial Management Service (FMS) currently located at Metro II, 3700 East West Highway, Hyattsville, MD. The current lease at Metro II expires September 30, 2012, and GSA is seeking a five year lease extension to allow FMS sufficient time to develop and budget for their long-term space requirements. The government will have termination rights after the third year of the extension period.

Description

Occupants:	Financial Management Service/Treasury
Lease Type:	Lease Extension
Current Rentable Square Feet (RSF):	393,000 (Current RSF/USF=1.1)
Proposed Maximum RSF:	327,000 (Proposed RSF/USF=1.1)
Expansion Space:	Reduction of 66,000 rsf
Current Usable Square Feet/Person:	299
Proposed Usable Square Feet/Person:	249
Proposed Maximum Leasing Authority:	5 Years
Expiration Date of Current Lease:	September 30, 2012
Delineated Area:	3700 East West Highway Hyattsville, Maryland
Number of Official Parking Spaces:	30
Scoring:	Operating Lease
Maximum Proposed Rental Rate: ¹	\$26.00
Proposed Total Annual Cost: ²	\$8,502,000
Current Total Annual Cost:	\$8,168,218 (lease effective 1992)

¹ This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND**

Prospectus Number: PMD-05-WA12
Congressional District: 8

Background

FMS provides central payment services to Federal Program Agencies and operates the federal government's collections and deposit systems. FMS provides government-wide accounting and reporting services, and manages the collection of delinquent debt owed to the government.

Justification

FMS has asked to extend its current leasehold tenancy in order to plan for its longer term space requirements. To that end, it has commissioned a study which will serve as the basis for developing a prospectus to be submitted in a future fiscal year program. The lease extension proposed in this current prospectus will give FMS time to work out the details of its housing requirements and budget for associated costs. In the interim, FMS will reduce their square footage within the building by 66,000 RSF, consisting of two floors they currently occupy, at the expiration of the current lease.

GSA will attempt to negotiate termination rights into the lease agreement to provide a flexible transition to FMS' long-term housing solution.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND**

Prospectus Number: PMD-05-WA12
Congressional District: 8

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

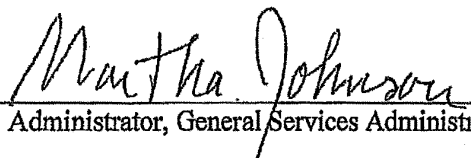
Submitted at Washington, DC, on December 6, 2011

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

March 2011

DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
HOUSING PLAN

PMF -WALZ

Building Locations	Current			Proposed		
	Personnel Current	Proposed	Usable Square Feet (USF) Office Storage Special	Personnel Current	Proposed	Usable Square Feet (USF) Office Storage Special
Metro II	1,194	1,194	271,803 19,500 65,586			356,889
Proposed Lease				1,194	1,194	226,794 18,033 52,062
TOTALS	1,194	1,194	271,803 19,500 65,586	1,194	1,194	226,794 18,033 52,062

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	178	148

*UR=average amount of space per person
Current UR excludes 59,797 usf of office support space
Proposed UR excludes 49,895 usf of office support space

USF/Person **		
Rate	Current	Proposed
	299	249

** USF/Person = housing plan total USF divided by total personnel

Special Space		
Conference		USF
File Rooms		17,200
Health Unit		14,800
Credit Union		1,500
Break Rooms		400
Fitness Rooms		3,274
Toilet/Shower		1,600
Training		3,838
Security		5,505
Copy Rooms		1,900
Total		2,045

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars).
Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, Jr.
Ranking Member

Christopher P. Bertram, Staff Director

ALTERATION
CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS
PCO-0001-VA13

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for alterations to the Daniel Patrick Moynihan U.S. Courthouse in New York, NY and the Peachtree Summit Federal Building in Atlanta, GA to allow for the consolidation of various government agencies from existing lease locations into federally owned space, at a proposed cost of \$16,100,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS**

Prospectus Number: PCO-0001-VA13
Congressional Districts: Multiple

Prospectus Summary:

The General Services Administration (GSA) proposes interior space alterations to the Daniel Patrick Moynihan U.S. Courthouse, New York, NY and the Peachtree Summit Federal Building, Atlanta, GA, to allow for the consolidation of various government agencies from existing lease locations into federally owned space. The proposed projects will recapture vacant Government-owned space, resulting in the avoidance of costly future year lease obligations and improved utilization of owned assets.

Proposed Buildings:

Daniel Patrick Moynihan U.S. Courthouse.....\$13,800,000
New York, NY

Peachtree Summit Federal Building\$2,300,000
Atlanta, GA

Authorization Requested\$16,100,000

Schedule

FY 2013	Construction Start
FY 2014	Project Completion

Summary of Energy Compliance

This project will integrate and implement sustainable design principles and energy efficiency effort as seamlessly as possible into all aspects of both the design and construction process.

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to these projects.

Recommendation

ALTERATION and CONSOLIDATION INTO FEDERALLY OWNED SPACE

GSA

PBS

**PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS**

Prospectus Number: PCO-0001-VA13
Congressional Districts: Multiple

Proposed Projects:

Daniel Patrick Moynihan U.S. Courthouse.....\$13,800,000
500 Pearl Street
New York, NY
Tenant agencies: Judiciary and GSA

In support of the building-wide modernization project currently underway at the Thurgood Marshall U.S. Courthouse, New York, NY, it was necessary to relocate Probation and Pretrial Services from the Moynihan Courthouse to leased space in order to provide temporary chambers for the District judges displaced from the Thurgood Marshall Courthouse. When the District judges move back into the Thurgood Marshall Courthouse in 2012, approximately 138,000 rentable square feet (rsf), will become vacant in the Moynihan Courthouse. This project proposes alterations to restore and re-align the space currently configured as judge’s chamber to space that will allow for the relocation of Probation, Pretrial Services and other Judiciary functions into the Moynihan Courthouse. The reconsolidation of these Judiciary functions will allow the Government to release costly leased space reducing the Government’s rental payment by \$7,100,000 annually.

Peachtree Summit Federal Building.....\$2,300,000
401 W. Peachtree Street
Atlanta, GA
Tenant agencies: Multiple tenants. This project will relocate the Department of Housing and Urban Development into the Federal building.

The Peachtree Summit FB currently has 115,000 rsf of vacant space providing for an opportunity to consolidate Government operations within Federally owned space. HUD operations within Atlanta are currently housed in multiple locations – in both leased space and federally-owned space. By consolidating HUD operations into the vacant space in the Peachtree Summit FB, HUD will reduce their overall footprint space by 18,970 rentable square feet and reduce their annual lease costs by \$1.8 million by eliminating their leased space in Atlanta. In addition to the cost savings, occupancy in Federally owned space will address poor configuration, security issues, and other concerns that HUD has experienced in their current leased location. Relocating HUD to the Peachtree Summit FB will also make more efficient use of vacant federally-owned space, accommodate HUD’s requirements allowing for in-house conference and training space, reduce HUD’s costs, and address agency security concerns.

GSA

PBS

**PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS**

Prospectus Number: PCO-0001-VA13

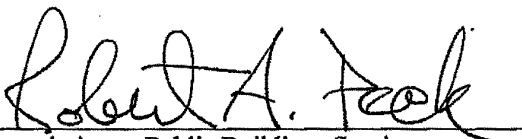
Congressional Districts: Multiple

Certification of Need

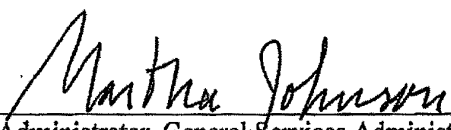
The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on February 22, 2012

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, Jr.
Ranking Member

Christopher P. Bertram, Staff Director

ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS
PEX-00001

James H. Zola, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for critical needs projects to improve building safety systems, abate hazardous materials, and repair structural deficiencies within Government-owned buildings during fiscal year 2013, at a proposed cost of \$122,936,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013


Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number: PEX-00001
Congressional Districts Multiple

Description:

This prospectus is submitted to seek authorization to undertake critical need projects during fiscal year 2013.

Justification:

GSA is seeking authority to undertake critical needs projects improving building and safety systems, including elevators, fire and life safety, electrical and heating and ventilation systems; abating hazardous materials; and repairing structural deficiencies.

Alternatives:

STATUS QUO - Continued operation of systems and facilities that are antiquated, unsafe and unreliable as well as the underutilization of owned space which results in costly lease space obligations is not an acceptable alternative.

ALTERATION – Reliable and safe building systems and fully utilized government owned space is essential to the management and operation of these facilities.

Recommendation:

Authorize construction funding in the amount of \$122,936,000 for the projects described below.

Authority Requested in this Prospectus.....\$122,936,000

GSAPBS

**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number:
Congressional Districts

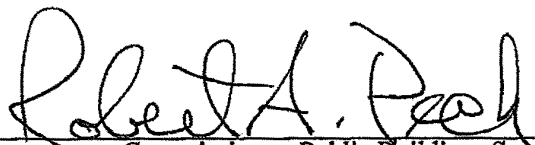
PEX-00001
Multiple

Certification of Need

The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on February 22, 2012

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

GSAPBS

**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

FISCAL YEAR 2013 EXIGENT NEEDS PROJECTS

Baltimore, MD	
G. H Fallon Federal Building	\$ 5,158,000
New York, NY	
Ted Weiss Federal Building	\$11,700,000
New York, NY	
Conrad B. Duberstein U.S. Bankruptcy Courthouse	\$ 5,000,000
Chamblee, GA	
Chamblee IRS Annex	\$ 3,400,000
Denver, CO	
U.S. Customs House	\$ 3,200,000
Missoula, MT	
Missoula Federal Building Post Office and U.S. Courthouse	\$ 5,000,000
San Francisco, CA	
Phillip Burton Federal Building and U.S. Courthouse	\$ 5,500,000
Portland, OR	
BPA Building	\$ 8,500,000
Portland, OR	
911 Federal Building	\$ 7,000,000
Multiple Buildings	
Anderson, SC - G. Ross Anderson Jr. Federal Building Courthouse	
Dublin, GA - Roy Rowland Federal Courthouse	
Charleston, SC – U.S. Customs House	
Owensboro, KY - Federal Building	\$3,000,000
Washington, DC	
Sidney Yates Building	\$ 11,000,000
Washington, DC	
GSA Headquarters Building	\$ 3,200,000
Washington, DC	
Frances Perkins Building	\$ 15,000,000
Washington, DC	
Robert C. Weaver Building	\$ 12,000,000
Washington, DC	
Harry S. Truman (Main State) Building	\$ 9,000,000
Reston, VA	
John W. Powell Federal Building	\$ 10,265,000
Battle Creek, MI	
Battle Creek Federal Complex	\$ 5,013,000

GSA

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**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number: PEX-00001
Congressional Districts Multiple

Project Descriptions

Baltimore, MD
G. H. Fallon Federal Building \$5,158,000

The project would replace aging and original bus ducts at the Fallon Federal Building. The bus ducts are in poor operating condition, deteriorated, unreliable, and unsafe, posing a potentially severe danger to the building tenants if they fail. The insulation is worn and peeling, exposing live conductors that frequently malfunction. The bus ducts are critical primary electrical distribution devices that supply high voltage electrical power throughout the building. The severe and continued deterioration of the ducts' insulation increases the likelihood of catastrophic electrical failures, leading to building shutdowns.

New York, NY
Ted Weiss Federal Building \$11,700,000

The project would modernize the elevators in the 34 story Ted Weiss Federal Building. The elevators have reached the end of their useful life with interrupted service being a constant problem. Necessary repairs to the elevators will improve safety and ensure reliability.

New York, NY
Conrad B. Duberstein U.S. Bankruptcy Courthouse..... \$5,000,000

The project would stabilize the terra cotta vaulted ceiling above the drop ceiling and remediate the lead paint covered plaster at the Conrad B. Duberstein Bankruptcy Courthouse which was constructed in 1892. The plaster ceiling has fallen through the drop ceiling on several occasions, which poses safety concerns. A temporary measure has been put in place to protect building occupants, however the falling debris needs to be addressed in a permanent manner.

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**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Chamblee, GA

Chamblee IRS Annex.....	\$3,400,000
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The Internal Revenue Service Annex parking deck is experiencing excessive slab deflections, cracking and distress at both elevated slabs and multiple other serviceability and strength issues. This project will complete repair of all strength and serviceability issues including strengthening the existing elevated slabs and their supporting columns, repairing all concrete/CMU cracks and spalls, adding additional lateral force resisting shearwalls with supporting foundations, and adding a steel support frame with supporting foundation along the length of the cantilever portion of the slabs. These repairs will allow for the utilization of all of the structure's 778 parking spaces, including the approximately 115 which have been shut down due to these deficiencies.

Denver, CO

U.S. Customs House.....	\$3,200,000
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The project includes repairs to the HVAC system, mold remediation, asbestos abatement and incidental preservation of historic features for the Customs House in affected areas. Mold remediation activities include repair of the subfloor from leaking induction units, and asbestos abatement of floor tile and floor replacement. Renovations to the restrooms will be undertaken to comply with ADA compliance and to remedy existing health and safety hazards.

Missoula, MT

Missoula Federal Building Post Office and U.S. Courthouse.....	\$5,000,000
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The project for the Missoula, MT Federal Building-Post Office and U.S. Courthouse would install a new ADA compliant elevator, replace the electrical panels and switches, install an emergency power generator; upgrade restrooms to ADA compliance, upgrade the HVAC system, repair exterior masonry and replace the hot water distribution system. The current cooling towers have passed their useful life and are in need of replacement. An EMS system will control the entire building conditioning system to provide energy savings and improve tenant comfort. A new elevator will meet ADA standards and provide access to every floor. The electrical system will be brought up to current standards. Repairs to the exterior masonry will stop water penetration and further damage to interior paint and plaster and prevent the possibility of mold growth.

GSA

PBS

**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number: PEX-00001
Congressional Districts Multiple

San Francisco, CA
Phillip Burton Federal Building & Courthouse..... \$5,500,000

The project includes raising existing air intakes to the third floor level from the current ground level location, reducing the level of ground contaminants entering into the ventilation system.

Portland, OR
Bonneville Power Administration Building..... \$8,500,000

The building requires upgrading of elevator controls and the relocation of HVAC outside air intakes from the street level to the third floor. Elevators are experiencing reliability issues. New elevator controls will use more energy efficient equipment. The existing air intakes, which are at street level will be raised to reduce the amount of ground contaminant particles entering the ventilation system. .

Portland, OR
911 Federal Building..... \$7,000,000

The project includes the replacement of the electrical service and distribution equipment and the addition of a lightning protection system to the 911 Federal Building. Nearly all of the electrical equipment is original to the 1953 office building. The electrical system is beyond its useful life and has serviceability issues as a result of parts for repair and maintenance becoming more difficult to obtain. The building does not have a lightning protection system and a facility condition assessment indicated that the building has a moderate to high risk per National Fire Protection Association (NFPA) standards.

GSAPBS

**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Anderson, SC

G. Ross Anderson Jr. Federal Building Courthouse

Dublin, GA

Roy Rowland Federal Courthouse

Charleston, SC

U.S. Customs House

Owensboro, KY

Federal Building \$3,000,000

The fire alarm systems in the G. Ross Anderson Jr. Federal Building Courthouse, the Roy Rowland Federal Courthouse, the U.S. Customs House and the Federal Building are outdated and need to be replaced. The manufacturers can no longer maintain the systems because spare parts are not available. The buildings have only a single open stair for egress from the upper floors. To increase the life safety of the building and the occupants, a sprinkler system will be installed with a booster fire pump to accommodate the low water pressure and new underline water systems will be installed. The new alarm systems will include voice evacuation systems to comply with the current requirements of the NFPA 72, National Fire Alarm Code.

Washington, DC

Sidney Yates Building \$11,000,000

The exterior envelope of the historic Sidney Yates Building requires repairs to ensure pedestrian safety due to the hazard of falling masonry and to combat the effects of water infiltration. The project includes re-pointing of exterior masonry walls and projecting bands, repairing damaged stone and masonry in the moat retaining walls, repairing railings around the building, caulking of exterior facing windows, repair/replace of built-in gutter lines, replace counter flashing above the gutter lines and installation of drain bodies in all rain leaders.

Washington, DC

GSA Headquarters Building \$3,200,000

The elevators at the General Services Administration Headquarters Building are in need of upgrades to ensure reliability. These elevators are not a part of the first phase of the current modernization project and have passed their useful life and need to be replaced. Numerous problems have been and continue to be reported, and expensive and sustained outages are common due to difficulty finding parts.

GSA

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**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number: PEX-00001
Congressional Districts Multiple

Washington, DC
Frances Perkins Building\$15,000,000

The fire alarm system in the Frances Perkins Building is outdated and needs to be upgraded to provide emergency communication features and to comply with the National Fire Alarm Code and current GSA requirements. The manufacturer is no longer maintaining this type of system and spare parts are not available and must be fabricated at significant cost to Government. If the system fails, the building and occupants will be without a centralized way to be notified in the event of a fire emergency. In addition, the system does not have a voice component which would permit its use for other types of non-fire emergencies.

Washington, DC
Robert C. Weaver Building\$12,000,000

The existing fire alarm system in the Robert C. Weaver Building, has failed several times over the past few years leaving the building without an alarm and vulnerable on multiple occasions. The system does not provide reliable service or voice communication to the building and needs to be upgraded. While there have been minor modifications and additions to the system, the antiquated hardwired system is no longer supported by manufacturers. Any failure of a major component will result in inoperable conditions since replacement parts are no longer available. In addition, the current system does not comply with the National Fire Alarm Code or GSA requirements.

Washington, DC
Harry S. Truman (Main State) Building.....\$9,000,000

Approximately 22 elevators in the Harry S. Truman (Main State) Building need to be renovated. Since 1988, approximately one-half of the building has been part of an ongoing modernization project. However, the proposed elevator renovation is not part of the current project. The elevators are susceptible to reliability problems as the operational life of the equipment is unknown and continued availability of the parts is uncertain.

GSA

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**PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Reston, VA
John W. Powell Federal Building \$10,265,000

The fire alarm system in the John W. Powell Federal Building needs to be upgraded to provide emergency communication features and to comply with the National Fire Alarm Code, and current GSA requirements.

Battle Creek, MI
Battle Creek Federal Center \$5,013,000

The Battle Creek Federal Center, also known as the Hart-Dole-Inouye Federal Center consists of 21 buildings which contain approximately 800,000 rentable square feet of space. The buildings are located on 25 acres of land, northwest of the Battle Creek CBD. This asset is currently used by the Defense Logistics Agency and operates 24/7. The fire and life safety system does not comply with current codes and will be replaced for the entire complex. The upgraded system would include strobes, and notification devices.

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Washington, DC 20515

COMMITTEE RESOLUTION**Bill Shuster**
Chairman**Nick J. Rahall, Jr.**
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA
PVA-09-WA13**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 183,000 rentable square feet of space, including 15 parking spaces, for the Department of the Interior Fish and Wildlife Service, currently located at 4301, 4401, and 4501 North Fairfax Drive, Arlington, Virginia, at a proposed total annual cost of \$7,137,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 189 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 189 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink, appearing to read "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 223,000 rentable square feet for the Department of the Interior (DOI) Fish & Wildlife Service (FWS) currently located at 4301, 4401, and 4501 North Fairfax Drive, Arlington, VA.

Replacement of the current leases at multiple locations will enable DOI-FWS to provide continued housing for current personnel and also to accommodate projected increases in staffing needed to launch a new initiative to track the effects of climate change on wildlife. In meeting both its current and proposed mission requirements, DOI-FWS will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 164 USF to 129 USF per person and its overall utilization rate from 243 USF to 190 USF per person. The end product of improved space utilization is the prospectus proposal to house both current personnel and new hires in 35,000 RSF less space than the total of current occupancies.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases in 2013 and 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the Department of Interior, Fish and Wildlife elements, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Description

Occupant:	FWS
Lease Type	Replacement
Current Rentable Square Feet (RSF)	258,373 (Current RSF/USF = 1.2)
Proposed Maximum RSF:	223,000 (Proposed RSF/USF = 1.2)
Expansion Space:	Reduction of 35,373 RSF
Current Usable Square Feet/Person:	243
Proposed Usable Square Feet/Person:	190
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	1/2/2013, 9/11/2013, 9/30/2013 and 4/14/2014
Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	15
Scoring:	Operating Lease
Maximum Proposed Rental Rate ¹ :	\$39.00
Proposed Total Annual Cost ² :	\$8,697,000
Current Total Annual Cost:	\$8,942,741 (leases effective 1/3/03, 8/12/02, 10/1/08, 4/15/04)

Background

The FWS headquarters was established on North Fairfax Drive approximately 24 years ago. Currently, staff occupies all or portions of three adjacent buildings. Due to this adjacency, FWS has installed a secure, underground fiber optic network connecting the buildings. The existing housing solution for FWS indicates that multiple adjacent buildings as well as a single building can meet the agency's requirements for an integrated headquarters operation. This is reflected in the acquisition strategy indicated above.

¹This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

²Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA**PBS**

**PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Justification

FWS is currently housed in multiple building under multiple leases that will expire in 2013 and 2014. In addition, FWS has established a new initiative to track the effects of climate change on wildlife and their habitats. New hires coming on board between 2010 and 2013 will support this new initiative. The leasing strategy proposed in this prospectus will provide housing for all current FWS personnel as well as new hires to ensure continuing performance of the FWS mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Proposals and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA**

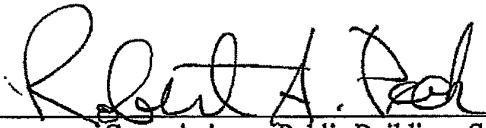
Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Certification of Need

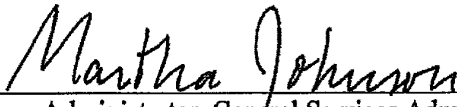
The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 22, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

November 2011

Housing Plan
Department of Interior
Fish and Wildlife Service

PVA-09-WA13
Northern, VA

Leased Locations	Current			Proposed		
	Personnel		Usable Square Feet (USF)	Personnel		Usable Square Feet (USF)
	Office	Total	Office	Office	Total	Office
4501 N Fairfax Drive	293		57,805			
4301 N Fairfax Drive	135		25,997			
4401 N Fairfax Drive	459		102,697			
Proposed Lease(s)						
Total	887	887	186,499	979	979	23,107
						185,634
						23,107
						185,634

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	164	129

* UR = average amount of office space per person
Current UR excludes 41,030 usf of office support space
Proposed UR excludes 35,756 usf of office support space

USF/Person **		
Rate	Current	Proposed
	243	190

** USF/Person = housing plan total USF divided by total personnel

Special Space		
		USF
IT Data Center		2,635
Conference/Training		3,800
Kitchenettes		3,500
Library/Map		5,872
Evidence/Weapons Storage		2,800
Secure Loading/Receiving		2,000
FPS Entry Screening		1,500
Health/Wellness Area		1,000
Total		23,107

Total USF		
Current	RSE/USF	Maximum RSE
215,311	1.2	258,373
Proposed	1.2	223,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building
Usable square footage does not include space devoted to building operations and maintenance



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

**Bill Shuster
Chairman**

**Washington, DC 20515
COMMITTEE RESOLUTION**

**Nick J. Rahall, III
Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC
PDC-05-WA13**

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 155,000 rentable square feet of space, including 11 parking spaces, for the National Labor Relations Board, currently located at 1099 14th Street, NW, Washington, DC, at a proposed total annual cost of \$7,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC**

Prospectus Number: PDC-05-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 155,000 rentable square feet of space for the National Labor Relations Board (NLRB) in Washington, DC. NLRB is currently located in the Franklin Court Building at 1099 14th St., NW, Washington, DC.

NLRB will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 179 USF to 130 USF per person and its overall utilization rate from 307 USF to 200 USF per person. The end product of improved space utilization is the prospectus proposal to house NLRB personnel in approximately 92,000 RSF less space than the current occupancy.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in June 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Description

Occupant:	NLRB
Lease Type	Replacement
Current Rentable Square Feet (RSF)	247,219 (Current RSF/USF =1.25)
Proposed Maximum RSF:	155,000 (Proposed RSF/USF=1.2)
Expansion Space RSF:	Reduction of 92,219 RSF
Current Usable Square Feet/Person:	307
Proposed Usable Square Feet/Person:	200
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	June 24, 2013
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	11
Scoring:	Operating Lease

GSA

PBS

**PROSPECTUS – LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC**

Prospectus Number: PDC-05-WA13

Maximum Proposed Rental Rate ¹ :	\$50.00
Proposed Total Annual Cost ² :	\$7,750,000
Current Total Annual Cost:	\$11,264,352 (lease effective 6/25/08)

Background

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.

Justification

The current lease at 1099 14th Street, NW, Washington, DC expires on June 24, 2013. NLRB has been housed at this location since 1993. NLRB requires continued housing to carry out their mission and plans to do so in a more efficient real estate footprint. NLRB will be transitioning from a traditional workplace environment to one which is more flexible and conducive to a mobile work environment. Innovative approaches to space management and alternative workplace arrangements such as telework are under consideration. These strategies will increase NLRB's space efficiencies, reduce their footprint, and generate increased real estate cost savings long term.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

¹ This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC**

Prospectus Number: PDC-05-WA13

Interim Leasing

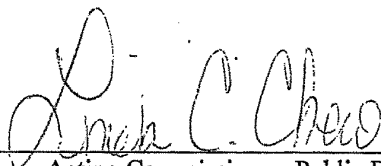
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

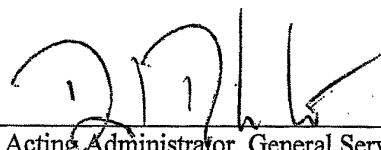
Submitted at Washington, DC, on JUL 5 2012

Recommended: _____



Acting Commissioner, Public Buildings Service

Approved: _____



Acting Administrator, General Services Administration

October 2011

Housing Plan NLRB

PDC-05-WA13
Washington, DC

Locations	Current					Proposed				
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
1099 14th Street NW, Washington, DC	645	645	147,950	8,854	40,966	645	197,770	107,500	2,817	18,683
Proposed Lease	645	645	147,950	8,854	40,966	645	197,770	107,500	2,817	18,683
Total	645	645	147,950	8,854	40,966	645	197,770	107,500	2,817	18,683

Office Utilization Rate (UR) *		
Utilization Rate	Current	Proposed
	179	130

* UR = average amount of office space per person
Current UR excludes 32,949 USF of office support space
Proposed UR excludes 23,650 USF of office support space

USF/Person **		
Rate	Current	Proposed
	307	200

** USF/Person = housing plan total USF divided by total personnel

Total USF			
Current	RSF/USF	Maximum RSF	
197,770	1.25	247,219	
Proposed	129,000	1.2	155,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building
Usable square footage does not include space devoted to building operations and maintenance

Special Space		USF
Computer Room		1,476
Conference Room		3,612
Copy Room		838
Health Unit		680
Kitchen/Break Rooms		2,142
Libraries		2,738
Mail Room		880
Court Rooms		2,059
Credit Union		836
Training Rooms		1,218
Cases File Room		2,208
Total		18,683

**Committee on Transportation and Infrastructure****U.S. House of Representatives****Washington, DC 20515****COMMITTEE RESOLUTION****Bill Shuster**
Chairman**Nick J. Rahall, III**
Ranking Member

Christopher P. Bertram, Staff Director

**LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC
PDC-12-WA13**

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 135,000 rentable square feet of space, for the Department of Commerce, Bureau of Economic Analysis, currently located at 1441 L Street, NW, Washington, DC, at a proposed total annual cost of \$6,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 197 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 197 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC**

Prospectus Number: PDC-12-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 135,000 rentable square feet for the Department of Commerce (DOC), Bureau of Economic Analysis (BEA) currently located at 1441 L Street, NW, in Washington, DC. BEA has occupied space in this building under the current lease since 1993.

In meeting its mission requirements, BEA will improve its office utilization rate from 132 USF to 124 USF per person and its overall utilization rate from 226 USF to 197 USF per person. This will result in a 12,960 RSF space reduction in relation to its current occupancy.

Description

Occupants:	DOC-BEA
Lease Type:	Replacement
Current Rentable Square Feet (RSF)	147,960 (Current RSF/USF=1.13)
Proposed Maximum RSF ¹ :	135,000 (Proposed RSF/USF=1.2)
Expansion Space:	Reduction of 12,960 RSF
Current Usable Square Feet/Person	226
Proposed Usable Square Feet/Person	197
Proposed Maximum Leasing Authority: ²	15 years
Expiration Date of Current Lease:	June 12, 2013
Proposed Delineated Area:	Washington, DC Central Employment Area,
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate ³ :	\$50.00 per rentable square foot
Proposed Total Annual Cost ⁴ :	\$6,750,000
Current Total Annual Cost:	\$4,378,732 (lease effective 6/13/1993)

¹ The RSF/USF at the current location is approximately 1.13; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated on the housing plan.

² In order to provide flexibility for BEA to consolidate into federally owned space, the procurement of space will be for a 10-year term and 5-year option.

³ This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

⁴ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA**PBS**

**PROSPECTUS – LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC**

Prospectus Number: PDC-12-WA13

Background

Some of the widely used statistical measures produced by BEA include gross domestic product (GDP), personal income and outlays, corporate profits, GDP by state and by metropolitan area, balance of payments, and GDP by industry. These statistics are used by Federal, state, and local governments for budget development and projections; by the Federal Reserve for monetary policy; and by the business sector for planning and investment.

Justification

The current lease at 1441 L Street, NW, Washington, DC expires on June 12, 2013, and BEA requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in June 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC**

Prospectus Number: PDC-12-WA13

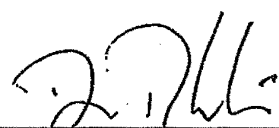
Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: Commissioner, Public Buildings ServiceApproved: Acting Administrator, General Services Administration

Washington, DC
PDC-12-WA13

Housing Plan
Bureau of Economic Analysis

January 2012

Leased Locations	Current					Proposed							
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)					
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total	
1441 L Street NW	566		93,520	-	32,272	127,792			570	90,424	-	22,091	112,515
Proposed Lease									570	90,424	-	22,091	112,515
Total	566	566	93,520	-	32,272	127,792			570	90,424	-	22,091	112,515

Office Utilization Rate*		
Rate	Current	Proposed
	132	124

* UR = average amount of office space per person
Current UR excludes 21,014 USF of office support space
Proposed UR excludes 19,915 USF of office support space

USF/Person **		
Rate	Current	Proposed
	226	197

**USF/Person = housing plan total USF divided by total personnel

Special Space			
Special Space	USF		
Kitchen	1,836		
Conf/Training	7,219		
File Rooms	5,345		
Fitness Center	1,985		
Bike Storage	253		
Library	581		
Health Unit	756		
Break Room	700		
IT Space	2,449		
Mail Room	479		
Copy Rooms	488		
Total	22,091		

Total USF			
Total USF	RSF/USF	Maximum RSF	
Current	127,792	1.13	147,960
Proposed	112,515	1.20	135,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units, and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms, and lobbies).

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC
PDC-11-WA13

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 214,000 rentable square feet of space, including three parking spaces, for the Department of Health and Human Services, Administration for Children and Families, currently located at 901 D Street, SW and at 1250 Maryland Avenue, SW, Washington, DC, at a proposed total annual cost of \$10,700,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 170 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 170 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 214,000 rentable square feet (RSF) for the Department of Health and Human Services (HHS) Administration for Children and Families (ACF). ACF is currently located at 901 D Street, SW, and at 1250 Maryland Avenue, SW, Washington DC.

Replacement of the current leases will enable HHS ACF to provide continued housing for current personnel and future staff members. In meeting its current mission requirements, HHS ACF will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 150 USF to 118 USF and its overall utilization rate from 209 USF to 170 USF per person. The end product of improved space utilization is the prospectus proposal to house both current personnel and new personnel in 27,980 RSF less than the total of current occupancies.

Acquisition Strategy

Although ACF has expressed a preference to be located in one building, that preference must be evaluated in the context of a competitive procurement that may result in one or more locations. GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

Description

Occupant:	HHS-ACF
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	241,980 (current RSF/USF = 1.16)
Proposed Maximum RSF ¹ :	214,000 (market RSF/USF = 1.2)
Expansion Space RSF:	Reduction of 27,980 RSF
Current Usable Square Feet/Person:	209
Proposed Usable Square Feet/Person:	170
Proposed Maximum Leasing Authority:	15 years

¹The average RSF/USF at the current locations is approximately 1.16, however to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

Expiration Date(s) of Current Lease(s):	11/30/14, 12/31/14
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	3
Scoring:	Operating lease
Maximum Proposed Rental Rate ² :	\$50.00
Proposed Total Annual Cost ³ :	\$10,700,000
Current Total Annual Cost:	\$11,299,045 (leases effective 12/1/09 and 1/1/10)

Background

ACF is responsible for federal programs that promote the economic and social well-being of families, children, individuals, and communities. Actual services are provided by state, county, city and tribal governments, and public and private local agencies. ACF assists these organizations through funding, policy direction, and information services.

Justification

ACF is currently housed at 901 D Street, SW, and at 1250 Maryland Avenue, SW, Washington, DC, under leases that expire December 31, 2014, and November 30, 2014, respectively. ACF requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on November 30 and December 31, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

² This estimate is for fiscal year 2015 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

Energy Performance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

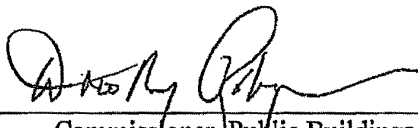
GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC**


Prospectus Number: PDC-11-WA13

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012Recommended: 

Commissioner, Public Buildings Service

Approved: 

Acting Administrator, General Services Administration

PDC-11-WA13
Washington, DC

Housing Plan
HHS-ACF

February 2012

Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Total	Office	Special
901 D Street, SW, Washington DC	785	785	147,261	-		160,215		
1250 Maryland Avenue, SW, Washington DC	218	218	45,843	3,327		49,170		
Proposed Lease	-	-	-	-	1,049	1,049	159,094	19,236
Total	1,003	1,003	193,104	16,231	1,049	209,385	159,094	19,236

Office Utilization Rate (UR) *	
Current	150
Proposed	118

* UR = average amount of office space per person
Current UR excludes 42,483 USF of office support space
Proposed UR excludes 35,001 USF of office support space

USF/Person **	
Current	209
Proposed	170

** USF/Person = housing plan total USF divided by total personnel

Total USF		USF/BSF		Maximum BSF	
Current	209,385	1.16		241,980	
Proposed	178,330	1.20		214,000	

Special Space		USF	
Conference/Training		9,506	
LAN/Data		3,287	
Mail Room		1,256	
Food Service/Cafeteria		5,085	
Private Toilet		102	
Total		19,236	178,330

Usable square footage means the portion of the building available for use by tenant personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Washington, DC 20515

COMMITTEE RESOLUTION**Bill Shuster**
Chairman**Nick J. Rahall, III**
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC
PDC-02-WA13**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 110,000 rentable square feet of space, for the Department of Homeland Security, Office of the Inspector General, currently located at 1120 Vermont Avenue, NW, Washington, DC, at a proposed total annual cost of \$5,500,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 211 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 211 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC**

Prospectus Number: PDC-02-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 110,000 rentable square feet (RSF) of space for the Department of Homeland Security (DHS), Office of the Inspector General (OIG), currently located under multiple leases at 1120 Vermont Avenue, NW, Washington, DC.

In meeting its mission requirements, DHS-OIG will improve its office utilization rate from 143 usable square feet (USF) to 114 USF per person and its overall utilization rate from 256 USF to 211 USF per person. This will result in a 13,976 RSF space reduction in relation to its current occupancy of 123,976 RSF.

Description

Occupant:	DHS / OIG
Lease Type:	Replacement
Current RSF:	123,976 (Current RSF/USF = 1.12)
Proposed Maximum RSF ¹ :	110,000 (Proposed RSF/USF = 1.2)
Expansion Space:	Reduction of 13,976 RSF
Current USF/Person:	256
Proposed USF/Person:	211
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	09/15/13, 01/21/14 and 03/31/14
Delineated Area:	Washington, DC Central Employment Area
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate:	\$50.00 per RSF
Proposed Total Annual Cost ² :	\$5,500,000
Current Total Annual Cost ³ :	\$5,403,856 (lease effective dates 9/16/03, 1/22/98, and 4/1/04)

¹ The RSF/USF at the current location is approximately 1.12; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated on the housing plan.

² This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC**

Prospectus Number: PDC-02-WA13

Justification

The current leases are expiring as noted above, and DHS OIG requires continued housing to carry out its mission. A replacement lease will provide the opportunity to improve the agency's utilization of space and reduce the overall rsf leased.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases from September 2013 to March 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC**

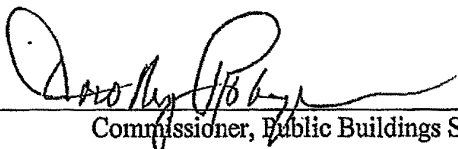
Prospectus Number: PDC-02-WA13

Certification of Need

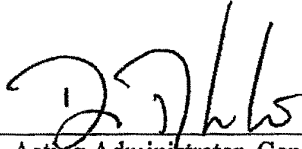
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

Washington, DC
PDC-02-WA13

Housing Plan
DHS-OIG

May 2012

Location(s)	Current				Proposed			
	Personnel	Office	Storage	Usable Square Feet (USF)	Personnel	Office	Storage	Usable Square Feet (USF)
	Total			Total	Total			Total
1120 Vermont Avenue, NW	433	79,328	3,795	27,514	433	63,250	-	28,204
Proposed Lease				110,637				91,454
TOTALS	433	79,328	3,795	27,514	433	63,250	-	28,204
				110,637				91,454

ADP	Special Space	2,606
Conference / Training		7,983
Food Service / Break		1,594
Equipment Rooms		5,910
Library		800
Public Reception Areas		500
File Rooms		5,363
Supply / Distribution		2,468
SCIF		980
Total		28,204

Office Utilization Rate*	
Rate	143
Current	114
Proposed	114

* UR = average amount of office space per person
Current Office UR excludes 17,452 usf of office support space
Proposed Office UR excludes 13,915 usf of office support space

Overall Utilization Rate**	
Rate	256
Current	211
Proposed	211

**USF/Person = housing plan total USF divided by total personnel

Total USF	RSF/USF	Maximum RSF
Current	110,637	1.12
Proposed	91,454	1.20
		110,000

Usable square footage means the portion of the building available for use by the tenant's personnel and furnishings and space available jointly to the occupants of the building (e.g. auditorium, health units, and snack bars).



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC
PDC-01-WA13

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 77,000 rentable square feet of space, including three parking spaces, for the Department of Justice Civil Division, currently located at 20 Massachusetts Avenue, NW, Washington, DC, at a proposed total annual cost of \$3,850,000 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 323 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 323 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC

Prospectus Number: PDC-01-WA13

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 77,000 rentable square feet (rsf) for the Department of Justice (DOJ) Civil Division. DOJ is currently located at 20 Massachusetts Avenue, NW, Washington, DC under a lease that expires September 23, 2012.

DOJ requires continued housing at this location while undertaking a full scale re-evaluation of its current space allocation standards. This review will provide DOJ with a strategy to significantly improve their space utilization while reducing their office space requirement. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location.

In addition, space realignment and utilization rate improvement would be highly disruptive to DOJ's continuing performance of its mission. This location houses DOJ's Civil Division, Federal Programs Branch. The Federal Programs Branch represents virtually the entire Executive Branch in sensitive and high-profile civil litigation matters. Some Federal Program Branch attorneys and paralegals must work in special space secured for the processing of large volumes of classified information. As some of this specialized litigation winds down, it is anticipated that 9,500 usable square foot of secure space will be released from the DOJ inventory at this location. The Federal Programs Branch must remain in the space at 20 Massachusetts Ave as currently configured. DOJ Civil Division Federal Programs will also accommodate all general growth within this footprint for the extension period.

Description

Occupant:	DOJ Civil Division
Lease Type:	Extension
Current Rentable Square Feet (RSF):	121,300 (Current RSF/USF = 1.15)
Proposed Maximum RSF:	77,000 (Proposed RSF/USF = 1.15)
Expansion Space RSF:	Reduction of 44,300
Current Usable Square Feet/Person:	344
Proposed Usable Square Feet/Person:	323
Proposed Maximum Leasing Authority:	5 years
Expiration Dates of Current Lease(s):	9/23/2012
Delineated Area:	20 Massachusetts Ave, NW, Washington, DC
Number of Official Parking Spaces:	3
Scoring:	Operating Lease

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC**

Prospectus Number: PDC-01-WA13

Maximum Proposed Rental Rate ¹ :	\$50.00
Proposed Total Annual Cost ² :	\$3,850,000
Current Total Annual Cost:	\$6,186,334(lease effective 9/24/02)

Justification

The mission of the DOJ Civil Division is to litigate on behalf of the U.S. Government; attorneys constitute 90 percent of the staff. The current leases for DOJ at 20 Massachusetts Avenue, NW, in Washington, DC expired on September 23, 2012 and DOJ Civil Division requires continued housing to carry out its mission.

This prospectus seeks authority to house the continued need of the Civil Division of DOJ at 20 Massachusetts Ave. The U.S. Trustees Division, which currently occupies a portion of the space in 20 Massachusetts Avenue, NW, will be relocating to another federally owned property in January 2013.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

¹ This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC**

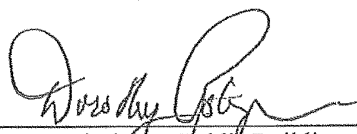
Prospectus Number: PDC-01-WA13

Certification of Need

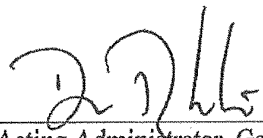
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

September 2012

Housing Plan
Department of Justice

PDC-01-WA13
Washington, DC

Leased Locations	Personnel		Current				Proposed			
	Office	Total	Usable Square Feet (USF)			Total	Usable Square Feet (USF)			Total
			Office	Storage	Special		Office	Storage	Special	
20 Massachusetts Avenue										
Civil Division	207		51,416	3,877	11,614	66,907				
U.S. Trustees	100	100	26,921	3,421	8,229	38,571				
Proposed Lease (Civil Division)										
Total	307	307	78,337	7,298	19,843	105,478	51,416	3,877	11,614	66,907

Office Utilization Rate (UR) *	
Rate	
Current	184
Proposed	179

* UR = average amount of office space per person
Current UR excludes 21,949 sq ft of office support space
Proposed UR excludes 14,337 sq ft of office support space

USF/Person **	
Rate	
Current	344
Proposed	323

** USF/Person = housing plan total USF divided by total personnel

Special Space (USF)	
Type	Proposed
IT	1,015
Conference	2,970
Copy	744
Kitchen/Break	893
Trial Prep	1,441
SCIF	430
Fitness Room	1,349
Supply/Mail	761
Library	2,009
Total	11,614

The 100 personnel in the U.S. Trustees office will be relocating to federally owned space under the custody and control of the Government Accountability Office in early 2013.

Total USF	
Current	105,478
Proposed	66,907

RSF/USF	
Current	1.15
Proposed	1.15

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health unit and snack bar). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Washington, DC 20515

COMMITTEE RESOLUTION**Bill Shuster**
Chairman**Nick J. Rahall, III**
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC
PDC-08-WA13

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 170,868 rentable square feet of space, including one parking space, for the Department of Veterans Affairs, Veterans Benefits Administration and Office of Information Technology, currently located at 1800 G Street, NW, Washington, DC, at a proposed total annual cost of \$8,543,400 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 135 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 135 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC

Prospectus Number: PDC-08-WA13

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 170,868 rentable square feet (RSF) of space for Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) and Office of Information Technology (OIT) currently located at 1800 G Street NW, Washington, DC. Currently, VA has two leases expiring on April 30, 2014, and GSA is seeking a five-year lease extension to meet VA's space needs until their planned move to the federally owned Lafayette Building, currently undergoing modernization.

Description

Occupants:	VA (VBA and OIT)
Lease Type:	Lease Extension
Current Rentable Square Feet:	170,868 RSF (Current RSF/USF = 1.2)
Proposed Maximum RSF:	170,868 RSF (Market RSF/USF = 1.2)
Expansion Space:	None
Current Usable Square Feet/Person:	135
Proposed Usable Square Feet/Person:	135
Proposed Maximum Leasing Authority:	5 years
Expiration Date of Current Leases:	April 30, 2014
Delineated Area:	1800 G Street, NW, Washington, DC
Number of Official Parking Spaces:	1
Scoring:	Operating lease
Maximum Proposed Rental Rate ¹ :	\$50.00
Proposed Total Annual Cost ² :	\$8,543,400
Current Total Annual Cost:	\$6,233,879 (leases effective May 1, 1994)

Background

VA operates the nation's largest integrated health care system with more than 1,400 sites of care, including hospitals, community clinics, community living centers, domiciliary, readjustment counseling centers, and various other facilities. In addition, VA provides a variety of benefits

¹ This estimate is for fiscal year 2014 to and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC**

Prospectus Number: PDC-08-WA13

including education and training, life insurance, dependent and survivor benefits, vocational rehabilitation, and burial services.

Justification

VA has asked to extend its current leasehold tenancy at 1800 G Street NW for five years to be positioned to move to the Lafayette Building for its longer term space requirements. The multi-phase Lafayette modernization is currently underway. VA still has a need for space to complete its mission; however, GSA and VA currently plan to consolidate all VA leases currently at 1800 G Street NW into Lafayette as part of the housing strategy for the building's renovation project.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 30, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC**

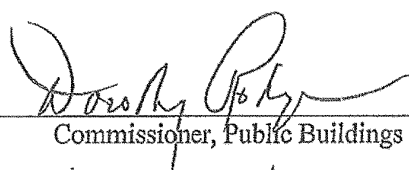
Prospectus Number: PDC-08-WA13

Certification of Need

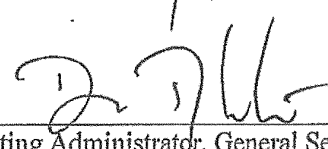
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

October 2011

Housing Plan Department of Veterans Affairs

PDC-08-WA13
Washington, DC

Locations	Current					Proposed						
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)				
	Office	Total *	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1300 G Street NW	870	1,058	108,854	1,326	32,210	142,390	870	1,058	108,854	1,326	32,210	142,390
Total	870	1,058	108,854	1,326	32,210	142,390	870	1,058	108,854	1,326	32,210	142,390

→

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	98	98

** UR = average amount of office space per person
Current UR excludes 23,948 USF of Office for support space
Proposed UR excludes 23,948 USF of office for support space

USF/Person **		
Rate	Current	Proposed
	135	135

*** USF/Person = housing plan total USF divided by total personnel

Special Space		
		USF
Reception		2,200
Conference		15,200
Copy/Supply		1,660
Computer Room		2,681
Health Unit		2,766
Training		1,447
Operations War Room		4,917
Kitchen		408
File Room		674
Credit Union		257
Total		32,210

Total USF		
Current	Proposed	Maximum RSF
142,390	142,390	170,868

RSF/USF		
Current	Proposed	Maximum RSF
1.2	1.2	170,868

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, building supply rooms, rest rooms and lobbies).

* Delta between Office and Total Personnel represents "surge" contractors who do not come into the office full time and are associated with funded T21 (Transformational Issues for the 21st century) initiatives.



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PATROL
QUEENS, NY
PNY-02-QU13

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 146,000 rentable square feet of space, including 217 parking spaces, for the Department of Homeland Security U.S. Customs and Border Protection, currently located at JFK Airport, Building 77, Queens, NY, at a proposed total annual cost of \$6,716,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

PROSPECTUS - LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
QUEENS, NY

Prospectus Number: PNY-02-QUI3

Congressional District: 06

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 146,000 rentable square feet (RSF) for the Department of Homeland Security (DHS) U.S. Customs and Border Protection (CBP) in support of their operations at JFK Airport. DHS-CBP's current leased location, Building 77, has been occupied since June, 1992. The lease expired on June 18, 2012.

This proposed replacement lease will provide DHS-CBP with the opportunity to improve space utilization efficiency while accommodating 98 additional personnel in field operations, internal affairs, and the regulatory office.

Description

Occupant:	DHS – CBP
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	146,000 (Current RSF/USF=1.15)
Proposed Maximum RSF:	146,000 (Proposed RSF/USF=1.15)
Expansion Space:	None
Current Usable Square Feet/Person:	236
Proposed Usable Square Feet/Person:	200
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Lease:	6/18/12
Proposed Delineated Area:	North: Intersection of Lefferts Blvd. and S. Conduit Rd. heading east to Rockaway Blvd. then heading east to Brookville Blvd; West: Lefferts Blvd; East: Head of Bay; South: Jamaica Bay
Number of Official Parking Spaces:	217
Scoring:	Operating Lease
Maximum Proposed Rental Rate ¹ :	\$46.00 per rsf
Proposed Total Annual Cost ² :	\$6,716,000
Current Total Annual Cost:	\$8,500,685(lease effective 6/19/92)

¹ This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses, whether paid by the lessor or directly by the Government.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs. Parking is included in the proposed rent.

GSAPBS

**PROSPECTUS - LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
QUEENS, NY**

Prospectus Number: PNY-02-QU13
Congressional District: 06

Background

DHS-CBP currently occupies approximately 146,000 rsf of space in Building 77 at JFK Airport, Queens, NY. The DHS-CBP operation at JFK Airport monitors half the cargo imported into the United States as well as 10.2 million passengers a year. JFK Airport consists of six passenger processing facilities, a mail facility, 39 airline warehouses, 82 container stations, 15 bonded warehouses and 2 Foreign Trade Zones located on or around the airport. The current lease at Building 77 expired on 6/18/2012. GSA will execute an interim leasing action necessary to ensure continued housing until the effective date of the new lease.

Justification

A location on or near the JFK Airport property is essential to CBP's mission of servicing the broker community in a timely manner on the airport premises. Close access to the airport tarmac is essential to the agency's law enforcement mission.

CBP will improve its utilization of space, resulting in the improvement of its office utilization rate from 134 usable square feet (USF) to 113 USF per person and its overall utilization rate from 236 USF to 200 USF per person. The end product of improved space utilization is the prospectus proposal to house an additional 98 personnel in the same amount of space as the current occupancy.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rate of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

PROSPECTUS - LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
QUEENS, NY

Prospectus Number: PNY-02-QUI3
Congressional District: 06

Interim Leasing

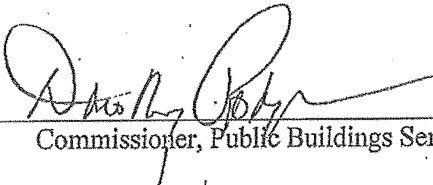
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency until the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

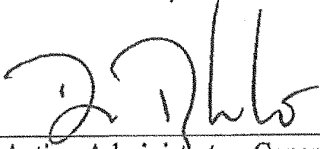
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

May 2012

Housing Plan

Department of Homeland Security

U.S. Customs and Border Protection

Queens, NY

PNY-02-QU13

Locations	Current				Proposed			
	Personnel Office	Total	Office	Storage	Special	Total	Personnel Office	Total
JFK Airport Building 77	537	537	92,376	3,272	31,233	126,881	635	635
Replacement Lease								
Total:	537	537	92,376	3,272	31,233	126,881	635	635

Office Utilization Rate*		
Rate	Current	Proposed
	134	113

*UR=average amount of office space per person.
Current UR excludes 20,323 of usf office support space
Proposed UR excludes 20,323 of usf office support space

USF/Person **		
Rate	Current	Proposed
	236	200

**USF/Person = housing plan total USF divided by total personnel

Special Space	
Conference Rooms	4,802
Training Rooms	1,830
Fitness Center	3,000
Locker Rooms	2,000
Kitchenettes	2,500
ADP	1,840
Evidence Rooms	1,425
Holding Cells	225
Interview Rooms	1,100
Securing Processing	2,608
Private Toilets	145
Kennel Support	2,758
Firing Range	7,000
Total:	31,233

Total USF	RSF/USF	Maximum RSF
Current	126,881	1.15
Proposed	126,881	1.15

Usable square footage means the portion of the building available for use by tenants' personnel, furnishings and space. available jointly to the occupants of the building. Usable square footage does not include space devoted to building operations and maintenance (i.e. restroom, lobbies, building supply rooms).

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Washington, DC 20515

COMMITTEE RESOLUTION**Bill Shuster**
Chairman**Nick J. Rahall, III**
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA
PVA-04-WA13**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 585,000 rentable square feet of space, including 10 parking spaces, for the Department of Defense, currently located at 2530 Crystal Drive, Arlington, Virginia, at a proposed total annual cost of \$22,815,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 163 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 163 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA13
Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 585,000 rentable square feet (RSF) for the Department of Defense (DOD), currently located at the Zachary Taylor Building, 2530 Crystal Drive, Arlington, Virginia. DOD has a continuing, long-term need for space to meet its mission requirements in Northern Virginia. It will continue to maintain a highly efficient office space utilization rate of 108 and an overall space utilization of 163 usable square feet per person.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the DOD, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

Description

Occupant:	Department of Defense
Lease Type	Replacement
Current Rentable Square Feet (RSF)	549,317 (Current RSF/USF = 1.13)
Proposed Maximum RSF ¹ :	585,000 (Market RSF/USF = 1.2)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	163
Proposed Usable Square Feet/Person:	163
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	4/30/13, 12/9/14
Delineated Area:	Northern Virginia
Number of Official Parking Spaces ² :	10
Scoring:	Operating Lease

¹ The RSF/USF at the current location is approximately 1.13. The proposed maximum RSF does not represent expansion space but the amount needed to provide 487,019 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.20 in order to maximize competition.

² DOD security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA13
Congressional District: 8,10,11

Maximum Proposed Rental Rate ³ :	\$39.00
Proposed Total Annual Cost ⁴ :	\$22,815,000
Current Total Annual Cost:	\$20,020,180 (leases effective 5/1/03 and 12/1004)

Justification

The leases at 2530 Crystal Drive, Arlington, VA expire on April 30, 2013 (524,867 RSF) and December 9, 2014 (24,450 RSF), and DOD requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 30, 2013 and December 9, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

³ This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

⁴ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA13
Congressional District: 8,10,11

Interim Leasing

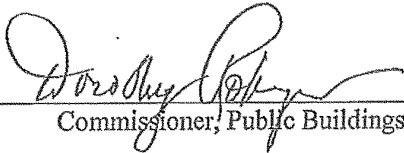
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

November 2011

Housing Plan Department of Defense

PVA-04-WA13
Northern VA

Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Office	Total	Office	Storage
Zachary Taylor Building	2,997	2,997	415,934		2,997	2,997	415,934	
Proposed Lease								
Total	2,997	2,997	415,934		2,997	2,997	415,934	
							71,085	487,019
							71,085	487,019

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	108	103

* UR = average amount of office space per person
 Current UR excludes 91,505 USF of Office for support space
 Proposed UR excludes 91,505 USF of office for support space

USF/Person **		
Rate	Current	Proposed
	163	163

** USF/Person = housing plan total USF divided by total personnel

Total USF RSF/USF Maximum RSF		
Current	487,019	1.13
Proposed	487,019	1.20
		535,000

Special Space		USF
Conference		35,357
Spec Workrooms		3,059
File Room		350
Break Rooms		2,500
Fitness Rooms		7,300
Library		2,200
Training		2,454
SCIFs		3,885
Hearing/Board Rm		3,230
Labs		10,750
Total		71,085

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

**LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA
PVA-06-WA13**

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 448,000 rentable square feet of space, including 11 parking spaces, for the Department of Defense, Department of the Army, currently located at 200 Stovall Street, Alexandria, Virginia, at a proposed total annual cost of \$17,472,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 176 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 176 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA**

Prospectus Number: PVA-06-WA13
Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 448,000 rentable square feet (RSF) of space for the Department of Defense (DoD) Department of the Army, located at Hoffman II, 200 Stovall St, Alexandria, VA. The two leases for DoD, effective in 2000 and 2004 expire April 19, 2014.

DoD will improve its utilization of space, resulting in the improvement of its office utilization rate from 178 usable square feet (USF) to 111 USF per person and its overall utilization rate from 261 USF to 176 USF per person. As a result, this prospectus proposes to house DoD personnel in approximately 158,000 RSF less space than their current occupancy of 606,575 RSF.

Description

Occupants:	DoD
Lease Type:	Replacement
Current RSF:	606,575 (Current RSF/USF = 1.09)
Proposed Maximum (RSF):	448,000 (Proposed RSF/USF = 1.20)
Expansion Space: ¹ :	Reduction of 158,575 RSF
Current USF/Person:	261
Proposed USF/Person:	176
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases	4/19/14
Delineated Area:	Northern Virginia
Number of Official Parking Spaces ² :	11
Scoring:	Operating lease
Maximum Proposed Rental Rate ³ :	\$39.00
Proposed Total Annual Cost ⁴ :	\$17,472,000

¹ The RSF/USF at the current location is approximately 1.09, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

² The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

³ This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

⁴ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA**

Prospectus Number: PVA-06-WA13
Congressional District: 8,10,11

Current Total Annual Cost:	\$17,660,326 (leases effective 3/3/00 and 4/20/04)
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Justification

The current leases at Hoffman II, 200 Stovall St in Alexandria, VA, expire on April 19, 2014, and DoD requires continued housing to carry out its mission. The proposed replacement lease(s) will significantly improve the utilization of space to house this DoD requirement.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 19, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the DoD, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

PROSPECTUS - LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA13
Congressional District: 8,10,11

Interim Leasing

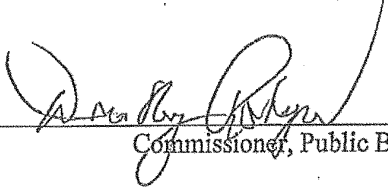
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

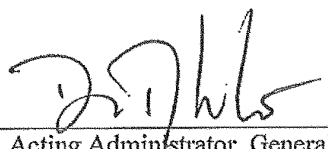
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

April 2012

**Housing Plan
Department of Defense**

Northern Virginia
PVA-06-WA13

Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Total	Office	Total	Office	Total
Hoffman II Building	2,124	2,124	484,513	70,481				
Proposed Lease								
Total	2,124	2,124	484,513	70,481	2,124	2,124	303,217	70,481
					2,124	2,124	303,217	70,481
								373,698
								373,698

Office Utilization Rate (UR) *		
Utilization	Current	Proposed
Rate	178	111

* UR = average amount of office space per person
Current UR excludes 106,593 USF of Office for support space
Proposed UR excludes 66,708 USF of office for support space

USF/Person **		
Rate	Current	Proposed
	261	176

** USF/Person = housing plan total USF divided by total personnel

Special Space		
		USF
Library		39,974
LAN/Telecom/Servers		2,836
Conference/Training		21,684
Lab/Test Lab/Demo Rms		1,617
Controlled Storage		2,206
Interview Rooms		200
Audit Support		157
Grand Jury/Secured Room		720
Training/Work Area		590
Equipment & Processing Area		345
Concession		152
Total		70,481

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building. Usable square footage does not include space devoted to building operations and maintenance



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA
PVA-07-WA13**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a consolidation and expansion lease of up to 169,000 rentable square feet of space, including 33 parking spaces, for the Department of Homeland Security, U.S. Customs and Border Protection, National Targeting Centers, currently located at 12825 Worldgate Plaza, Reston, Virginia and 12379 Sunrise Valley Drive, Herndon, Virginia, at a proposed total annual cost of \$6,591,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 207 square feet or less per person as detailed in the prospectus.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 207 square feet or higher per person as detailed in the prospectus.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a consolidation and expansion lease of 169,000 rentable square feet (RSF) for the U.S. Customs and Border Protection (CBP), National Targeting Centers (NTC) currently housed at 12825 Worldgate Plaza, Reston, VA and 12379 Sunrise Valley Drive, Herndon, VA. The new lease will provide a facility that accommodates NTC's programmatic and personnel growth and functionally integrates NTC's two operational units – NTC Passenger and NTC Cargo.

Description

Occupant:	DHS / CBP / NTC
Lease Type:	Consolidation
Current RSF	90,574 (Current RSF/USF=1.11)
Proposed Maximum RSF	169,000 (Proposed RSF/USF=1.2)
Expansion Space: ¹	78,426 RSF
Current USF/ Person:	166
Proposed USF/ Person:	207
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	4/9/13 and 3/11/17
Delineated Area:	Northern Virginia / Dulles Corridor, (Rte 7 to the North / Rte 267 to the East / Rte 50 to the south / Rte 28 to the West)
Number of Official Parking Spaces: ²	33
Scoring:	Operating lease
Maximum Proposed Rental Rate: ³	\$39.00
Proposed Total Annual Cost: ⁴	\$6,591,000
Current Total Annual Cost:	\$2,683,842 (leases effective 12/26/02 and 3/12/07)

¹ Expansion space is required to accommodate additional seats and special space detailed in the housing plan.

² Security requirements may necessitate control of available parking at the location leased. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

³ This estimate is for fiscal year 2016 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation.

⁴ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Background

NTC is currently housed in two locations along the Dulles Corridor of Northern Virginia. NTC's mission is to screen inbound and outbound airline passengers and shipping cargo to protect the United States from terrorist threats.

NTC-Passenger unit (NTC-P) was established in November 2001 and has been in its current Reston location since 2003. Its primary function is to support CBP's priority mission to prevent terrorists and terrorist weapons from entering or exiting the United States, while simultaneously facilitating legitimate trade and travel. Working relationships include the Coast Guard, U.S. Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA) including the Federal Air Marshal Service, Federal Bureau of Investigation, the Department of State, and international organizations such as Interpol, the Canadian National Risk Assessment Centre, and the Joint Border Operations Centre – United Kingdom.

NTC-Cargo unit (NTC-C) was created to target high risk cargo shipments that may pose a threat to the internal security of the United States. Its primary function is similar to NTC-P in support of CBP's mission. The unit partners internationally with customs units in other countries around the world as well as many other federal agencies such as the TSA, the Food and Drug Administration and ICE.

The NTC operational mission supports the White House initiative on Travel and Tourism in its work with Visa Application vetting. The NTC consolidation also supports the White House initiative on Global Supply Chain Security to promote the efficient and secure movement of goods, protecting the supply chain from exploitation and reducing its vulnerabilities to disruption.

Justification

This proposed lease action will house the expanded and consolidated NTC consisting of NTC-P and NTC-C. It will accommodate NTC's expected personnel growth as a result of programmatic expansion and growth in special space that is required for the increased programs.

The consolidation of these two units into a single location is intended to provide greater efficiencies for each group and provide additional space to accommodate programmatic growth. The special space currently occupied by the centers is insufficient for NTC to effectively fulfill its mission. NTC-C does not currently have immediate access to certain types of space located

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

within NTC-P; this inhibits the sharing of data between the two organizations. Also, the NTC-P has grown from its initial complement of 20 personnel in 2001 to the current level of 307; NTC-C has also grown from approximately 40 personnel in 2007 when it was established to the current level of 407. From FY2011 through FY2013, both units of the NTC are expected to grow to a total of 1,132 employees, 680 of whom will be on shift work at any given time as noted in the Housing Plan. The additional personnel require increased special space for certain operations, security areas, fitness center and locker rooms for law enforcement personnel, and LAN (Local Area Network) rooms for both classified and unclassified material. All of these are in direct support of the time sensitive nature of operations at the NTC. Both units have been given increasingly greater responsibility during the past two years in response to incidents such as the Northwest Airlines passenger with explosive materials in his clothing in December 2009, the attempted bombing of Times Square in May 2010, and the explosives shipped in printer cartridges in October 2010, but thwarted in the United Kingdom and the UAE due to international partnerships established by the NTC.

Housing NTC-P and NTC-C in separate facilities increases the risk that a passenger or cargo related terrorist threat will not be discovered in time enough to protect our national security. Interdicting terrorist travelers or cargo requires time sensitive operations. A passenger threat often leads to a cargo threat that must immediately be evaluated. Consolidating NTC-P and NTC-C will enable NTC to more quickly pursue potential links between passenger and cargo cases. In its current state NTC-C has to travel to NTC-P when it needs to use certain space not currently available to it. For emergent events minutes can be critical.

The proposed Dulles Corridor delineated area allows the NTC to remain in proximity to other intelligence and targeting groups of the Federal government and maintain proximity to telecommunications trunk lines in the Dulles Corridor, and Dulles Airport.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date of the proposed new lease. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA**

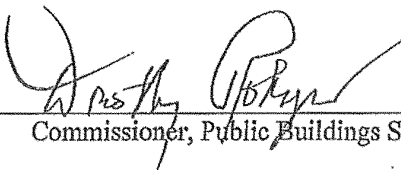
Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Certification of Need

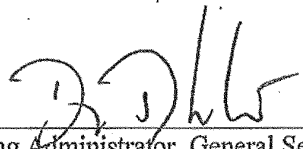
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

March 2012

Housing Plan
Department of Homeland Security
Customs and Border Protection
National Targeting Centers

PYA-07-WA13
Northern VA

Locations	Current			Proposed		
	Personnel	Usable Square Feet (USF)		Personnel	Usable Square Feet (USF)	
	Office	Total		Office	Total	
12379 Sunrise Valley Drive, Reston, VA	307	307	14,244	307	28,337	
12825 Worldgate Plaza, Herndon, VA	407	407	34,847	0	53,034	
Proposed Lease						
TOTAL:	714	714	49,091	1,132	81,371	141,050

Note: Current total employees housed in the separate NTC locations are 714 working on rotating shifts with a maximum of 490 per shift.
Proposed total employees housed in the consolidated NTC are 1,132 working on rotating shifts with a maximum of 680 per shift.

Office Utilization Rate (UR)* Maximum Shift		
Employees	Current	Proposed
Rate	490	680

*UR = average amount of office space per person
Current UR excludes 10,800 sq ft of office support
Proposed UR excludes 14,651 sq ft of office support

USF/Person**		
Employees	Current	Proposed
Rate	166	207

**USF/Person-housing plan total USF divided by total personnel
Proposed UR excludes 14,651 sq ft of office support

	Total USF	RSF/USF	Maximum RSF
Current	81,371	1.11	90,574
Proposed	141,050	1.20	169,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building.
Usable square footage does not include space devoted to building operations and maintenance.

Special Space	USF
Conference/Training	18,676
Kitchenette/Break	3,804
Fitness Center	2,059
Locker Rooms	2,059
Bunk Room	515
LAN Rooms/Closets	4,404
Health / Lactation	172
File Rooms	3,065
Mail Processing	7,379
Waitroom / HSDN*	15,823
Security	2,231
COMSEC Room**	1,716
Total:	66,903

*HSDN is Homeland Secure Data Network
**COMSEC is Communications Security



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

**LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND
PMD-04-WA13**

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 133,895 rentable square feet of space, including seven parking spaces, for the Department of Health and Human Services, Agency for Healthcare Research and Quality, currently located at 540 Gaither Road, Rockville, Maryland, at a proposed total annual cost of \$4,686,325 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 268 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 268 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND**

Prospectus Number: PMD-04-WA13
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a lease extension for 133,895 rentable square feet of space the Department of Health and Human Services (HHS), Agency for Healthcare Research and Quality (AHRQ). AHRQ is currently located at 540 Gaither Road, Rockville, Maryland, under a lease that expires March 22, 2013. AHRQ is planning to move to the Parklawn Building, located at 5600 Fishers Lane, Rockville, MD, which is scheduled to be ready for occupancy between August 2015 and 2017. AHRQ is scheduled to move to the Parklawn Building between January and March 2017. GSA is seeking a five-year lease extension to allow AHRQ to remain in place prior to the move and to provide flexibility in the event of schedule delays at Parklawn. GSA will attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The proposed space utilization rate at 540 Gaither Road is higher than the HHS overall space utilization standard of 170 USF/person. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location. It would also be highly disruptive to AHRQ's continuing performance of its mission. However, the agency's planned occupancy of the Parklawn Building will be fully consistent with the applicable HHS space utilization standard.

Description

Occupant:	HHS-AHRQ
Lease Type:	Extension
Current Rentable Square Feet (RSF):	133,895 (Current RSF/USF = 1.07)
Proposed Maximum RSF:	133,895 (Proposed RSF/USF = 1.07)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	278
Proposed Usable Square Feet/Person:	268
Proposed Maximum Leasing Authority:	5 years
Expiration Date(s) of Current Lease(s):	3/22/13
Delineated Area:	540 Gaither Road, Rockville, MD
Number of Official Parking Spaces:	7
Scoring:	Operating lease

GSAPBS

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA13
Congressional District: 8

Maximum Proposed Rental Rate ¹ :	\$35.00
Proposed Total Annual Cost ² :	\$4,686,325
Current Total Annual Cost:	\$3,762,143 (Lease effective 3/23/2003)

Background

AHRQ's mission is to improve the quality, safety, efficiency, and effectiveness of health care for all Americans. As one of 12 agencies within the Department of Health and Human Services, AHRQ supports research that helps people make more informed decisions and improves the quality of health care services. AHRQ was formerly known as the Agency for Health Care Policy and Research.

Justification

The current AHRQ lease at 540 Gaither Road, Rockville, Maryland expires on March 22, 2013. AHRQ plans to move to the Parklawn Building which is currently under renovation. AHRQ will require continued housing to carry out its mission prior to this move. GSA will extend AHRQ's current leasehold tenancy and attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in March 2013. However, this proposed short-term lease extension does not require new tenant space build-out or upgrades needed for a long-term occupancy. GSA will conduct the procurement using prevailing market rental rates as a benchmark and basis for negotiating with the current lessor to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

¹ This estimate is for fiscal year 2013 and may be escalated by 1.65 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND**

Prospectus Number: PMD-04-WA13
Congressional District: 8

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

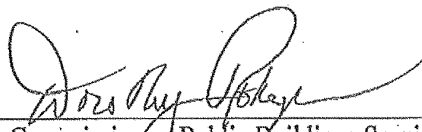
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

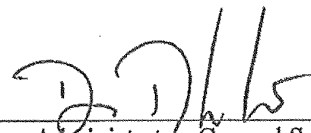
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

July 2012

Housing Plan
HHS-AHRQ

Suburban, MD
PMD-04-WA13

Leased Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Special	Storage	Total
540 Gaither Road	451	451	111,310	12,746	463	111,310	1,166	125,222
Proposed Lease	451	451	111,310	12,746	463	111,310	1,166	125,222
Total	451	451	111,310	12,746	463	111,310	1,166	125,222

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	193	186

* UR = average amount of office space per person
Current UR excludes 24,488 sq ft of office support space
Proposed UR excludes 24,488 sq ft of office support space

USF/Person **		
Rate	Current	Proposed
	278	268

** USF/Person = housing plan total USF divided by total personnel

Total USF		
Current	RSF/USF	Maximum RSF
125,222	1.07	133,895
Proposed	1.07	133,895

Special Space		
Wellness Center/Vending	USF	
Wellness Center	893	
Copy Center	462	
Libraries	3,157	
Training Room	400	
ADP	795	
Mail Room	192	
Data Center	526	
Conference Center	4,696	
Printing/Reproduction Room	1,404	
Kitchen	221	
Total	12,746	

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND
PMD-03-WA13

James H. Zoia, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 228,020 rentable square feet of space, including eight parking spaces, for the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, currently located at 1 Choke Cherry Road, Rockville, Maryland, at a proposed total annual cost of \$7,980,700 for a lease term of up to two years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 242 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 242 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND**

Prospectus Number: PMD-03-WA13
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 228,020 rentable square feet for the Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA). SAMHSA is currently located at 1 Choke Cherry Road, Rockville, Maryland under a lease that expires August 26, 2014. SAMHSA is planning to move to the Parklawn Building, located at 5600 Fisher's Lane, Rockville, MD, which is scheduled to be ready for occupancy between August 2015 and 2017. SAMHSA is scheduled to move to the Parklawn Building between July and September 2015. GSA is seeking a two-year lease extension to allow SAMSHA to remain in place prior to the move and to provide flexibility in the event of schedule delays at Parklawn. GSA will attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The proposed space utilization rate at 1 Choke Cherry Road is higher than the HHS overall space utilization standard of 170 USF/person. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location. It would also be highly disruptive to SAMHSA's continuing performance of its mission. However, the agency's planned occupancy of the Parklawn Building will be fully consistent with the applicable HHS space utilization standard.

Description

Occupant:	SAMHSA
Lease Type:	Extension
Current Rentable Square Feet (RSF):	228,020 (Current RSF/USF = 1.07)
Proposed Maximum RSF:	228,020 (Proposed RSF/USF = 1.07)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	275
Proposed Usable Square Feet/Person:	242
Proposed Maximum Leasing Authority:	2 years
Expiration Date(s) of Current Lease(s):	8/26/14
Delineated Area:	1 Choke Cherry Road, Rockville MD
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate ¹ :	\$35.00

¹ This estimate is for fiscal year 2014 and may be escalated by 1.6 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

GSAPBS

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND

Prospectus Number: PMD-03-WA13
Congressional District: 8

Proposed Total Annual Cost ² :	\$7,980,700
Current Total Annual Cost:	\$5,329,954 (Lease effective 8/27/2004)

Background

SAMHSA is responsible for improving the delivery and effectiveness of substance abuse and mental health services to the American public. SAMHSA is a national leader in advancing effective services to persons with addictive and mental disorders and has stewardship over important interventions affecting personal, community, institutional, and social values.

Justification

The current lease at 1 Choke Cherry Road, Rockville, Maryland expires on August 26, 2014. SAMHSA plans to move to the Parklawn Building which is currently under renovation. SAMHSA will require continued housing to carry out its mission prior to the Parklawn move. GSA will attempt to negotiate termination rights into a lease agreement to provide a flexible transition for SAMHSA's long-term housing solution.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in August 2014. However, this proposed short-term lease extension does not require new tenant space build-out or upgrades needed for a long-term occupancy. GSA will conduct the procurement using prevailing market rental rates as a benchmark and basis for negotiating with the current lessor to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND**

Prospectus Number: PMD-03-WA13
Congressional District: 8

Interim Leasing

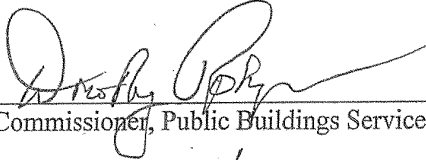
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

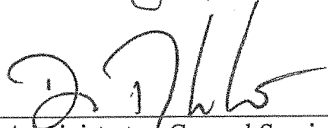
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Acting Administrator, General Services Administration

July 2012

Housing Plan
HHS-SAMHSA

PMD-03-WA13
Suburban Maryland

Leased Locations	Current			Proposed		
	Personnel		Usable Square Feet (USF)		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Special	Total
1 Chote Cherry Road	777	777	167,368	2,448	44,116	213,932
Proposed Lease						
Total	777	777	167,368	2,448	44,116	213,932

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	168	148

* UR = average amount of office space per person
Current UR excludes 36,821 USF of office support space
Proposed UR excludes 36,821 USF of office support space

USF/Person **		
Rate	Current	Proposed
	275	242

** USF/Person = housing plan total USF divided by total personnel

Total USF	RSF/USF	Maximum RSF
Current	213,932	1.07
Proposed	213,932	1.07

Special Space	USF
Conference Rooms	12,524
Video Telecon Center	680
Mail Room	7,379
Library	2,632
Reception	1,612
Server Room	832
Nurse Area	696
Training Room	950
Fitness Center	2,895
Pantries	5,186
File Rooms	8,730
Total	44,116

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
Ranking Member

Christopher P. Bertram, Staff Director

LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA
PVA-04-WA12

James H. Zola, Democrat Staff Director

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 281,000 rentable square feet of space, including 51 parking spaces, for the Department of Defense, currently located in the Suffolk Building, 5611 Columbia Pike, Falls Church, Virginia, at a proposed total annual cost of \$10,959,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA12

Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 281,000 rentable square feet for the Department of Defense (DOD), currently located in the Suffolk Building, 5611 Columbia Pike, Falls Church, VA. DOD has a continuing, long-term need for space to meet its mission requirements in Northern Virginia. Notwithstanding a highly efficient office space utilization rate of 114 usable square feet per person, DOD requires a significant amount of critical special space, resulting in the overall space utilization of 264 usable square feet per person. The space is required due to the unique needs of DOD including 48,000 usf of Sensitive Compartmented Information Facility (SCIF) space.

The proposed total annual cost indicated below reflects the adjustment to current market conditions of a lease that will be almost 10 years old at expiration. GSA anticipates that a competitive procurement will result in a lower actual total annual cost. The proposed maximum RSF does not represent expansion space but the amount of space needed to provide 233,925 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.2 in order to maximize competition.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on June 30, 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

Description

Occupants:	DOD
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	258,248 (Current RSF/USF=1.1)
Proposed Maximum RSF:	281,000 (Market RSF/USF=1.2)
Expansion Space ¹ :	None
Current Usable Square Feet/Person:	264
Proposed Usable Square Feet/Person ² :	264
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Lease:	06/30/13
Proposed Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	51

¹ The RSF/USF at the current location is approximately 1.10.

² The proposed usable square feet/person metric is consistent with recent DOD prospectus-level requirements in GSA's Fiscal Year 2011 program.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA12
Congressional District: 8,10,11

Scoring:	Operating Lease
Maximum Proposed Rental Rate ³ :	\$39.00
Proposed Total Annual Cost ⁴ :	\$10,959,000
Current Total Annual Cost:	\$7,006,091 (lease effective 2003)

Background

The Suffolk Building, was constructed in 1964 and renovated in 2003. DOD has occupied space in this building under the current lease since December 16, 2003.

Justification

The current lease for space in the Suffolk Building expires June 30, 2013, and DOD requires continued housing to carry out its mission.

Summary Of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

³This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. Operating rate would include a standard one shift operation, minimum 10 hours.

⁴Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs. The proposed total annual cost is based on the Northern Virginia program rental rate of \$39/RSF multiplied by the proposed maximum 281,000 RSF, as discussed in footnote 1, above.

GSA

PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA12

Congressional District: 8,10,11

Interim Leasing

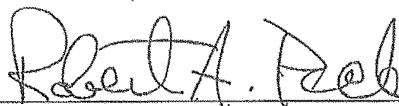
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

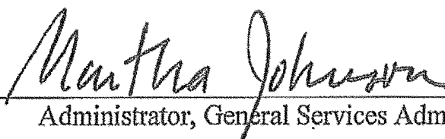
Submitted at Washington, DC, on December 6, 2011

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

August 2011

Housing Plan
Department of Defense

Northern, VA
PVA-04-WA12

Leased Locations	Current					Proposed						
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)				
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Suffolk Building	885		885	129,595	17,404	86,926		233,925				
Proposed Lease												
Total	885		885	129,595	17,404	86,926		233,925	885	129,595	17,404	233,925

Office Utilization Rate (UR) *		
Rate	Current	Proposed
	114	114

* UR = average amount of office space per person
Current UR excludes 28,510 USF of office support space
Proposed UR excludes 28,510 USF of office support space

USF/Person **		
Rate	Current	Proposed
	264	264

** USF/Person = housing plan total USF divided by total personnel

Special Space		
Break Room		1,997
Conference Room		10,598
Holding Cell		108
IT/Telecom Rm		23,158
SCIF		47,858
Security		3,207
Total		86,926

Total USF	RSF/USF	Maximum RSF	
Current	233,925	1.1	258,248
Proposed	233,925	1.2 ***	281,000

*** Market R/U Factor for Competitive Procurement

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

There was no objection.

PRESERVING THE RIGHT TO BEAR ARMS

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, I am a proud supporter of the right to keep and bear arms. I am appalled by the President's attempts to erode our constitutional freedoms and impress his will by executive order. Our Founding Fathers would not have imagined that the right they listed second in the Bill of Rights, the right to bear arms, would be systematically attacked.

My opposition to what the President has proposed is based on the fact that his plan is not only unconstitutional, it is not effective. The Federal Government has tried a ban on these weapons before, and it did not work.

The National Institute of Justice states that "there has been no discernible reduction in the lethality and injuriousness of gun violence" due to the 1994 assault weapons ban. Gun control laws do not make our communities safer. They do not take firearms from criminals but, rather, from law-abiding citizens.

Second, the phrase "assault weapons ban" is a term of art. These are semi-automatic guns that essentially shoot the same kind of bullets as small-game hunting rifles. Simply put, these are hunting rifles made to look like a military gun. Banning it for cosmetic reasons doesn't make sense and won't save any more lives.

Third, banning large capacity magazines will do little to stop criminals. Any gun that uses a magazine can use a magazine of any size. That's true of rifles and handguns. So-called "assault weapons" are not any different.

In the end, if the President wants to begin a national dialogue about stopping violence, he shouldn't start by taking away our rights as citizens. I am willing to work with the President and my colleagues on both sides of the aisle to find a real solution to the challenges we face, but that solution will have to look at all the issues involved. But perhaps the most important part of the solution is restoring a culture of life in this country again.

May God bless America.

□ 1900

THE ACHIEVEMENTS OF WOMEN

(Ms. FUDGE asked and was given permission to address the House for 1 minute.)

Ms. FUDGE. Mr. Speaker, on Sunday, March 3, 2013, the women of Delta Sigma Theta Sorority, Incorporated, and other women's organizations led the reenactment of the historic Women's Suffrage march down Pennsyl-

vania Avenue. In March 1913, Delta Sigma Theta's 22 founders engaged in their first public act by joining other women in a "spirit of protest against the political organization of society from which women were excluded."

While we have achieved a great deal in the last 100 years, it is quite evident that our journey is not complete. Women still deserve equal pay for equal work. Women deserve to control their own reproductive rights.

We still have to fight for the rights of all Americans to participate in the electoral process. The struggle continues.

MS. MORGAN—THE TEACHER; KARA ALEXANDER—THE STUDENT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. "Thank a Teacher." Mr. Speaker, we have all seen that bumper sticker.

I come from a family of teachers. My mother, mother-in-law, wife, and three of my four kids are teachers by profession.

When a special little girl, Kara, was in the third grade, she and her parents noticed her difficulty in processing words. Her speech pattern affected her self-esteem, her self-worth, and even her weight. Some kids made fun of her. Mrs. Morgan, the third grade teacher, was determined to help the little girl speak better.

With hard work, the little girl and teacher overcame the word problem. The student graduated as high school valedictorian. She obtained her bachelor's and master's degrees. She also obtained a Ph.D.

There is more. Today, that little girl received notice that she is tenured as an associate professor at Baylor University in the department of, yes, English. For you see, Kara Poe Alexander, our daughter, the little girl that had trouble talking, has a Ph.D. in English rhetoric, the study of words.

Congratulations, Kara, on being tenured faculty. And thank you, Mrs. Morgan, a teacher.

And that's just the way it is.

RECOGNIZING FRANCES PERKINS

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, 80 years ago today, Frances Perkins was sworn in as Secretary of Labor. This is Women's History Month, and Frances Perkins certainly made history.

She was the first woman member in the history of the United States to be part of the Cabinet, and still holds the record as the longest serving Secretary of Labor. She brought us the Fair Labor Standards Act, giving working

women and men fair wages, limits on overtime, and the right to organize. She was the architect of the Social Security Act.

Frances Perkins helped bring us out of the Great Depression. And as we come out of the Great Recession, we need to ask what Frances Perkins would do today.

She would fight to raise the minimum wage. Almost two-thirds of all minimum-wage workers are women. Many are the sole breadwinners for their families. She would defend Social Security against those who want to cut its very modest benefits.

So today, we take time to remember Frances Perkins. Her message is still relevant today. Our Nation is stronger if we give working women—and men—fair opportunities and treatment.

PASSING THE SAFE SCHOOLS ACT

(Mr. STOCKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STOCKMAN. Mr. Speaker, the first high-profile school shooting in modern memory occurred in Stockton, California, where a gunman took the lives of five innocent children and injured 29 others.

Robert Young, just 7 years old at that time, was one of the injured. He came up here last week to talk about gun control. This is part of his testimony:

I remember what it sounded like, as the bullets flew past my body. I remember the feeling of my feet literally being swept out from under me as a round traveled through my right foot. I remember the slap of the round that hit the pavement an inch or so in front of me, prior to lodging itself in the left side of my chest.

Today, Rob is a sworn law enforcement officer in the State of California. He came to Washington, not to urge Congress to pass more gun control, but to exhort this body to protect the Second Amendment.

In the 22 years prior to the 1990 enactment of federally dictated "gun-free school zones," there were only two mass shootings on school or university campuses. In the 22 years since, there have been 10, a five-fold increase. Not only have so-called "gun-free school zones" proven not to be "gun free," they appear to have placed our children in even greater danger.

The time has come to end this very deadly experiment of disarming peaceable, law-abiding citizens near schools. That's why I introduced H.R. 35, the Safe Schools Act, to repeal these deadly, so-called "gun-free school zones."

Law-abiding adults, including parents, teachers, and administrators who are allowed in their States to carry a firearm, should not be required to be disarmed. Our children are too precious to be turned into unprotected, soft targets for dangerous people. Passing the

Safe Schools Act is the first step toward protecting our children.

COMMEMORATING THE LEGACY OF JEANNETTE RANKIN

(Ms. EDWARDS asked and was given permission to address the House for 1 minute.)

Ms. EDWARDS. Mr. Speaker, I rise today in recognition of March as Women's History Month and to commemorate the legacy of Jeannette Rankin, the first elected woman to serve in the House of Representatives on this day, March 4, 1917.

Jeannette Rankin furthered women's rights, ensuring universal suffrage and protecting the poor. She began her career as a community organizer, working in low-income neighborhoods in San Francisco, New York, and Washington State, and she witnessed the troubles of women and single mothers living in these communities. Jeannette Rankin became a strong, natural advocate for giving women a national voice through the right to vote.

Remarkably, Jeannette Rankin was elected to Congress when women still did not have the right to vote. The 19th Amendment was passed 3 months after she left Congress. As Rankin herself put it, "We're half the people; we should be half the Congress."

Today, we must continue to honor her work and legacy. With the ongoing budget crisis in mind, it is imperative that we redouble our efforts, as she would have, to come to a solution and to take the lesson of Jeannette Rankin, to fight for women and the poor who are disproportionately affected by sequestration, and to fight for them as Jeannette Rankin fought for them so hard.

CLEAN ENERGY AND EXTREME WEATHER

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Speaker, the climate is changing. Climate change is very, very real. You only have to look at the superstorms we have had, Sandy and others, and the \$180 billion of destruction that has been wrought upon us from the environment just over the last 2 years.

The climate is changing, and there's something we can do about it. In fact, there's something this House of Representatives must do about it, and that is to move forcefully, directly, and aggressively to clean energy policies. We ought to be subsidizing those clean energy systems that are out there—solar and wind.

In my own district in Solano County, we have one of the biggest wind farms. My own history goes back to 1978, when I authored legislation for State tax

credits. We can and we must deal with climate change, and we can do it with clean energy policies.

SPORTSMANSHIP ON DISPLAY IN EL PASO HIGH SCHOOL BASKETBALL RIVALRY

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to pay tribute to Mitchell Marcus, Jonathon Montanez, and the Franklin and Coronado High School basketball teams in El Paso, Texas.

Few teams have a more contentious rivalry than these two schools, who compete to claim the title: Pride of the Westside. So it was a hometown sports miracle when these rivals came together last month to support Mitchell Marcus, a special-needs student who was the Coronado basketball team manager.

With 90 seconds left in the season's final game, Coach Peter Morales put Mitchell in the game to fulfill his dream of making a basket. However, after a few missed shots, Mitchell's opportunity seemed lost. But with seconds left in the game, rival Franklin player Jonathon Montanez passed the ball to Mitchell, and he scored the final basket as the clock hit zero. Fans stormed the court to carry Mitchell on their shoulders, chanting his name.

It is a moment now famous in El Paso and around the world because it shows that character and compassion can transcend even the bitterest rivalries.

□ 1910

HONORING THE LIFE AND LEGACY OF SERGEANT GARY MORALES

(Mr. MURPHY of Florida asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor the life and legacy of Sergeant Gary Morales, who was laid to rest today after being killed in the line of duty at the age of 35 last Thursday in Fort Pierce, Florida. Sergeant Morales was a 12-year veteran with the St. Lucie County Sheriff's Office and also proudly served our country as a member of the United States Air Force.

There has been an outpouring of support in the wake of the shooting, with the community coming together to support his wife, Holly, and their two young daughters, Brooklyn and Jordan. The community has also come together to share fond memories of a man that everyone remembers as being an outstanding officer with a bright future and someone who always went above and beyond to help others. It is clear that Sergeant Morales not only dedicated his life to service, but was a true leader and a selfless hero.

Mr. Speaker, Sergeant Gary Morales dedicated his life to serving his community and his country. I extend my most heartfelt condolences to the Morales family and his extended family at the sheriff's office during these most difficult times. I am humbled to recognize him here today.

GOP FRESHMAN CLASS HOUR: THE SECOND AMENDMENT

The SPEAKER pro tempore (Mr. VALADAO). Under the Speaker's announced policy of January 3, 2013, the gentleman from Indiana (Mr. MESSER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. MESSER. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I rise today as part of the second in a series of Special Orders put on by the newly elected freshman Republican caucus. Our first was on spending; today we rise to speak on the Second Amendment.

I have participated, in the first 50 days of my service here in this Chamber, in 19 public events throughout the Sixth District of Indiana—coffees, meetings with constituents, the public, folks who vote to send us here—and I can tell you in every one of those events people have two topics top of mind: they're focused on spending; they're focused on the sequester. They're tired of the Federal Government that continues to spend money that we don't have, and they want the government to follow the principle that every American family does, which is, you don't spend money unless you have money to spend. But the second topic that I hear everywhere that I go is the Second Amendment and the importance of making sure that that bedrock principle of American liberty is protected.

We all know of the tragic events that have occurred in recent months here in America—obviously the Connecticut tragedy being foremost on top of the mind. I want to make clear in my comments, as I do all throughout my district, that as a Nation we are heartbroken by tragedies like that when they occur. As a Nation, we mourn and weep with the families that had to deal with those tragedies. But as sad and tragic as those circumstances are, we cannot allow those events to be an excuse to undercut the Second Amendment and all that it means for liberty in this Nation.

There are opportunities to make a difference for public safety in this debate. It is time for a national conversation about mental health because the common denominator in every one of these crimes is that the perpetrator is someone who is mentally ill.

There are opportunities to do more on school security, and I'm hopeful that we will be able to work through those as we move forward. But this much must be made clear: gun bans don't work. They are only effective at preventing law-abiding citizens from having guns because the criminals and mentally deranged that commit these crimes don't care about the fact that there is a law that would have them not have a gun. To blame a gun for a crime is to blame a pen for a misspelled word. I look forward to the opportunity to dialogue with my colleagues today on this important topic.

I appreciate Congressman STOCKMAN and Congressman WILLIAMS for their comments just a few minutes ago.

I yield to the gentleman from Utah to step forward and give comments on this important topic.

Mr. STEWART. I thank the gentleman from Indiana for yielding his time.

I had the great blessing of growing up on a family farm. I know what it's like as a kid to be so excited to go hunting with my brothers and with my father that you can't sleep the night before. I also had the great privilege of serving for 14 years as a pilot and an officer in the United States Air Force. There I learned a little bit about defending our Nation through an adequate show of force. I also, by the way, qualified as an expert marksman in small arms.

Recent and saddening events of violence have brought conversations about guns to the national stage. These acts of violence, as terrible as they are, should not be used by the White House as justification to revoke the rights outlined in our Constitution.

The Second Amendment clearly states that the right of the people to keep and bear arms shall not be infringed. Our Founding Fathers created this amendment to protect the citizens from government tyranny. In 2008, the Supreme Court emphatically stated that the right to bear arms is an individual right. Today, it continues to ensure Americans' right to defend themselves against the evil in the world.

Based on a survey as recently as 2000, U.S. civilians do use guns to protect themselves and others from crime at least 990,000 times a year—almost 1 million times a year. It's critical that we continue to protect this personal and absolute right.

While gun-related violence is indeed tragic—and we all know that it is; as my friend, the gentleman from Indiana, has so eloquently stated, we bleed for those who suffer from this—it's important to note that it only accounts for a

small portion of the violent crimes that are committed in the United States.

As an example, the U.S. Department of Justice has said that of the roughly 5 million violent crimes committed in the United States during 2008, only 8 percent were committed by offenders who visibly were armed with a gun. Most of those crimes were committed with guns that were already illegal. Even the U.S. Justice Department conducted a survey in the 1990s and found that approximately 79 percent of the State prison inmates that carried a firearm during an offense that sent them to jail received their gun either through an illegal source or from one of their friends or family.

Stricter laws to ban guns will not solve any of these problems. We already have many laws in place; but instead of creating new and harsher laws, we need to do a better job of enforcing the gun laws that we currently have.

Finally, let me say this: I believe that the timing of this proposal and these bills, it just isn't right. At a time when sequestration just went into effect and our country is on a path towards bankruptcy, it's unacceptable that the White House continues to push its gun control agenda.

We need to be focusing on getting our country back on a path of fiscal sanity. We need the President and his administration to show leadership. We need to ensure that America maintains its leadership role in the world. To do that, we need to budget and to spend responsibly. We need to replace President Obama's sequester—and it is this President's sequester—with common-sense spending cuts and reforms.

Most importantly, we need the President to demonstrate an understanding of the Nation's need to balance our budget and get us back on a path towards fiscal sanity. That is the great fight of our day. That is the great challenge that we are facing.

My heart bleeds for the victims of gun violence—whether they're in Newtown or in New York or in my home district—but the President's proposals will not help.

□ 1920

They aren't designed to address the core problems of mental health or a culture that is steeped in violence, violence that is thrust upon our children through media that are bent upon making more money through the violence that they propagate. Mr. Speaker, let's concentrate our attention on the greatest challenge of our day, not on a Band-Aid of additional laws that are designed to do nothing but to make some liberals feel better.

To the gentleman from Indiana, I yield back and thank you for this opportunity to address the House.

Mr. MESSER. I appreciate the comments of the gentleman from Utah.

As we consider the tragedy that occurred in Newtown, Connecticut, it is natural to want to do something to prevent that from ever happening again. The victims of such unthinkable crimes deserve our solemn prayers for their loss and our deepest sympathy for their pain. The perpetrators of such evil deserve justice for their crimes.

The problem, however, is that the President and other opponents of the Second Amendment are seeking to limit our constitutional rights by pitching Americans a false sense of security: that by taking away rights, somehow those who intend to do harm will not do so. History shows that gun bans only keep guns away from law-abiding citizens, not criminals. Those who want to build, modify, or acquire weapons for violence will do so.

I recognize the gentleman from Florida on this important topic.

Mr. YOHO. I'd like to thank the gentleman from Indiana for his time. Mr. Speaker, I'd like to thank you for allowing me to rise here today.

Mr. Speaker, I rise to address this body tonight about a subject that weighs heavy on the minds of many of my constituents and many Americans. It is a subject and a right that has been granted to us by our country's founding principles, the Constitution, not by government. It is the birthright of any law-abiding citizen of the United States of America, and it is their choice to exercise that right. It is the role and duty of government to protect those rights.

In my 2 months as their Representative, more people in the Third Congressional District of Florida have reached out to me with their concerns over how Congress will address our Second Amendment after the much-publicized, tragic event at Newtown, Connecticut.

This, indeed, I think we all agree was a senseless act of violence. This is not a time to make a knee-jerk reaction and challenge our Second Amendment and restrict our rights as law-abiding citizens. This is not a time to play partisan politics. This is a time to come together.

This is a time to go after the cause of this despicable act, the individual and the cause of gun violence. I stand 100 percent with President Obama and all others that want to curb gun violence so long as it does not interfere with our Second Amendment. The Second Amendment states:

A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

This is necessary to protect the Third Amendment:

No soldier shall in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Those who commit the unspeakable crime we've witnessed a few months

ago should not be able to hide behind any amendment or law in this country. But the real issue is gun violence, not the gun. We must be vigilant in using the laws already available to the fullest extent possible and look at why people are doing these crimes. Before we punish or infringe upon the rights of the law-abiding individual, we should look more at causes of mental health issues that lead to these crimes.

This point is illustrated by the Department of Justice's own internal memo that we're discussing tonight, which notes that the greatest number of guns used in crime comes from straw purchases, those being purchased by someone for someone else or by theft of a gun, not by the person that abides by the law.

Laws that place even more restrictions on law-abiding citizens who only want the right to own a gun for any legal activity they determine will not deter the person intent on doing harm. People with bad habits tend to do bad things.

The first week of this Congress, I joined many of my colleagues here on the House floor in the reading of our Constitution. We took an oath at that swearing-in ceremony to uphold the Constitution. I carry a copy of our Constitution with me everywhere I go. Any and all we do in this body, and our colleagues in the Senate, should be done to uphold, to protect, and to strengthen this document; and by doing this, we strengthen America. Our Constitution has set America apart from every other country in the world, and I aim to keep it that way.

Mr. MESSER. Thanks again to the gentleman from Florida. I appreciate your comments today. I thank my colleague from Utah and my colleagues from Texas who had the opportunity to speak earlier, and I appreciate your leadership on this important topic.

Obviously, we face many challenges as a Nation. The Second Amendment is one of them, but an important one. Clearly, we all want to prevent horrible tragedies similar to the loss of those young lives in Newtown, Connecticut; but gun bans and many of the other proposals from this President are not the answer.

For example, an internal memo from the Justice Department said that the universal background checks proposed by this President will only be effective if paired with required gun registration—a list of law-abiding citizens who simply exercise their constitutional right to own a firearm. This is a blatant intrusion of privacy, and it cannot be allowed.

We need real solutions that aim to identify, treat or limit access to the evil few who perpetrate these horrible acts. I am unwilling to turn my back on the Constitution and sacrifice the liberty of the people I represent for a false sense of security. We need real so-

lutions; and despite our disagreements, there are opportunities to work together.

As I mentioned earlier, blaming a gun for violence is to blame a pen for a misspelled word. If we can come together and focus on the real causes of this violence, then there are opportunities to work together, and I stand ready to work with every Member of this Chamber, regardless of party, to move this country forward.

Mr. Speaker, I yield back the balance of my time.

CBC HOUR: THE IMPACT OF SEQUESTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is my honor and my privilege to stand here today as a member of the Congressional Black Caucus to participate one more time as an anchor for the CBC Special Order today on the subject of the impact of sequestration on the American people.

As we know, on Friday, the sequestration took effect, automatic spending cuts of a significant painful amount that will be experienced by the American people all across the land. Mr. Speaker, unfortunately, it's something that was avoidable had there been a willingness to try and find common ground.

There are many of us who believe that the most appropriate approach would have been to try and find a balanced resolution involving tax reform and revenue and attempting to identify where reasonable spending adjustments could have been made. But instead of all parties trying to come together to find a balanced resolution to the problem that we find ourselves in, there are some in this Chamber who seem committed to trying to balance the budget on the backs of the most vulnerable in our society, balancing the budget on the backs of children and seniors, pregnant women, Superstorm Sandy victims, public housing residents, or national security.

□ 1930

I'm just hopeful that as we move forward that we can find the capacity, find the ability, find the courage to come together to seek out common ground so we can resolve this seques-

tration matter and move forward supporting the economy in the manner that will be the healthiest for the greatest number of Americans possible.

I'm pleased today that we've been joined by several distinguished members of the Congressional Black Caucus, including the chairperson of the CBC, to whom I yield as much time as she may consume, the Honorable MARCIA FUDGE, who has been a tremendous leader on so many issues on behalf of working families and the middle class and seniors all across this country.

Ms. FUDGE. I thank the gentleman for yielding. And I certainly do want to thank Congressman JEFFRIES for once again leading the Congressional Black Caucus Special Order hour on another timely and important topic: the impact of sequestration.

Mr. Speaker, here we are. It is March 4, and the Congress and the administration are still mired in political gridlock with no resolution on how to avoid the across-the-board cuts, destructive as they may be, and untargeted sequestration cuts. How irresponsible.

Many communities around the country are still reeling from the worst economic recession since the Great Depression. Let us not forget that the national black unemployment rate remains in double digits at 13.8 percent, far higher than the national rate. Now these communities can only watch as the sequester threatens to roll back the modest gains of the last few years.

The Office of Management and Budget estimates that title I education funds could be eliminated for more than 2,700 schools. This cut alone will have an impact on nearly 1.2 million disadvantaged students. In my home State of Ohio, the public schools are preparing for the loss of \$25.1 million in funding for primary and secondary education. You tell me, Mr. Speaker, what have children done to deserve this impact of sequestration?

The sequester will impact every neighborhood and every household. No matter your race or your age, the sequester will have an impact on your life.

What does the sequester mean for our economy? What does it mean for our neighborhoods? What does it mean for your household? It means cuts to education. The jobs of 10,000 teachers are now at risk. It means cuts to small business. Small business loan guarantees will be reduced by up to \$540 million. It means cuts to food safety. There will be roughly 2,100 fewer food inspectors. It means compromising workplace safety. Workers will be less safe due to about 1,200 less safety inspections. It means cuts to mental health funding. Up to 373,000 mentally ill adults and emotionally disturbed children will go untreated.

The American people expect and deserve more. While Congress debates the

policies of deficit reduction, our struggling communities must cope with the consequences of our inaction. While politicians argue over tax cuts, our cities and towns—rural and urban—become less secure. Our children's futures become less secure. Our children are important.

We could talk all night about how and why we got here, but many of you at home, our constituents, only want to know how we're going to end the sequester, escape this fiscal limbo and set our Nation back on the right track.

The path to prosperity is built on compromise. As long as House Republicans insist on the Grover Norquist cut-only approach to budgetary health, Congress will not move forward. Simply put: A cut-only plan will not work. A true path forward will be a compromise built upon raising revenues and targeted cuts.

Just last week, this caucus, the Congressional Black Caucus, delivered a plan to House leadership on how to responsibly replace the sequester. The CBC budget replaces the sequester with commonsense cuts and revenue options that don't make the rich richer and the poor poorer.

Mr. Speaker, this constant cycle of fiscal calamities and cliffs is bad for the Nation. It's bad for our economy, and it is bad for our people. We were sent to Congress to move America forward. Time has run out for games. The sequester is not a game. It means real cuts that will affect the lives of real people.

Again, I thank the gentleman.

Mr. JEFFRIES. Thank you, Congresswoman FUDGE.

I now yield to the Congresswoman from the Golden State, Congresswoman BARBARA LEE from California.

Ms. LEE of California. Let me thank you for your tremendous leadership and pulling us all together tonight to talk about this impact of sequestration. And I also want to thank our chair of the Congressional Black Caucus, MARCIA FUDGE, for once again sounding the alarm and keeping us on track.

Let me first just start by saying we need to stop the sequestration, and we need to create jobs, lift the economy and reduce poverty.

The sequester will impact my congressional district in my home State of California and every single household in America. It will push 750,000 Americans into the unemployment line and slow our entire economy.

In my home State, for example, it will cut 8,200 children from Head Start and shut the door to college for about 9,600 students. Additionally, 600,000 to 775,000 eligible low-income women and children are going to be denied nutritional assistance because they're going to be cut from the WIC program.

Sequestration will impact everyone, but it will have a particularly harmful

effect on communities of color who were hit first and worst by the Great Recession and have yet to significantly feel the effects of the recovery.

Let me just read out 10 reasons which were recently highlighted by the Center for American Progress, and why communities of color and the African American community and Latino community particularly should pay attention to sequestration and the impact it will have in these communities.

First, there are going to be deep cuts to the long-term unemployed and the reduction of benefits will disproportionately affect people of color.

Extended Federal unemployment benefits remain vulnerable under sequestration, and the long-term unemployed—those out of work and searching for a new job for at least 6 months—could lose almost 10 percent, mind you, 10 percent of their weekly jobless benefits if the sequester goes into effect.

Now, 13.8 percent of African Americans and 9.7 percent of Latinos are unemployed. Worse than that, 40 percent of unemployed Asians, 38 percent of African Americans and 28 percent of Latinos have been unemployed for more than 52 weeks.

Secondly, workforce development programs that are vital to communities of color such as YouthBuild and Job Corps face significant cuts. YouthBuild is a program that connects low-income youth to education and training, and it could be cut about 8 percent.

Cuts to critical job-creation programs such as Build America Bonds are also on the chopping block. This was created in 2009 and provides incentives for infrastructure investments through the Tax Code.

Fourth, Federal budget cuts under sequestration would quickly mean cuts to Federal, State, and local public sector jobs which disproportionately employ women and African Americans. In 2011, employed African Americans comprised 20 percent of the Federal, State, and local public sector workforce, and women were nearly 50 percent more likely than men to work in the public sector.

Early child care funding could be cut by more than \$900 million, impacting thousands of children of color who benefit from these programs, programs that directly help the most vulnerable families and children such as, as I said earlier, WIC. They're threatened by sequestration.

Federal education funding cuts will disproportionately hurt students of color. If sequester goes into effect in the way it has been designed, nearly \$3 billion would be cut in educational loans, including cuts to financial aid for students and to programs for our most vulnerable youth.

Cuts to medical research put patients at risk. The National Institutes of

Health would lose \$1.5 billion in medical research funding, meaning fewer research projects would be aimed at finding treatments and cures for diseases such as HIV/AIDS, cancer, and diabetes, all of which are among the leading cause of death for African Americans.

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Since 2010, funding for housing has been cut by \$2.5 billion, meaning any additional cuts would significantly hurt low-income families and communities. Many housing programs, such as section 8 housing assistance, provide vouchers to low-income families for affordable housing in the private sector.

Finally, as the Nation continues to endure a cold winter, programs such as the Low Income Home Energy Assistance Program, which helps bring down the cost of heating for low-income households, are critical.

With that, Mr. Speaker, I would like to insert for the RECORD an article from today's New York Times, headed: "As Automatic Budget Cuts Go into Effect, Poor May Be Hit Particularly Hard." It explains that sequestration cuts, as they are called, still contain billions of dollars in mandatory budget reductions and programs that help low-income Americans, including ones that give vouchers for housing for the poor and the disabled and another that provides fortified baby formula to the children of poor women.

So I think we need to really listen to the Congressional Black Caucus and understand what this means in terms of vulnerable, marginal communities—communities of color and individuals who were hardest hit by the recession and who have yet to feel any of the economic recovery that has taken place and who are going to now have another hit in terms of the safety net and the quality of life. They don't deserve this. We need to get back to the drawing board and do what is right and what is fair.

[From the New York Times, Mar. 3, 2013]

AS AUTOMATIC BUDGET CUTS GO INTO EFFECT,
POOR MAY BE HIT PARTICULARLY HARD

(By Annie Lowrey)

WASHINGTON.—The \$85 billion in automatic cuts working their way through the federal budget spare many programs that aid the poorest and most vulnerable Americans, including the Children's Health Insurance Program and food stamps.

But the sequestration cuts, as they are called, still contain billions of dollars in mandatory budget reductions in programs that help low-income Americans, including one that gives vouchers for housing to the poor and disabled and another that provides fortified baby formula to the children of poor women.

Republican and Democratic lawmakers largely resigned themselves to allowing sequestration—a policy meant to force them to the negotiating table, not to actually reduce the deficit—to take wider effect after it started on Friday. That leaves agencies just seven months to carry out their cuts before

the fiscal year ends on Sept. 30. In many cases, they will eventually have to deny aid to eligible needy families.

Unless a deal is reached to change the course of the cuts, housing programs would be hit particularly hard, with about 125,000 individuals and families put at risk of becoming homeless, the Department of Housing and Urban Development estimated. An additional 100,000 formerly homeless people might be removed from emergency shelters or other housing arrangements because of the cuts, the agency said.

Local administrators are trying to decide how to put the mandatory 5.1 percent budget cuts into effect by the end of September. Adrienne Todman, the executive director of the District of Columbia Housing Authority, said that no person in her program currently using a housing voucher or living in a public facility would be affected or put out on the street.

But to absorb the cuts, Ms. Todman plans to defer maintenance and leave staff vacancies open. She may also not be able to fill open public housing units as tenants vacate them. And she may stop rolling over housing vouchers to families on the waiting list. Eventually, she said, she may have to furlough employees.

"It's a shame. It's more than a shame, it's despicable," Ms. Todman said, noting that her agency already lacked enough capacity to meet the district's needs. "These are real families that we have deemed eligible and are waiting to receive their voucher from us."

In Washington and across the country, families and individuals generally need to have very low incomes to be eligible for federal assistance. Public housing residents in Washington have an average annual income of just \$12,911. More than 40 percent are either children or the elderly, and more than a quarter live with a disability. In the voucher program, the annual income is even lower, just over \$10,000 a year, and similarly large proportions of residents are elderly, disabled or young.

"These people are very, very, very poor," said Sheila Crowley, the president of the National Low Income Housing Coalition, speaking of recipients of federal housing support across the country. "They don't have resources to fall back on."

In some places, officials have already started carrying out cuts. For instance, King County in Washington State, which includes Seattle, stopped issuing new housing vouchers on Friday.

"Sequestration will result in some 600 fewer families in our local communities receiving crucial rental assistance over the next year," Stephen Norman, the executive director of the county housing authority, said in a statement. "Because rents are so high, many of these families may, quite literally, find themselves out on the street."

Members of Congress have indicated that they might give agencies more discretion in fulfilling the cuts, to help blunt their impact. But policy experts said that in the case of many low-income programs, budget cuts would necessarily mean fewer people get help.

"There's no loose change in the cushions," Ms. Crowley said. "Anything you take out of HUD is going to reduce services and cut programs. There's just no fat there. There hasn't been for a long time."

Other programs that assist low-income families face similarly significant cuts, including one that delivers hot meals to the elderly and another that helps pregnant

women. Policy experts are particularly concerned about cuts to the supplemental nutrition program for women, infants and children known as WIC, which provides food and baby formula for at-risk families.

It is considered one of the most effective social programs in government, reducing anemia and increasing birth weights. But up to 775,000 low-income women and their children might lose access to or be denied that aid because of the mandatory cuts, according to calculations by the Center on Budget and Policy Priorities, a nonprofit research group.

The start of sequestration, a policy never meant to take effect, has left both sides seeking cover, with many Democrats dramatizing the impact of the cuts and many Republicans playing them down.

Some Republicans, in fact, have said that whatever the effect, the cuts are a necessary part of reversing the trend of the government spending more and taking on more debt.

"President Obama proclaimed that the sequester's 'brutal' and 'severe' cuts will 'eviscerate' America's domestic spending," Senator Rand Paul, Republican of Kentucky, wrote in a recent article published by Investors.com. "But 'eviscerate' is not the adjective I would use; in fact, I believe the sequester is a pittance."

The \$85 billion in cuts is just a small part of the \$3.6 trillion annual budget, but policy experts say that even those cuts that are being applied to programs that do not specifically focus on low-income people and communities will disproportionately affect them.

Other cuts might not hit low-income Americans specifically, but their impact could affect vulnerable families disproportionately. Those include cuts to programs that aid children with special needs; job-training programs that help unemployed people find a new career; foreclosure prevention services; and programs that help 150,000 veterans every year make the transition into the nonmilitary work force.

They also include a reduction in jobless benefits for the long-term unemployed. Those out of work for more than six months could see their checks shrink by as much as 11 percent.

The Budget Control Act, a 2011 law that created the automatic cuts, exempted "mandatory" spending programs that aid low-income Americans, like Medicaid, which receive automatic federal financing. But it did not exempt "discretionary" programs, whose financing Congress determines in its annual appropriations process.

[Feb. 22, 2013]

TOP 10 REASONS WHY PEOPLE OF COLOR SHOULD CARE ABOUT SEQUESTRATION

(By Sophia Kerby)

Thanks to congressional Republicans putting the economy in jeopardy during the debt ceiling debacle in the summer of 2011 and again in 2012, a package of automatic across-the-board spending cuts known as sequestration is set to go into effect on March 1, 2013. Senate Democrats have proposed a balanced approach to resolve this crisis, urging congressional Republicans to avoid the damaging sequester cuts by accepting a package of more tax revenue coupled with targeted spending cuts. But once again Republicans are threatening the economy by risking massive and harmful spending cuts that will hurt the middle class, damage the economy, kill hundreds of thousands of jobs, and harm the most economically vulnerable among us.

Sequestration will impact all Americans but will have a particularly harmful effect on communities of color, who were hit first and worst by the Great Recession and have yet to significantly feel the effects of the recovery. Our nation's demographics are changing, and communities of color are the fastest-growing group of Americans. It is important that we invest now in these communities, as we prepare for our nation's economic future and upcoming workforce needs.

Our driving focus should be on averting crises that slow our economy and instead, promoting policies that help all Americans.

Below are the top 10 reasons why communities of color should pay attention to sequestration and the impact it will have in these communities:

1. Deep cuts to long-term unemployment benefits will disproportionately affect people of color. Extended federal unemployment benefits remain vulnerable under sequestration, and the long-term unemployed—those out of work and searching for a new job for at least six months—could lose almost 10 percent of their weekly jobless benefits if the sequester cuts go into effect next week. These cuts will have a greater impact on people of color, as 9.7 percent of Latinos and a staggering 13.8 percent of blacks are unemployed, compared to only 7 percent of whites. What's more, in 2011, 40 percent of unemployed Asians, 38 percent of unemployed blacks, and 28 percent of unemployed Latinos were unemployed for more than 52 weeks.

2. Workforce development programs that are vital to communities of color such as YouthBuild and Job Corps face significant cuts. YouthBuild, a program connecting low-income youth to education and training, could be cut by about 8 percent under sequestration. Coupled with previous federal appropriation cuts in fiscal year 2011 by 37 percent, the program could see about one-third of its federal funding cut between fiscal year 2010 and fiscal year 2013. In 2010, 54 percent of YouthBuild participants were African American and 20 percent were Latino. Job Corps, an education and training program geared toward young adults, faces about \$83 million in cuts in FY 2013 under sequestration. In 2011, 72 percent of Job Corps participants were people of color.

3. Cuts to critical job-creating programs such as the Build America Bonds program are also on the chopping block. Build America Bonds, which were created in the 2009 stimulus bill, provides incentives for infrastructure investments through the tax code. Since its inception, the program has helped states and cities fund thousands of job-creating infrastructure projects at lower costs than traditional tax-exempt municipal bonds. Build America Bonds could see budget cuts of up to 7.6 percent, however, if sequestration goes through. Build America Bonds benefit all Americans, as more than \$106 billion of Build America Bonds have been issued by state and local governments in 49 states and the District of Columbia since the program started. Infrastructure investments stimulate employment in sectors that employ disproportionately high rates of workers of color, such as construction and public transit.

4. Federal budget cuts under sequestration would quickly mean cuts to federal, state, and local public-sector jobs, which disproportionately employ women and African Americans. In 2011 employed African Americans comprised 20 percent of the federal, state, and local public-sector workforce, and women were nearly 50 percent more likely

than men to work in the public sector. According to the Congressional Budget Office, scheduled cuts in federal spending were the primary driving force behind slow economic growth projected for this year, meaning thousands of lost jobs and cuts to federal contractors.

5. Early child care funding could be cut by more than \$900 million, impacting the thousands of children of color who benefit from these programs. Such cuts will mean 70,000 children will be kicked out of Head Start, a federal program that promotes the school readiness of children from low-income families from birth through age 5. Sixty percent of program participants are children of color.

6. Programs that directly help the most vulnerable families and children—such as the Special Supplemental Nutrition Program for Women, Infants, and Children, or WIC—are threatened by sequestration. WIC serves as a supplemental food and nutrition program for low-income pregnant, breastfeeding, and postpartum women and for children under age 5. The program could be cut by \$543 million—a devastating loss to the more than 450,000 people of color who benefit from its services.

7. Federal education funding cuts will disproportionately hurt students of color. If the sequester goes into effect, nearly \$3 billion would be cut in education alone, including cuts to financial aid for college students and to programs for our most vulnerable youth—English language learners and those attending high-poverty, struggling schools—impacting 9.3 million students. Such cuts will affect key programs that receive federally funded grants such as Education for Homeless Children and Youth and federal work study. The lack of access to financial aid for people of color will further exacerbate the student debt rates in these communities. In the 2007–08 academic year, 81 percent of African Americans and 67 percent of Latinos with a bachelor's degree graduated with student debt, compared to 64 percent of their white peers. Cutting access to these vital financial aid programs will curtail the higher education aspirations of tens of thousands of students of color.

8. Cuts to critical medical research put patients at risk. The National Institutes of Health would lose \$1.5 billion in medical research funding, meaning fewer research projects would be aimed at finding treatments and cures for diseases such as cancer and diabetes—both of which are among the leading causes of death for African Americans.

9. Since 2010 funding for housing has been cut by \$2.5 billion, meaning any additional cuts would significantly hurt low-income families and communities. Many housing programs such as Section 8 Housing Assistance provide vouchers to low-income families for affordable housing in the private market. In 2011 Section 8 aided more than 2 million low-income families across the country. Data from 2008 indicate that 44 percent and 23 percent of public housing recipients are African American and Latino, respectively.

10. As the nation continues to endure a cold winter, programs such as the Low-Income Home Energy Assistance Program, or LIHEAP, which helps bring down the cost of heating for low-income households, are crucial. The Low-Income Home Energy Assistance Program, which helped about 23 million low-income people pay their winter heat bills, is in jeopardy of being cut in FY 2013. Low-income communities, which tend to disproportionately comprise people of color, de-

pend on such programs to make ends meet during these tough economic times.

In order to avoid significant damage to the U.S. economy—and particularly to communities of color across the country—congressional Republicans should agree to a balanced package to replace the sequester and its damaging cuts.

Mr. JEFFRIES. Thank you, Congresswoman LEE.

The economic recovery, as you pointed out, is still in an extremely fragile state. Many of those most vulnerable Americans who were adversely impacted by the recession still have not been made whole in any way, shape, or form. Sequestration is an \$85 billion shock to the system. It may begin as a slow burn, but it is going to sear over time. It is going to hurt our most vulnerable Americans, as has been detailed in congressional district after congressional district after congressional district all across this country.

It is irresponsible for us to even have allowed it to get to this point, which is why we are advocating for everyone to come to the table to find common ground. This is a democracy, not a dictatorship. Because we are in a divided government, it is unreasonable to simply say “no revenues.” So as a result of this hardened position, we find ourselves in the midst of this sequestration.

We've been joined by the distinguished gentleman from New Jersey, my good friend, Congressman DONALD PAYNE, to whom I yield the floor.

Mr. PAYNE. Mr. Speaker, I want to thank my good friends and colleagues—Congressman HORSFORD from Nevada and Congressman JEFFRIES from New York, across the water from me—for once again anchoring this Special Order for the CBC on the impact of sequestration.

I came to Washington to work—to serve the hardworking families and individuals in my district who have been disproportionately impacted by this economy. I came to Washington to spur growth and development for the sake of this country's economic future. Unfortunately, my colleagues on the other side oppose any effort that would support this mission. Sadly, the only growth and development that the Republican leadership has spurred has been the development of lies and the growth of fear among the American people.

We now face the drastic cuts of sequestration because the Republican leadership in Congress refuses to adopt a balanced approach to our Nation's deficit and debt. Instead, they push drastic measures that would only further depress this economy. The fact is that it is impossible to reduce Federal debts without a healthy economy, and a healthy economy will not develop as a result of sporadic cuts but, rather, as a result of increased revenue, in part by an increased volume of working people who earn income and pay taxes.

This is common sense; yet the sequester and everything the Republican leadership has proposed undermines the current and future workforce, and it disproportionately harms low-income families and individuals.

At a time of great need for a skilled workforce, the sequester would cut workforce development programs and assistance for college students. As it was stated, YouthBuild and Job Corps are key workforce development programs that provide pathways to employment for low-income youth. These programs already experienced a 37 percent cut in fiscal year 2011, but they will face additional cuts under sequestration. TRIO programs are key Federal supports for first-generation college students to prepare them to attend and complete college. These programs serve nearly 800,000 students, and they will face cuts of almost \$43 million under sequestration.

In New Jersey, my home State, around 1,480 fewer low-income students will receive financial aid for college, and nearly 650 fewer students will receive work-study jobs. Approximately 15,000 students will be impacted by the cuts in education, and around 1,300 children will be removed from Head Start. Nationally, approximately 9 million students will be impacted due to cuts in education, and nearly 70,000 children will be removed from the Head Start program.

Further, under sequestration, the security of children and their families will also be impacted. Research shows that the Special Supplemental Nutrition Program for Women, Infants, and Children—WIC—improves birth outcomes, reduces child anemia and improves the participants' nutrition and health. It is widely regarded as one of the most effective social programs; yet under sequestration this program will be forced to cut an estimated 600,000 to 775,000 women and children. This is devastating.

These cuts are unnecessary and counterproductive. Democrats have offered commonsense solutions time and time again to our deficit issue, including the latest alternative to sequestration—H.R. 699. Unfortunately, the Republican leadership prefers manufacturing problems and not offering real solutions. The Republican leadership claims that their actions are in the name of our Nation's future and austerity for our children; but our Nation's deficit peaked at \$1.4 trillion in 2009, which was prior to their efforts to cut, and it has been falling ever since.

Our economy, though sluggish, is experiencing record growth. Now is not the time for arbitrary cuts. Now is the time to end the shameful attack on the middle class and the hardworking Americans. Pass a balanced approach. We are waiting for leadership in this area.

Mr. JEFFRIES. I want to thank the gentleman from New Jersey for pointing several things out, but particularly for making it clear that we have already made significant progress under this administration, in partnership with this side of the aisle, as we have attempted to move forward over the last several years as it relates to deficit reduction. I believe that we've cut approximately \$2.5 trillion—done—as it relates to deficit reduction. While certainly we're open to trying to figure out how to move forward in the best possible way as it relates to the economy, an \$85 billion shock to the system over the next several months and approximately \$1 trillion over the next 10 years is harmful as it relates to the ability to move the economy forward.

We are thankful that we have been joined by the distinguished gentlelady from the Virgin Islands, Congresswoman DONNA CHRISTENSEN.

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Mrs. CHRISTENSEN. I thank you for yielding, and I thank you for hosting this Special Order and for coming to the floor on many evenings to speak to the American people and make sure that they understand what is at stake here.

I am somewhat ashamed to come back to work this week because the sequester wasn't avoided, and the failure of Congress to work together and take action has put so many important programs that our fellow Americans rely on, so many jobs, and the early recovery from the recent recession at risk.

Our Democratic leaders said before the President's Day recess and again at the end of last week that we should not go home without fixing the sequester; and yet the Republican leadership, which sets the schedule, did not enable us to stay here and work together to prevent the cuts that everyone knows will hurt our country.

So under the Republican leadership—or lack of it—the Federal budget, which affects government workers, contracts, and programs in every department, will have an across-the-board ax taken to them. I think that we are smart enough that if the will was there, we would come together and reason to a far better approach than this blunt instrument that's now being applied.

It makes one wonder: what are our priorities? If we look at where the cuts will hurt the most, it does not tell a proud story—education and job training, Head Start, special education, health and programs like WIC that support the health of mothers and babies, mental health and substance abuse programs when we have seen so vividly and painfully how much these programs are needed, health care, law enforcement and homeland security, defense, housing, jobs and the economy, which is now struggling to recover.

And as often happens, people of color are disproportionately impacted. African Americans are more likely to work in the public sector where the jobs are going to be cut. We already have the highest unemployment and will be severely hurt by the reduction in unemployment benefits. The YouthBuild and Job Corps programs that were spoken about earlier, over 70 percent of the young people in those programs are African American and Latino, and those programs will be cut.

The TRIO programs, which have already been cut, caused the Virgin Islands' only Upward Bound program to be lost. They need to be more fully funded; but they, too, will suffer. And many low-income students will not have the benefit of their support to enter and complete college.

I want to focus on how it will affect my district, the U.S. Virgin Islands. We stand to lose \$13 million in Federal funding. The territories already do not participate in all of the Federal programs that the States do, and many programs are capped regardless of need or what would have been the eligibility in the States.

Already, over the past 2 years, the Virgin Islands Government has had to cut salaries 8 percent and laid off about 500 government workers. The abrupt closing of the HOVENSA oil refinery has cost 200 direct jobs and many more indirect ones. So that \$13 million does not tell the full impact, nor does it include the impact of possible layoffs, furloughs, or other reductions of the close to 800 Federal employees in the territory.

If we just look at WIC, Meals on Wheels, special ed, Head Start and HIV/AIDS, which serve almost 10 percent of our population of 106,405, a cut of any size will have a major impact on some of the most vulnerable in any society.

Unemployment is over 17 percent in St. Croix, the island on which I live and where the HOVENSA refinery was operating. The cuts in unemployment benefits will definitely be felt. All of these cuts hurt individuals and families, but like everywhere else, they have ripple effects across the entire community.

The American people expect better from us. They expect us to lead and to govern, to be responsive to their needs and to help the less fortunate. This 113th Congress thus far has not lived up to their expectations. The Congressional Black Caucus, as it always is, is prepared and poised to lead. We will soon be releasing our budget, which raises revenues, makes strategic investments that strengthen our country, and still would reduce the deficit over the next 10 years, more than any other budget that we've seen proposed, so we know it can be done. And we also know that the cuts the sequester would impose will cost this country more in the long run.

So where is the gain? We have been advised time and time again that the cuts in the sequester are the worst thing that we can do at this time; and although no one wants to talk about it, what we really need is another stimulus.

Last week the Fed Chairman, Ben Bernanke, strongly advised:

Congress and the administration should consider replacing the sharp, front-loaded spending cuts required by the sequestration with policies that reduce the Federal deficit more gradually in the near term and more substantially in the longer run.

That's what all reputable economists have been saying. We need to call off the sequestration before irrevocable harm is done and replace it with a sensible approach that recognizes and counts the savings that we have already put in place, that does not stifle the growth that we need and still reduces the deficit in the long run.

The American people are tired of the gridlock up here. They want us to work together. They also, in their vote in November, said very clearly that they support the President's approach and agenda. As the African Kikuyu proverb says: When the elephants fight, it is the grass that suffers.

My constituents are hurting, as I know all of yours are. The sequester only adds more pain and suffering and does nothing to reduce spending, because more spending will have to be done to clean up the mess the sequester will leave later on. Let's call it off and let's pass a responsible and fair budget for the rest of the year.

It's time for the Republican leadership to work with our President, the President of the United States, Barack Obama. Together, we can do better for our country and for those who send us here to represent them. We must do better.

Mr. JEFFRIES. Congresswoman CHRISTENSEN, thank you very much.

I think it's important to emphasize a point that you just made as it relates to what we should be doing to jumpstart the economy. We should be investing in the American economy, attempting to grow it so we can create prosperity for the greatest number of people possible, not using sequestration, which is a blunt instrument, to beat the economy and give it a pounding when it is already in an extremely fragile state.

We know that objective economists have said that sequestration will have an impact of 750,000 lost jobs. We can't afford that at this moment. We urge our colleagues to come back to the negotiating table.

I'm pleased that we've been joined by the distinguished gentleman from Illinois, Congressman DANNY DAVIS.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I want to thank the gentleman for his leadership in hosting this event. It is so good to see young

and talented individuals come to the Congress, building upon the experiences that they've had in their city, State, and local governments, and it's a pleasure to be here.

You know, I've been told that you can measure the humaneness of a society by how well it treats its old, how well it treats its young, and how well it treats those who have difficulty caring for themselves. I was just thinking that should the sequestration deal hold through the end of the fiscal year, between 600,000 and 750,000 low-income women, infants, and children will be turned away.

This would be not only unfortunate, but it would be a tremendous change in what precedence has been because traditionally, dating back to 1997, both parties have made it a point of trying to make sure that this population group did in fact have an opportunity to participate in the Women, Infants, and Children program and that low-income pregnant women, infants, and children, the most vulnerable members of our society, would be able to have the basic necessities of life.

And it was amazing to me this weekend, as I watched a little bit of television on Sunday morning, on the traditional Sunday talk shows, and how different Representatives were characterizing this action as: not as bad as some people thought it was going to be; it's not going to affect as many people as it seems; our country has not fallen into Lake Michigan.

Well, I can tell you, if you are a young, pregnant mother with no money, no place to go, and you rely upon the Women, Infants, and Children program to try to make sure that you produce a healthy baby who just comes into the world with a chance to make it and who, without these services, may come into life already disadvantaged, already behind.

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And so I don't know how we can actually do this with a good conscience. But, also, I can't imagine what it is that we're thinking. How do you cut, cut jobs and opportunities for people to work and expect to raise a recessed economy?

I've always been led to believe that you've got to have the exchange of goods and services. You've got to keep money flowing in an economy, in a society, to move it beyond the bottom up towards the top.

And so, in the recessed state that we're in, we need to be producing jobs, creating work opportunity, not furloughing, laying people off, having them wonder what they're going to be able to do. I think it's the wrong approach. I think it's not a good way to manage our resources, and I think it's not a good message that we're sending to the American people.

So, sir, I want to thank you, again, for the opportunity to participate with

you and other members of the Congressional Black Caucus as we raise awareness that, with this sequestration deal, our country is headed in the wrong direction.

Mr. JEFFRIES. Thank you, Congressman DAVIS, for your leadership and for your eloquence in laying out, in a very clear, concise, and articulate fashion, the problems with sequestration that we are forced now to confront here in America as a result of the irresponsibility of some in this Chamber.

I'm pleased that we've been joined by my distinguished co-anchor, the gentleman from Nevada, the Silver State, STEVEN HORSFORD. I now yield to Representative HORSFORD.

Mr. HORSFORD. Thank you, Madam Speaker. To my good friend and colleague, Representative JEFFRIES, thank you for co-anchoring this special hour, and to all of my colleagues who joined us tonight to discuss the impact of the sequester.

You know, far too often, talk of the so-called sequester ignores the very real people who feel the pain of unfair cuts. Our job, as Representatives, is to be the voice of our constituents. Well, tonight, I hope that we can have a frank discussion about what these cuts really mean to all of our communities.

My colleagues talked about the 750,000 to 1 million job losses that could result as a result of the sequester. Any day, Congress can pass a reasonable, balanced deficit reduction solution to avert these devastating, across-the-board cuts. That's what the American people are asking for, in fact.

According to a USA Today/Pew Research poll, three out of four Americans surveyed said that Congress should focus on a balanced approach to the deficit, with a combination of spending cuts, strategic spending cuts, and additional revenue.

Now, I know here in Washington, sometimes the focus is more on scoring political points, or seeing who can win the blame game. Well, Madam Speaker, the American people are watching, and they are fed up with the broken ways of Washington. They came out and they voted in November, and they sent a very clear message to all of us here in Congress that it is time for us to work together to put partisanship aside and to put our Nation first.

So, if all parties would come to the table, like we are supposed to, we can minimize the impact of the sequester on working families like mine in Congressional District Four. If we do our jobs, like the American people are rightfully demanding, we can reduce our debt in a responsible way and get our economy moving again.

So I call on my colleagues on the other side of the aisle: Come to the table, help find a solution, and let's fix some of these deep cuts that were never supposed to happen. I wasn't part of the Congress that enacted the se-

quester. I know my colleague, Mr. JEFFRIES, was not either, but we are here now, and we want to do our jobs on behalf of the constituents who sent us here.

This is victory for no one and a horrible loss for the American people. Now, if we let the sequester continue, our economic recovery will be thrown in reverse.

A study by George Mason University projects a loss of 2.14 million American jobs if we fail to act. Half of those jobs will come from small businesses, businesses that are the engines of our economy. Perhaps most unfair, as part of the sequester, our schools and our students will be hurt.

Now, a couple of weeks ago, I voted, along with many of my colleagues, to not adjourn this body, to stay here throughout the so-called District Work Week to work with my colleagues across the aisle to try to come up with a balanced solution to avoid these devastating cuts. But the leadership, the Republican leadership, decided to adjourn.

And so, instead of spending time with our families, we went out and met with our constituents to listen to them about what these cuts mean in their everyday lives. So let me talk to you about what this means in my home State of Nevada.

Nearly 300 Nevada children will lose Head Start and early Head Start services. These are programs that provide critical early education programs. At a time when we talk about wanting to close the academic achievement gap and allowing every child to start school ready to learn on day one, these impacts would deny services to 300 Nevada children. In fact, I already have 400 children who are on the waiting list for one of my Head Start providers, and families can't even get in to be served.

Primary and secondary education in Nevada would be cut by \$9 million, putting around 120 teacher and teacher aide jobs at risk. Funding for title I schools would be slashed.

One particular elementary school that I visited, Matt Kelly Elementary School, over 50 percent of their allocation from the school district is title I funding. How is that school supposed to maintain the services that they're providing to these young and deserving children?

Services like nutrition programs, full-day kindergarten, a parent center so that we can actually have parental involvement in our schools, that is what is under attack with these mindless, across-the-board cuts.

About 14,000 fewer students would be served, and approximately 10 fewer schools in my district would even receive funding under title I.

Disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents. When we talk about helping people get back to work, one of the biggest

impediments for many families is having access to child care.

Schools and families in my district need these programs to provide hungry students the meals that they need to focus in class, to fund math and reading intervention programs, and to keep their teachers employed.

We can reduce unnecessary spending, Madam Speaker, but these are the wrong places to cut, and everyone knows it on both sides of the aisle, in both Chambers of this Congress.

□ 2010

Now, some of these cuts won't heal. And as Mrs. Marian Wright Edelman of the Children's Defense Fund has aptly noted, we better be careful what we cut because some cuts don't heal. We don't get a second chance at Head Start. We don't get a second chance once our kids have moved on to the next grade, with or without the schools that they need. We don't get a second chance at the whole formative experience of education that so heavily influences the paths of our lives.

Opportunities are just that. They're there for a moment, and they disappear if you don't act. There is no reset button for your education. Once our children are in those classrooms, we set them on a track for success or failure. We tip the scales for or against them in the moment that they walk through the front doors of the schoolhouse.

We ask our students to study hard, meet deadlines and do their homework. That's their end of the bargain. We, as parents, are asked to be involved, to foster our children's growth and to pay attention to their needs. As Members of Congress, our end of the bargain is to make sure that our children's schools are well-funded institutions of learning.

Well, if anyone is grading Congress right now, we're not doing our job, Madam Speaker. We even gave ourselves a 2-month extension, but we missed our deadline and let cuts go into effect that Members from both parties have described as dumb, avoidable, and painful. Congress didn't make the grade.

When it comes to fixing the deficit, you have to be careful what you cut. As I said, according to the Children's Defense Fund, eliminating early education investments now would increase a child's chances of going to prison later by up to 39 percent. Paying for that prison will cost nearly three times more a year than it would have cost to provide them with a quality early learning experience.

Simply put, our kids are being short-changed by adults here in Washington. This is an adult problem, and it's time for adults to be adults and to come into this body and work together and solve this for our children and their future.

Let's make the right choice—adequately fund our schools and look out for our children.

I thank my colleague for yielding.

Mr. JEFFRIES. Thank you, Congressman HORSFORD.

I think what is important, as it relates to the moment we find ourselves in right now in America, is that there are some who make the argument that the reason why the sequestration cuts perhaps were acceptable is because we've got to do something to deal with our out-of-control spending problem—I believe that's the phraseology that is often used—that we have here in America. And certainly when you think about the debt number that we have, \$16 trillion, it strikes you as an extremely troubling situation.

And then of course we've had debates back and forth as it relates to the debt ceiling and suggestions from some in this Chamber that the President's effort to raise the debt ceiling is evidence of his willingness to be irresponsible as it relates to the economy.

What's interesting, of course, is that the debt ceiling is not a forward-looking vehicle that's designed to give the administration the ability to spend more. The debt ceiling is a backward-looking vehicle designed to give President Obama at this moment the ability to pay for bills that this Congress has already incurred.

And so when we talk about the notion that there is a spending problem in America, let's be accurate with what really is at issue. And the reality is that many of the bills that we've already incurred, that Americans are forced to pay for and borrow in order to meet our obligations, these were debts incurred by the prior administration.

In fact, this chart illustrates the dynamic that we find ourselves in as it relates to where we really are in America and how we got here. Under the prior administration of George W. Bush, we had two significant tax cuts that were not paid for in 2001 and 2003 that disproportionately benefited the wealthy and the well off. We had an unjustified war in Iraq that cost Americans in lives and in treasure and that contributed significantly to the deficit and our need to raise and borrow additional debt.

And then, of course, we had the collapse of the economy. It cost America, by some estimates, \$22 trillion in lost wealth, homeownership, and economic productivity. And as a result of the collapse of the economy, which took place under the prior administration—many argue they were sleeping at the switch and allowed some in Wall Street to engage in reckless behavior—we were forced to bail out some of the largest financial institutions in this country, which added to our financial burden here in America. And then when the administration came in, inherited a train wreck, in order to stimulate the economy we incurred some additional financial responsibility.

And so when you look at this chart, you can see what the projected debt is

as a result of things that occurred in the prior administration as a proportion of GDP. This is a dangerously high number. But we are at this point where the debt has increased relative to our GDP because of things that happened in the prior administration. And, in fact, if you look at the bottom of the chart, you see what the debt would be, much lower, as a proportion of GDP, had those things not occurred.

So when you talk about the need to get spending under control, let's be intellectually honest. Because when we're not, you lay out a scenario: Well, it's because of Social Security that we're in this situation. That's not the case. Well, it's because of Medicare and entitlements that we're in this situation. That's not the case. Well, it's because of Medicaid, and we have all of these takers—so-called takers—in our economy. That's not the case.

Two wars, one of which was completely unjustified, the other of which it's not clear whether it was prosecuted in the manner it could have been because we were distracted in Iraq; two enormous tax cuts that benefited the wealthy and the well off disproportionately; the collapse of the economy; a subsequent Wall Street bailout; and then the need for an economic stimulus package explains why we are where we are right now.

And so the sequestration is an irrational, irresponsible, illegitimate reaction to the reason why we are in this place. And that's why, Congressman HORSFORD, we are arguing for a balanced approach to our economic reality, the one that we confront right now.

I yield to the gentleman from Nevada.

Mr. HORSFORD. Thank you to my friend and my colleague from New York. And as you aptly noted, the history of how we got to this point needs to not be lost in this debate. And I know there are some who also want to now talk about the cuts that were made in agreement with the administration last year, along with those additional revenues which were approved in January, as somehow the answer for why there needs to be no additional revenue.

□ 2020

That doesn't take into account the \$85 billion of cuts that are now upon us under this sequester.

I'd like to just hit on three additional points, if I could. One is the unemployment impact.

We're focused on growing the economy, putting people back to work. In my home State of Nevada, we still have an unemployment rate above the national average. While our numbers are coming down, we don't need to add anyone to the unemployment lines. Under the sequester, some 750,000 to 1 million Americans will end up losing

their jobs unless this Congress comes together and finds a solution—a balanced approach, as you indicate.

In Nevada, that's 10,000 lost jobs. And of those jobs, the main areas that will be affected are the civilian positions at our Air Force bases—Nellis Air Force Base, Creech Air Force Base, and the Hawthorn Army Depot. It's estimated that some 1,400 furloughs will occur to civilian jobs, amounting to \$11 million in lost wages. These aren't just lost wages to these individuals and their families; it's \$11 million less of economic recovery that we so desperately need.

Then when you talk about our tourism and the impact to travel, the FAA will be required to cut its operational activities by nearly \$483 million. As a consequence, all FAA employees could be furloughed for 11 days, meaning as much as 10 percent of the FAA's workforce of 40,000 would be on furlough on any given day. So for those of us who travel, States like ours, yours in New York that rely on tourism to fuel our economies, that is going to affect our ability to recover.

On top of that, Nevada will lose funds for job search assistance to help those who are currently looking for work. Nevada could lose upwards of \$300,000 in funding for job search assistance, referral and placement, meaning that 10,000 fewer people will get the help that they need for the skills to help them find another job.

So these are the dire impacts that we see, talking to our constituents. These are the real impacts that we believe need to be addressed by this Congress in a balanced approach.

Mr. JEFFRIES. I thank you for highlighting some of the impacts that are going to take place in your district in Nevada.

If I might ask, Madam Speaker, how much time do we have remaining on our Special Order?

The SPEAKER pro tempore (Mrs. WAGNER). The gentleman has 4 minutes remaining.

Mr. JEFFRIES. Madam Speaker, I represent the Eighth Congressional District in New York. It was one of the districts that was hardest hit by Superstorm Sandy that struck on October 29.

The people of the Eighth Congressional District—neighborhoods like Canarsie and Coney Island, Sea Gate, Brighton Beach, Manhattan Beach, Mill Basin, folks who are in coastal communities along the Atlantic Ocean or who live near the Jamaica Bay—lost their homes, experienced significant damage, were displaced, lost property that can never be recovered.

They were victimized on October 29, and then this Congress attempted to come together to provide swift and immediate relief—as is our responsibility to do when Americans have been hit with disaster. A \$60 billion aid package

was passed in the Senate. Although there was a promise for a vote in 2012, it didn't happen. At the 11th hour, it was yanked because there were some who were arguing—again, in the name of alleged fiscal responsibility—that we should be considering offsets. Americans in need, desperate, but we should be considering offsets, unprecedented in the history of America's response to a tragedy.

Then, thankfully, in January, we came together. Common sense prevailed and we were able to pass that robust \$60 billion package. But now we've victimized those who were impacted by Superstorm Sandy in a district that I represent—and others in New York and New Jersey and Connecticut—for a third time because in this sequestration, \$2.5 billion in superstorm aid relief has been cut.

That's just one of the examples of how sequestration will impact folks in my congressional district and all across the country, which is why we've been arguing for a balanced response.

The other thing that I'd note: I was in Brooklyn a few days ago and had a meeting with public housing leaders. The New York City Public Housing Authority, which presides over public housing units in New York City—the largest such public authority related to public housing in the country—will experience a \$190 million cut as a result of sequestration. There are already residents of public housing in my district and all across the city of New York dealing with inhumane conditions right now—mold infestation, broken elevators, rat infestation, the inability to get repairs done on a timely basis, violence at levels that should not be tolerated. And instead of cutting almost \$200 million from the Public Housing Authority in New York, we should be investing more.

Madam Speaker, we're hopeful that we can arrive at a place where common sense will prevail and we can move forward to keep America moving forward in a reasonable way.

I yield to my colleague from Nevada to close.

Mr. HORSFORD. I just want to add that this debate begins and ends with the American people. We want to hear and listen to their views. We want you to know that you can go to # Be Careful What You Cut and tell us the impacts that you are seeing with this sequester and how it is affecting you. That way we can share those opinions and views with our colleagues to hopefully convince them that a balanced approach, working across party lines, both Chambers, the Senate and the House, coming together for the good of the American people is what we desperately need at this time.

Madam Speaker, thank you for allowing us to speak this evening and for the American people allowing us to be their voice in this representative government.

Mr. JEFFRIES. Madam Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, when the Congress adjourned last week, it did so without addressing the drastic spending cuts known as sequester. Now the March 1st deadline has passed, still with no action. Without the attention of Congress, these cuts will wreak havoc on our fragile economy and jeopardize the safety and security of families in this country. House and Senate Democrats have both offered reasonable, balanced plans to avert these damaging cuts, but the GOP has refused to work towards a bipartisan plan to reduce the deficit. We have had more than a year to reach a bipartisan agreement, and without an agreement these cuts will be balanced on the backs on our most vulnerable citizens.

I am specifically concerned about the effects of sequestration on the 30th District, and the state of Texas as a whole. Texas will lose approximately \$67.8 million for primary and secondary education, putting educators at risk and compromising our children's education. In Texas alone, approximately 52,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around \$274.8 million in total. These are not just numbers. Madam Speaker. These are mothers and fathers trying to provide for their families.

Under sequestration, 9,730 fewer children in Texas will receive vaccines, and our state will lose approximately \$3,557,000 to help provide meals for seniors. Texas will also lose approximately \$2,402,000 to help respond to public health threats including infectious diseases and natural disasters.

Madam Speaker, we must confront our federal debt and deficit, but we must do so in a balanced approach that does not further harm our weakened economy. Deficit reduction must be comprised by both decreased spending and enhanced revenue measures. I implore the House leadership and the Republican Members of Congress to come back to the table and get back to work.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HONDA (at the request of Ms. PELOSI) for today on account of a death in the family.

Mr. YOUNG of Alaska (at the request of Mr. CANTOR) for February 25 through March 7 on account of medical reasons.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

ADJOURNMENT

Mr. JEFFRIES. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 5, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

566. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Standards Related to Essential Health Benefits, Actuarial Value, and Accreditation [CMS-9980-F] (RIN: 0938-AR03) received February 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

567. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's "Major" final rule — Seismic Evaluation Guidance: Screening, Prioritization and Implementation Details (SPID) for the Resolution of Fukushima Near-Term Task Force Recommendation 2.1: Seismic received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

568. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-020, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

569. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-010, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

570. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-001, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

571. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-021, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

572. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Engineering Documentation Report for the Flood Damage Reduction Project for the Roseau River; (H. Doc. No. 113—13); to the Committee on Transportation and Infrastructure and ordered to be printed.

573. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and methods of accounting (Rev. Proc. 2013-20) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

574. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — March 2013 (Rev.

Rul. 2013-7) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of List of Plants, Grown in Commercial Quantities in the United States, Having a Preproductive Period in Excess of Two Years Based on the Nationwide Weighted Average Preproductive Period for Such Plant [Notice 2013-8] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Kentucky:

H.R. 933. A bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCLINTOCK (for himself, Mr. COSTA, Mr. DENHAM, Mr. NUNES, Mr. VALADAO, Mr. MCCARTHY of California, and Mr. LAMALFA):

H.R. 934. A bill to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; to the Committee on Natural Resources.

By Mr. GIBBS (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. SCHRADER, and Mr. MCINTYRE):

H.R. 935. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATHESON (for himself and Mr. DENT):

H.R. 936. A bill to amend the Help America Vote Act of 2002 to eliminate straight-party voting from any voting system used for Federal elections; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself and Mr. COBLE):

H.R. 937. A bill to support innovation and research in the United States textile and fiber products industry; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself and Mr. DEUTCH):

H.R. 938. A bill to strengthen the strategic alliance between the United States and Israel, and for other purposes; to the Committee on Foreign Affairs, and in addition to

the Committees on the Judiciary, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENTIVOLIO (for himself, Mr. GRIFFIN of Arkansas, Mr. WESTMORELAND, Mr. ROSS, and Mr. YOHIO):

H.R. 939. A bill to suspend the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, and certain other defense articles or defense services to the Government of Egypt; to the Committee on Foreign Affairs.

By Mrs. BLACK (for herself, Mr. FLEMING, Mr. FORTENBERRY, Mr. DAINES, Mr. BOUSTANY, Mr. JONES, Mr. CASSIDY, Mr. ROGERS of Alabama, Mr. NUNNELEE, Mr. LIPINSKI, Mr. HULTGREN, Mr. BONNER, Mr. CRAMER, Mr. BROUN of Georgia, Mr. JOHNSON of Ohio, Mr. WALBERG, Mr. TIBERI, Mr. KELLY, Mr. NEUGEBAUER, Mr. FLORES, Mrs. ELLMERS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. ROE of Tennessee, Mr. KING of Iowa, Mr. MURPHY of Pennsylvania, Mr. BENTIVOLIO, Ms. FOXX, Mr. RODNEY DAVIS of Illinois, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. FINCHER, Mr. WESTMORELAND, Mr. GRAVES of Georgia, Mr. BACHUS, Mr. BARLETTA, Mr. JORDAN, Mrs. WAGNER, Mr. BENISHEK, Mrs. BLACKBURN, Mr. WENSTRUP, Mr. SOUTHERLAND, Mr. SCHWEIKERT, Mr. HUELSKAMP, Mr. HARRIS, Mrs. HARTZLER, Mr. MILLER of Florida, Mr. SMITH of New Jersey, Mr. ROSKAM, Mr. PEARCE, and Mrs. WALORSKI):

H.R. 940. A bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H.R. 941. A bill to ensure that any authority of the Mutual Mortgage Insurance Fund to borrow amounts from the Treasury is used only to pay mortgage insurance claims; to the Committee on Financial Services.

By Mr. CROWLEY (for himself and Mr. SENSENBRENNER):

H.R. 942. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee:

H.R. 943. A bill to amend the Federal Crop Insurance Act to immediately reduce crop insurance premium subsidy rates from the higher subsidies provided since the Agricultural Risk Protection Act of 2000; to the Committee on Agriculture.

By Mr. GARCIA:

H.R. 944. A bill to provide for eligibility for relief from removal for certain Venezuelans; to the Committee on the Judiciary.

By Mr. SOUTHERLAND:

H.R. 945. A bill to remove from the John H. Chafee Coastal Barrier Resources System the areas included in Indian Peninsula Unit FL-92 and Cape San Blas Unit P-30 in Florida; to the Committee on Natural Resources.

By Mr. HOLT:

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus; to the Committee on House Administration.

By Ms. LEE of California (for herself, Mr. BURGESS, and Mr. VAN HOLLEN):

H. Res. 95. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Energy and Commerce.

By Ms. MOORE:

H. Res. 96. A resolution expressing support for designation of the week of March 3 through 9, 2013, as "School Social Work Week"; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Kentucky:

H.R. 933.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law" In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States" Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. MCCLINTOCK:

H.R. 934.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which confers on Congress the power to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. GIBBS:

H.R. 935.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, section 8, clause 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the Constitution of the United States or in any department or officer thereof.

By Mr. MATHESON:

H.R. 936.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 4, Clause 1 of the United States Constitution.

By Mr. PRICE of North Carolina:

H.R. 937.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, "to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." This authority is consistent with the bill's goal of promoting growth, innovation and research in the United States textile and fiber products industry.

By Ms. ROS-LEHTINEN:

H.R. 938.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. BENTIVOLIO:

H.R. 939.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. BLACK:

H.R. 940.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

By Mr. CAPUANO:

H.R. 941.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. CROWLEY:

H.R. 942.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DUNCAN of Tennessee:

H.R. 943.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Mr. GARCIA:

H.R. 944.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

By Mr. SOUTHERLAND:

H.R. 945.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

The Congress shall have Power to dispose of and make all needful Rules and Regula-

tions respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. CRAMER.

H.R. 23: Mr. WENSTRUP.

H.R. 25: Mr. WITTMAN.

H.R. 32: Mr. THOMPSON of California, Mrs. MCCARTHY of New York, Mr. PEARCE, Mr. GENE GREEN of Texas, Mr. SMITH of New Jersey, Mr. OWENS, Ms. SHEA-PORTER, Mr. PRICE of North Carolina, Mr. REED, Ms. GABBARD, Ms. SCHWARTZ, and Mr. BARBER.

H.R. 36: Mr. LUETKEMEYER, Mr. AMODEI, Mr. HARRIS, Mr. FITZPATRICK, Mr. YOUNG of Alaska, and Mr. MURPHY of Pennsylvania.

H.R. 69: Mr. SCHIFF.

H.R. 71: Ms. GABBARD.

H.R. 79: Mr. SABLON.

H.R. 93: Ms. ESTY and Ms. SHEA-PORTER.

H.R. 129: Mr. GRAYSON and Mr. PAYNE.

H.R. 137: Mr. LARSON of Connecticut, Ms. LOFGREN, and Ms. ESTY.

H.R. 138: Ms. LOFGREN and Ms. ESTY.

H.R. 141: Ms. LOFGREN.

H.R. 142: Ms. LOFGREN.

H.R. 148: Mr. SWALWELL of California, Ms. ESTY, Mr. LARSEN of Washington, and Ms. DEGETTE.

H.R. 164: Ms. GABBARD, Mr. COFFMAN, Ms. HERRERA BEUTLER, Ms. BROWNLEY of California, and Mr. WESTMORELAND.

H.R. 176: Ms. FOXX, Mr. MCCLINTOCK, and Mr. ROSS.

H.R. 180: Mr. ANDREWS.

H.R. 183: Mr. JONES.

H.R. 207: Mr. HARPER.

H.R. 241: Mr. GRIFFITH of Virginia.

H.R. 262: Mr. COURTNEY.

H.R. 282: Mr. BROUN of Georgia.

H.R. 283: Mr. STUTZMAN, Mr. FORBES, Mr. CONAWAY, and Mr. JONES.

H.R. 301: Mr. JOHNSON of Ohio.

H.R. 309: Mr. BENTIVOLIO, Mrs. LUMMIS, Mr. CHABOT, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. CRAMER, Mr. OLSON, and Mr. COLE.

H.R. 311: Mr. NEUGEBAUER, Mr. REED, and Mr. GRAVES of Georgia.

H.R. 324: Mr. REED and Mr. GIBSON.

H.R. 334: Mr. YOUNG of Florida.

H.R. 351: Mr. GRIMM and Mr. CARTER.

H.R. 354: Mr. ENYART, Mr. GRIJALVA, Ms. WATERS, and Mr. MORAN.

H.R. 357: Mr. COLLINS of New York.

H.R. 361: Mr. SMITH of Washington.

H.R. 382: Mr. YOHO and Mr. DUNCAN of South Carolina.

H.R. 401: Mr. CAMP.

H.R. 421: Mr. ANDREWS.

H.R. 437: Mr. LYNCH, Ms. MOORE, Ms. BASS, Mr. WAXMAN, Mr. MCDERMOTT, Mr. SMITH of Washington, and Mr. LANGEVIN.

H.R. 452: Mr. SCHIFF, Ms. LINDA T. SANCHEZ of California, Mr. SARBANES, Ms. HAHN, Mrs. BEATTY, Ms. BONAMICI, Ms. SCHWARTZ, and Ms. ESTY.

H.R. 453: Mr. BOUSTANY.

H.R. 454: Mr. DENT, Mr. FITZPATRICK, Mr. MEEHAN, and Mr. BARLETTA.

H.R. 460: Mr. COFFMAN, Mr. YOUNG of Alaska, Ms. NORTON, Mr. LEWIS, and Ms. MOORE.

H.R. 487: Mr. RODNEY DAVIS of Illinois.

H.R. 492: Mr. CRAMER.

H.R. 494: Mr. MARINO, Ms. DEGETTE, Mr. HASTINGS of Florida, Mr. COURTNEY, Mr. FITZPATRICK, Mr. CRENSHAW, Mr. HIGGINS,

Mr. WALBERG, Mr. DENT, Ms. MCCOLLUM, Mrs. ELLMERS, Mr. LANCE, Mr. DOYLE, Ms. SCHWARTZ, Mr. HANNA, Mr. GIBSON, Mr. AMODEI, Mr. HOLT, Mr. KING of New York, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. CHABOT, Mr. HONDA, Mr. ROSKAM, Mr. GRAVES of Missouri, Mrs. DAVIS of California, Mr. BENISHEK, Mr. KIND, Mr. MORAN, Mr. GARDNER, Mr. LAMBORN, Mr. LIPINSKI, Mr. POLIS, Ms. LINDA T. SÁNCHEZ of California, and Ms. PINGREE of Maine.

H.R. 501: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 503: Mr. DEFazio.

H.R. 519: Mr. SIREs.

H.R. 530: Ms. KUSTER.

H.R. 544: Mr. MCKEON and Mr. OLSON.

H.R. 555: Mr. CRAMER.

H.R. 569: Mrs. NEGRETE McLEOD, Mr. ENYART, Mr. MCGOVERN, Ms. BORDALLO, Mr. WESTMORELAND, and Mr. GRIJALVA.

H.R. 570: Mrs. NEGRETE McLEOD, Mr. ENYART, Mr. MCGOVERN, Ms. BORDALLO, Mr. WESTMORELAND, and Mr. GRIJALVA.

H.R. 580: Mr. HARRIS and Mr. DUNCAN of South Carolina.

H.R. 595: Ms. SCHAKOWSKY.

H.R. 627: Mr. YOUNG of Alaska, Mr. JOHNSON of Ohio, and Mrs. BLACKBURN.

H.R. 630: Mr. BISHOP of New York, Mr. RANGEL, Ms. ESHOO, Mr. BLUMENAUER, Mr. RUSH, Mr. POCAN, Mr. SMITH of Washington, Ms. SCHAKOWSKY, Mr. FARR, Mr. RAHALL, Mr. TONKO, Mr. MCGOVERN, and Ms. SLAUGHTER.

H.R. 657: Mr. CRAMER.

H.R. 661: Ms. SCHAKOWSKY.

H.R. 668: Mr. ROKITA, Mr. CRAMER, and Mr. RICE of South Carolina.

H.R. 671: Mr. BLUMENAUER.

H.R. 677: Mr. CRAWFORD.

H.R. 679: Mrs. CAPITO, Mr. LUETKEMEYER, Mr. NUGENT, Mr. NUNNELEE, Mr. PALAZZO, and Mr. STEWART.

H.R. 681: Mr. PETRI.

H.R. 683: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. BLUMENAUER, and Mr. GRIJALVA.

H.R. 688: Mr. YOUNG of Florida, Mr. FARR, Mr. CÁRDENAS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LOWENTHAL.

H.R. 689: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 690: Mr. STIVERS.

H.R. 693: Mr. FOSTER and Mr. VISCLOSKEY.

H.R. 699: Mr. JOHNSON of Georgia.

H.R. 705: Mr. WILLIAMS, Mr. GRIFFIN of Arkansas, and Mr. WESTMORELAND.

H.R. 718: Mr. NUNNELEE, Mr. ROSS, Mr. LUETKEMEYER, and Mr. GARDNER.

H.R. 724: Mr. STIVERS, Mr. BENTIVOLIO, Mr. GUTHRIE, Mr. JONES, and Mr. JOHNSON of Ohio.

H.R. 732: Mr. LUETKEMEYER, Mr. CAMP, Mr. YOUNG of Florida, and Mr. CRAMER.

H.R. 738: Mr. JONES.

H.R. 746: Mr. WESTMORELAND, Mr. MCKEON, and Mr. CRAMER.

H.R. 751: Mr. ROE of Tennessee.

H.R. 755: Mr. GALLEG0, Mr. ROHRBACHER, Mr. GIBSON, Mrs. LUMMIS, Mr. DEFazio, Mr. BENTIVOLIO, Mr. LOBIONDO, Mr. RANGEL, Mr. DUNCAN of Tennessee, Mr. COLLINS of New York, Ms. DEGETTE, Mr. GARAMENDI, Ms. SHEA-PORTER, Mr. REICHERT, Mr. NUGENT, Mr. SIMPSON, Mr. MESSER, Mr. CRAMER, Mr. ROSS, Mr. BLUMENAUER, Mr. TURNER, Mr. WALZ, Mr. LIPINSKI, Mr. FARR, Mr. CONYERS, Mr. WESTMORELAND, Mr. ROSKAM, Mr. OLSON, and Mr. AMODEI.

H.R. 762: Mr. ROSS and Mr. OLSON.

H.R. 763: Mr. DENHAM, Mr. YOUNG of Indiana, Mrs. CAPITO, Mr. GARDNER, Mr. GRIFFITH of Virginia, Mr. RODNEY DAVIS of Illinois, Mr. WESTMORELAND, Mr. DUFFY, Mr. GUTHRIE, Mr. MCCLINTOCK, Mr. TURNER, Mr. GINGREY of Georgia, Mr. OLSON, Mr. POSEY, Mr. GRIFFIN of Arkansas, and Mr. COTTON.

H.R. 784: Mr. SWALWELL of California.

H.R. 803: Mrs. ROBY and Mr. POE of Texas.

H.R. 810: Mr. ENYART and Mr. MCDERMOTT.

H.R. 813: Mrs. ROBY.

H.R. 822: Mr. DUNCAN of Tennessee, Mr. MORAN, Mr. CLAY, Ms. SEWELL of Alabama, Mr. CONNOLLY, Mr. MCGOVERN, Mr. TONKO, Mr. HIMES, and Ms. MCCOLLUM.

H.R. 823: Mr. STOCKMAN.

H.R. 828: Mr. ROSS.

H.R. 833: Mr. RIGELL, Mr. TURNER, Mr. NUGENT, Mr. WESTMORELAND, Mr. THOMPSON of California, Mr. FLEMING, Mr. COOK, Mr. REED, Mr. MCKINLEY, Mr. LAMBORN, Mr. YOHO, Mr. FRANKS of Arizona, and Mr. COLE.

H.R. 847: Mr. PETERS of Michigan, Ms. SCHAKOWSKY, Mr. CÁRDENAS, Ms. MATSUI, Mr. MORAN, Mr. RUSH, Mr. ISRAEL, Mr. DOGETT, Mr. LIPINSKI, and Mr. PRICE of North Carolina.

H.R. 850: Ms. SCHWARTZ, Mr. SAM JOHNSON of Texas, Mr. WESTMORELAND, Mr. MURPHY of Florida, Ms. VELÁZQUEZ, Mr. SCHIFF, Mr. SCHOCK, Mr. ROSS, and Mr. YOHO.

H.R. 874: Mr. ANDREWS.

H.R. 875: Mr. CAMPBELL and Mr. HANNA.

H.R. 894: Mr. MICHAUD.

H.R. 903: Mr. BARR and Mr. DENT.

H.R. 904: Mr. HANNA and Mr. COFFMAN.

H.R. 914: Mr. WESTMORELAND, Mr. WEBER of Texas, and Mr. NEUGEBAUER.

H.R. 919: Mr. LANGEVIN.

H.R. 920: Mr. MCNERNEY.

H.R. 930: Mr. GUTHRIE.

H.J. Res. 1: Mr. PITTINGER.

H.J. Res. 2: Mr. PITTINGER, Mr. YOUNG of Florida, and Ms. ROS-LEHTINEN.

H.J. Res. 27: Mr. OLSON.

H. Con. Res. 8: Mr. MURPHY of Pennsylvania.

H. Res. 24: Mr. BACHUS, Mrs. HARTZLER, Ms. SHEA-PORTER, and Ms. JENKINS.

H. Res. 36: Mr. STUTZMAN, Mr. SMITH of New Jersey, Mrs. WAGNER, and Mr. HARRIS.

H. Res. 51: Ms. SCHAKOWSKY and Ms. SLAUGHTER.

H. Res. 71: Mrs. NOEM, Mr. THOMPSON of Pennsylvania, Mr. MORAN, and Mr. BLUMENAUER.

H. Res. 75: Mr. WALBERG, Mr. COLLINS of New York, Mr. BARR, and Ms. BORDALLO.

H. Res. 76: Mr. BOUSTANY, Mr. KIND, Mr. BUCHANAN, Mr. COSTA, Mr. KEATING, and Mr. MORAN.

H. Res. 91: Ms. LOFGREN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 668, To amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

25TH ANNIVERSARY OF THE JEWISH COMMUNITY ALLIANCE IN JACKSONVILLE, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize and honor the 25th anniversary of the founding of the Jewish Community Alliance in Jacksonville, Florida. During this period of time, the JCA has become a pillar of good works in the community and has enriched the lives of tens of thousands of people who have sought assistance in a plethora of ways. JCA has worked tirelessly fulfilling its mission to enhance the quality of life for those in need regardless of age, religion, race, financial capabilities, and physical and mental abilities.

On April 20, 2013, the family of the Jewish Community Alliance will celebrate its positive impact on our community. Open to people—young and old—the JCA offers classes in fitness, gardening, and art. There are concerts for the young and the young-at-heart. You can learn chess or play sports in a family-friendly atmosphere. Summer days are filled with fun at a variety of youth camps, and kids and parents enjoy scientific discovery challenges together.

The JCA is celebrating a quarter of a century of providing pre-school age children with an enriched start in life and of offering adults and teens ways to improve their health and to partake in enrichment classes.

For the last 25 years the JCA has provided a place that benefits both young and old and has enhanced its participants' lives by allowing them to share intergenerational values. Children attend quality after-school programs that give comfort to their parents, and those with special needs, whether adults or children, are encouraged to reach their full potential with dignity.

JCA has a rich history of making a difference in our Jacksonville community. The faces of the children and those who come to the JCA may change each year, but the mission remains the same—making a difference in the lives of those it touches.

It is my honor to bring this historic commemoration of a quarter century of service to the community to the attention of the United States Congress and to invite Members to join me in extending our appreciation.

IN RECOGNITION OF THE HOSPICE AND PALLIATIVE NURSES ASSOCIATION ON THEIR 27TH ANNIVERSARY

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of my fellow nurses within the Hospice and Palliative Nurses Association (HPNA) as they celebrate their 27th anniversary. HPNA is the Nation's largest and oldest professional nursing organization and has consistently been a leader in excellence in the field.

Nurses are truly the backbone of our healthcare system. As our Nation ages, we will increasingly depend on the skilled care of hospice and palliative nurses to help our loved ones through difficult times. Their tireless dedication to patient education and care sustains our communities.

Last year I spoke at a briefing on Capitol Hill with hospice and palliative care nurses, families, caregivers, and patients to encourage discussion on this very important, yet often overlooked area.

Palliative care is a patient-centered philosophy that provides quality, compassionate end-of-life care. By honoring informed patient choice, palliative care nurses help make a challenging time a little easier for patients and their loved ones. I hope this topic continues to be part of our professional and personal dialogues.

This is important work and I hope you will join me in recognition of these leaders in aging and long-term care. Thank you for your unwavering commitment to quality nursing. I congratulate my hospice and palliative care nursing colleagues and wish them continued success.

NASHVILLE HIGH SCHOOL HORNETTES

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding victory of the Nashville Community High School Hornets girls' basketball team in the recent State Championships.

The Hornets put together an outstanding performance against their division's top ranked team to take the Class 2A State Championship 42–29. I would like to congratulate Coach Wayne Harre, whose efforts over the past 12 seasons as well as those of Nashville High School's coaching staff, teachers and adminis-

trators, have brought to fruition the talent of our youth and seen these fine young ladies achieve an outstanding result.

These young ladies: Erica Brown, Madi May, Katy Kosyodor, Kiley Pelker, Emily Gill, Shawn Rennegarbe, Rachel Reid, Jordi Harre, Hannah Yung, Shaye Harre, Alli Kellerman, Haylee Kania, Jeni Krawiecki and Madison Frerker have represented themselves, their school, and their community with distinction. I look forward to watching their future successes in both their academic and athletic pursuits and wish them all the best in these endeavors.

Mr. Speaker, I congratulate the Nashville Hornets on a job well done.

IN HONOR OF PEACE CORPS VOLUNTEER NICHOLAS CASTLE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. FARR. Mr. Speaker, I rise today to mourn the loss of Peace Corps Volunteer Nicholas Castle. Nick died on February 7th at a hospital in Chengdu, China after a brief illness. By all accounts, Nick exemplified the best of what both America and Peace Corps has to offer the world. He was a bright young man from Brentwood, California who brought a sense of humor, creativity, and a willingness to say yes to his life.

Service played an important role in the all too brief arc of Nick's life. Growing up in Brentwood, he worked with the city Youth Commissioner to support community service events that raised money for annual scholarships for college-bound students. As an undergraduate at the University of California, Berkeley, Nick was equally as invested in service as the Director of Global Outreach Week, a week of activities demonstrating the actions and benefits students and faculty can have around the world. He also worked with the local Peace Corps campus recruiter to encourage students to apply to serve.

In August 2012, Nick was sworn in as a Peace Corps Volunteer in China where he taught university-level English in Guizhou Province. In his short time there, Nick left a big impression, through the English classes he taught, community office hours he hosted, and ping-pong and badminton games he played. It is no surprise that his students called him "Mr. Sunshine."

I offer my profound condolences to Nick's parents, David and Susan Castle, and to his three brothers. There is no deeper pain for a parent than the loss of a child. But Nick leaves behind a legacy of accomplishments that have forever made this world a better place.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF THE COMMUNITY SERVICE AND COURAGE OF MARGARET "PEGGY SUE" O'DONNELL

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. CARTWRIGHT. Mr. Speaker, this Friday, March 8, is the date of the official dinner of the Grand Marshal of the 16th Annual Carbon County St. Patrick's Day Parade, and today I rise to recognize the leadership and community service of this year's Parade Grand Marshal, Margaret "Peggy Sue" O'Donnell.

Peggy Sue's first real job was in the microfilm department in the Carbon County Courthouse in Jim Thorpe, where she worked throughout high school and college. For the past 28 years, she has been a package car driver for United Parcel Service. She has received many citations for safe driving—quite a feat since she delivers packages to all of the businesses on Broadway and Race Streets in Jim Thorpe. As her customers (and their dogs) will attest, Peggy Sue is the face of UPS in Jim Thorpe, and her friendly and outgoing personality makes her an outstanding ambassador for her employer and profession in town.

She is a member of Immaculate Conception Catholic Church in Jim Thorpe. She is a charter member of the Ladies Ancient Order of Hibernians, Molly Maguire Division 1, Carbon County, and served as its president from 2008–2009. She has also held other volunteer positions in town and on the St. Patrick's Day Parade committee, including serving as an aide to 2003 Parade Grand Marshal John J. Mulligan.

Her "Fighting Irish spirit" has helped carry her through a courageous bout with cancer. Diagnosed in July 2012, she feels it has been the continuous prayers and support of friends and family that has been the best and most important medicine. Her illness has brought together a community in a positive way that no one could have imagined. She may have lost her voice, but she has never lost her radiant spirit.

Mr. Speaker, I send my highest congratulations to "Peggy Sue" O'Donnell on being named the Grand Marshal of this year's Carbon County St. Patrick's Day Parade, and my thoughts and prayers are with her on this day and always.

LAS VEGAS DANCE TROUPE TO PERFORM IN INAUGURAL PARADE

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. TITUS. Mr. Speaker, Las Vegans take pride in the different cultural heritages and traditions that have enriched our community, and contributed to our distinct identity.

Today, I stand to recognize a Las Vegas dance group that truly embodies this spirit, Comparza Morelense.

Rooted in their Mexican heritage, Comparza Morelense is well known throughout Southern Nevada, performing traditional dances and songs at numerous festivals and fairs for the last two years.

This January, Comparza Morelense's hard work and dedication were rewarded with an invitation to perform in the President's Inauguration Parade.

As the only Nevadan group invited to participate in the Parade, this was truly a prestigious honor.

On Inauguration Day, I proudly cheered them on as they represented not only Las Vegas and Nevada, but their rich cultural heritage as well.

Wolf Blitzer, newsman from CNN, also commented that the group with the beautiful costumes from the state of Morelos was the most colorful entry in the parade.

I submit the Las Vegas Sun article, "Las Vegas dance troupe to perform in Inaugural Parade," written by Tovin Lapan on January 10, 2013.

LAS VEGAS DANCE TROUPE TO PERFORM IN INAUGURAL PARADE

(By Tovin Lapan)

In the past two years, the Las Vegas dance troupe Comparza Morelense has quadrupled in size and gone from dancing at birthday parties and first communions to winning multiple parade trophies and performing in November at the Latin Grammys.

Despite the rapid rise in the group's popularity, no one expected the invite that arrived Dec. 20. In fact, some members of the group demanded to see proof the White House had indeed requested they participate in the parade at the 57th presidential inauguration.

"I submitted an application because (the parade organizers) asked us to. I think someone from the campaign saw us last year," said Stephanie Padilla, one of the group's members. "I got the email saying we were invited, and the first thing I did was tell my mom. She called the other dancers, and they didn't believe her. So, we had to show the letter to everyone."

Comparza Morelense started with 11 members in December 2010. The group now counts 40 members, ranging in age from 9 months to 65 years old, among its ranks. About 25 dancers will make the trip to Washington, D.C., to participate in the Jan. 21 Inaugural Parade.

Jesus Padilla and Maria Garcia, Stephanie's parents and co-founders of the group, started the dance troupe with other family members to help keep alive a tradition from their home, the Mexican state of Morelos.

"We started the group because we would dance after family dinners and parties, but we wanted a more formal way to share the tradition and our culture," Garcia said in Spanish. "We never thought it would lead to performing for the president. I think it reflects the president's interest in all of the races and cultures in the country, and how he seeks participation from all corners."

The Presidential Inaugural Committee is attempting to choose representatives from each state for the parade, and Comparza Morelense is the only invitee from Nevada so far, a committee spokeswoman said. In making its choices, the committee considers the type of performance, reviews videos and weighs how each potential participant would represent U.S. history, diversity and commitment to service.

The elation of inclusion for Comparza Morelense, however, was soon followed by

the reality of funding and logistics. * * * fundraiser, featuring food, games, a raffle and dance performance, from 4 p.m. to midnight Saturday at Elegante Banquet Hall, 3020 E. Bonanza Rd.

During a demonstration for media this week, the group's speakers cracked, popped and then conked out more than once. Garcia said Comparza Morelense typically would use a pickup truck and its own sound system during a parade, but for the Inaugural Parade the members would like to hire a DJ with professional equipment or, more traditionally, a live band.

No matter what, Comparza Morelense will make it all work, Garcia said, beaming with a wide smile at the thought of how far the group has come.

"When we started, we only set out to share this dance and piece of our culture with the community," Garcia said. "Now we get to go perform for the president. It's amazing."

Pablo Soriano, a 12-year-old who joined the group just a few months ago and will travel to Washington, dances in a black velvet costume embroidered with images of the sun and Tiger, from Winnie the Pooh.

"I like everything about the dance," Pablo said. "I like the jumping. You get exercise. You sweat. My mom and dad are from Morelos, and I feel like I'm carrying on the traditions. I also like how there are so many different cultures mixed together."

The dancers are called "Chinelos," and their origin dates to the Spanish conquest of Mexico. The indigenous people were persecuted and not allowed to openly practice their own religion. During Lent and Carnival, emboldened by the ability to wear masks in the festivities, some indigenous people wore costumes mocking the Europeans and danced through the streets. The Chinelos from Morelos, where in the colonial era there were large sugar plantations, are some of the first and most well known.

"The priests didn't let the indigenous people practice their customs, and they had no rights," Garcia said in Spanish. "When they had the chance (at Carnival preceding Lent), they put on costumes and made fun of them."

The costumes are elaborate and take between one and two months to make, Garcia said. The masks are typically light in color and feature a pointy upturned beard, a clear holdover from the dance's roots in imitating Europeans.

The costumes, made from velvet, are embroidered with elaborate designs that reflect the dancer's interests and often meld motifs from politics, religion and both European and Mexican culture. Some are images of indigenous Mexican mythology, many have depictions of the Virgin of Guadalupe, and others feature skulls, dragons, swords and even Disney characters.

The dance is called the "Brinco del Chinelo" (Jump of the Chinelo) and is left open to interpretation by the individual dancer. For the Inaugural Parade, however, Comparza Morelense is planning to do some extra choreography in an effort to present a more unified form for their moment in the national spotlight, Garcia said.

PERSONAL EXPLANATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. YOUNG of Alaska. Mr. Speaker, on February 28, 2013, I was unable to vote because of medical reasons and missed rollcall vote No. 55, on passage of S. 47, the Violence Against Women Reauthorization Act of 2013. Had I been present, I would have voted "yea."

I strongly support reauthorization of the Violence Against Women Act (VAWA), which was delayed for far too long. I am pleased that Congress was able to overcome the obstacles that blocked its final passage. VAWA's programs are a critical component of our Nation's effort to reduce violence and care for victims. Reauthorizing VAWA will help Alaska, and the rest of the country, combat the epidemic of abuse and rape that plagues our families and communities.

RECOGNIZING MINNETONKA GIRLS
ALPINE SKI TEAM**HON. ERIK PAULSEN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. PAULSEN. Mr. Speaker, congratulations to the Minnetonka High School Girls Alpine Ski Team.

The Minnetonka Girls took first place in the Minnesota State High School Alpine Ski Meet earlier this month in Biwabik, Minnesota. This is the Minnetonka Girls' second state title in four years.

Head Coach Steve Lindemer won his fifth state championship with the school since becoming Head Coach of both the Minnetonka Boys and Girls Alpine teams in 1998.

Megan Greiner, Anna Ewald, Megan Gartner, and Marlee Gartner all finished in the top 20 to secure the top team performance.

All of these athletes and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent, and recognize, such all-star athletes. Congratulations.

HONORING HAROLD O. BOUCHARD

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor Mr. Harold O. Bouchard of Hermon, Maine, who passed away on February 22, at the age of 77. Harold will be long remembered as an astute businessman who was well known for his philanthropy and community service.

From a single dump truck he purchased in 1958, Harold grew a business that today employs 175 people and stands at 100 trucks

strong. He became an innovator and fierce advocate for the trucking industry. Harold worked tirelessly to develop safer and more efficient trucks. As an advocate, he sought to ensure lawmakers understood that heavier six axle trucks were safe and important for businesses to compete. Because of Harold's efforts, Maine's roads are safer and Maine's businesses are stronger.

Harold also maintained a strong presence in the community, helping to found the American Loggers Council and the Professional Logging Contractors of Maine. Harold was also involved with the Maine Forest Products Council, the Forest Resource Association, Maine Motor Transportation Association, the Maine Better Transportation Association, and the Associated General Contractors of Maine. The Northeast Loggers Association, of which he was also a member, named him Outstanding Logger of the Year in 1991.

Few people can claim to embody the spirit of charity and community engagement as completely as Harold. He was instrumental in helping to raise \$13 million to improve cancer treatment services at Eastern Maine Medical Center. In 2003, Harold received the Bangor Region Chamber of Commerce's Norbert X. Dowd Award for his contributions to his industry and for his community service.

I was fortunate to have Harold as a supporter and ally in my ongoing efforts to allow states to increase the weight of trucks allowed on their highways. The work he did on this cause was instrumental in helping to make this goal a reality in Maine today.

Mr. Speaker, please join me in honoring the life of Mr. Harold O. Bouchard.

IN RECOGNITION OF RON CRITELLI

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Ron Critelli as he is honored as the "Man of the Year" by the Amerigo Vespucci Society of Long Branch, NJ. Mr. Critelli is truly deserving of this recognition for his exceptional service to the Amerigo Vespucci Society and the entire community.

Born and raised in Long Branch, NJ, Mr. Critelli has a strong connection to the community. He excelled in soccer and was elected as team captain of the Long Branch High School Varsity team for three years, leading the team to the NJ State Finals in his senior year. Mr. Critelli was the first in his family to graduate college, earning a Bachelor's Degree in Business Management from the University of North Carolina at Pembroke. In college, Mr. Critelli maintained his sense of community, joining the soccer team, serving as a member and Treasurer of the Pi Lambda Upsilon fraternity and participating in various campus events.

Introduced to the Amerigo Vespucci Society by his now wife, Loredana's family, Mr. Critelli became a member and remains active in the Society. Previously serving as a Councilor on the Executive Board, Mr. Critelli is the current Recording Secretary for the Society. He often assists with various Society events, including

the Wine Tasting Gala and the Family Picnic, for which he served as co-chair and chair respectively. Furthermore, Mr. Critelli co-chaired a fundraiser on behalf of Amerigo Vespucci Society members who were affected by Superstorm Sandy.

In addition to his community service, Mr. Critelli works as a Financial Advisor at Wells Fargo Advisors. He was recently honored by New Jersey Monthly Magazine as a 2013 New Jersey Select Wealth Managers.

Mr. Speaker, once again, please join me in congratulating Ron Critelli on his selection as "Man of the Year" by the Amerigo Vespucci Society for his continued dedication and service to the community.

COMMEMORATING EDWARD H.
LOCKWOOD**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to commemorate the life of Edward H. Lockwood, an American veteran from Long Island. Edward recently passed away and our community is mourning this profound loss.

Corporal Lockwood enlisted in the Army in 1942, and remained for the duration of World War II. He served in the 824th and 691st Tank Destroyer Units at Normandy, the Rhineland, Central Europe, and finally Ardennes, the Battle of the Bulge. Upon returning home to Glenwood Landing, Corporal Lockwood joined the American Legion Post 336 in Glen Head, New York, and worked for the Long Island Lighting Company until his retirement.

Mr. Lockwood joined the Glenwood Fire Company when he turned 18 and his only interval in service was substituted by his time in the Army. He served as Chief twice before being named Chief Emeritus, joining a privileged few who have been Glenwood Fire Company Chief three times.

Corporal Lockwood leaves behind three daughters and will be sorely missed by the Glenwood Landing community of which he was a part of for almost 92 years.

Edward was a true American patriot. In the wake of his passing, we should all remember the sacrifice our veterans make to keep us safe here at home. I am forever grateful for Edward's contributions as a serviceman and leader in his community on Long Island. I offer my sincerest thoughts and prayers to his family.

IDAHO'S TERRITORIAL
SESQUICENTENNIAL**HON. MICHAEL K. SIMPSON**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. SIMPSON. Mr. Speaker, on this day in 1863, 150 years ago, President Abraham Lincoln signed a congressional act creating the Idaho Territory. Twenty-seven years later, part of that territory would become the 43rd State, the State of Idaho.

The Idaho Territory was initially much larger than the borders of Idaho today; it included most of what would later become Montana and Wyoming. The territory, to be governed by William H. Wallace, an old friend of Lincoln's, was previously part of the Washington Territory.

Western Washington politicians moved to discard large tracts of land in eastern Washington Territory partly because the population in those areas was increasing rapidly and they wanted to assure Olympia would remain the capital of the region. That population increase was mostly gold miners seeking out their fortunes in the Clearwater region, now Idaho's panhandle. This goes to show you, Mr. Speaker, gerrymandering is not a new phenomenon; it is in fact one of the reasons the Idaho Territory was created in the first place.

However, the land mass for the Idaho Territory was so expansive that within a year Montana broke away, and four years later Wyoming did the same, leaving the Idaho Territory looking very much like the State does today.

In 1890, after 27 years as a territory, Idaho became the 43rd State. However, much of what distinguishes Idaho today came about during its territorial years, including the creation of its main highways, many of its public schools, its tax system, its tribal laws, its universities, its water laws, and indeed, its eventual Constitution, written in the summer of 1889 in Boise. Idaho's Constitution remains today almost exactly how it was written, and it still forms the basis for all Idaho laws to this day.

The citizens of Idaho have always demonstrated a unity and sense of pride in their traditions and history, and this rich history is what makes them who they are today. From the Canadian border to Yellowstone, from Craters of the Moon to Coeur d'Alene Lake, Idahoans celebrate today. It is my privilege today to commemorate Idaho's territorial sesquicentennial.

HONORING NIELS CHEW

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor and pay tribute to Niels Chew of Sonoma County, California, who passed away February 25, 2013 with his family at his side.

Mr. Chew was a loving husband of 58 years to his wife, Susan Wetherby Chew. He was a devoted father to his four children and a doting grandfather to his nine grandchildren.

He was a successful businessman, taking a small one-person operation and building it into a thriving small manufacturing company employing more than 40 people, including those with developmental disabilities.

Mr. Chew was also active in civic affairs. He was a trustee of the Sonoma Valley Unified School District Board where he served as Board Chair. He was also on the boards of the Sonoma Valley Hospital Foundation, Operation Youth, the Sonoma Overnight Shelter, El Nido Teen Center, and Stand by Me, Sonoma Valley's flagship mentoring program.

He and his wife generously supported Friends in Sonoma Helping, an organization providing assistance to residents down on their luck, with both their time and their financial resources.

In recognition of his work in the community, Mr. Chew received Sonoma's top service award in 2010 when he was named Alcalde, or honorary mayor.

Mr. Speaker, Niels Chew was proof that one man can make a difference. The legacy he leaves will be felt in the Sonoma Valley for decades to come. It is therefore appropriate that we pay tribute to him today and honor his memory.

RECOGNIZING CHASKA HIGH
SCHOOL'S CHAMPION GIRLS
JAZZ AND HIGH KICK DANCE
TEAM

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. PAULSEN. Mr. Speaker, congratulations to the Chaska High School Girls Jazz and High Kick dance teams.

The Chaska High School Dance teams—both High Kick and Jazz & Funk—took home repeat championship titles earlier this month with victories at the 2013 State Girls Dance Team Tournament.

Coach Kryz Rydland complimented her team's drive to constantly improve as key to their success this season and at the state tournament.

Special congratulations to captains Amanda Stelten, Sammy White, and Emily Pulvermacher.

This team's ability to combine art with athleticism has returned quite impressive results.

All of these athletes and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent, and recognize, such all-star athletes. Congratulations.

IN RECOGNITION OF CLARK E.
GUINAN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Clark E. Guinan, better known as Gus, who is retiring after a remarkable legal and public service career that spanned over three decades. Gus was the City Attorney of the City of Burlingame for the last four years. His devotion to justice and the Bay Area are reflected in his work and passion for life.

Gus, a native San Franciscan and third generation Californian, was raised in Los Altos. He enrolled in the seminary in Menlo Park at the young age of 13 and studied there through high school and college until he was 24 years old. He received his B.A. in Philosophy from St. Patrick's College.

After eleven years in the seminary, Gus realized that he had a different calling. He wanted to follow in the footsteps of his grandfather who was his hero and a prominent attorney in the California Attorney General's office. Gus started law school and earned his J.D. from the University of Santa Clara.

Upon earning his degree, Gus became a deputy public defender in San Joaquin County from 1974–1984. Then he accepted the position of Senior Assistant City Attorney in Palo Alto where he served for five years.

In 1989, he faced a difficult decision. He and his wife Signe Harnett had adopted infant twin girls. They still lived in Stockton and the daily commute to Palo Alto would prevent Gus from seeing his two babies grow up. He left public service and became a litigation attorney with the law offices of Rishwain, Kakim and Ellis in Stockton from 1989–1991. Gus' love for San Francisco drew the family back to the Bay Area and in 1991 they moved to Berkeley and he joined the law office of Barry Balamuth in Orinda.

In 1993, Gus returned to public service and accepted the position of Assistant City Attorney for the City of San Rafael where he stayed until 2008 when he was appointed to his most recent position of City Attorney of Burlingame.

Gus is a member of the Public Law Section of the California State Bar Association, the Bay Area City Attorneys Association, the Marin Public Agency Attorneys and an alternate board member of the California Joint Powers Risk Management Authority. In the past, he served as a delegate at the State Bar Convention in Sacramento, as a section editor of the Municipal Law Handbook of the League of California Cities and as a member of the board of governors of the San Joaquin County Bar Association. Gus has also lectured at the Delta Community College in Stockton and in the "Bridging the Gap" program. Last but not least, he has been a proud member of the San Rafael Elks Club since 2006.

In his well deserved retirement, Gus is looking forward to spending more time with his wife of 25 years, their now 24-year-old twin daughters Kate and Lindsey and their stepson Chris. He will finally have more time to lose himself in his passion for California history, hiking, travel, photography, reading and swimming.

Mr. Speaker, I ask the House of Representative to rise with me to honor Clark E. Guinan, a man with a brilliant legal mind and a big heart who has protected the rights and safety of the residents of Burlingame and other Bay Area communities.

RECOGNIZING ANN THOMPSON AS
THE 2014 SANTA ROSA COUNTY,
FLORIDA TEACHER OF THE
YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Ann Thompson as the 2014 Santa Rosa County, Florida Teacher of

the Year. Ms. Thompson has been an inspiration to her students, her colleagues, and her community, and I am honored to recognize her success and her many achievements.

The best teachers are those who not only educate, but those who strive every day to actively engage their pupils. Ms. Thompson embodies this spirit—she is an educator, a mentor, and a role model to those she serves. As a founding parent of West Navarre Intermediate, Ms. Thompson has played an integral role with the school for more than 14 years, the last 7 of which as an educator.

Throughout her career, Ms. Thompson has served in various capacities. Before joining West Navarre Intermediate, Ms. Thompson had a successful medical career for 25 years. However, she recognized that her true calling was teaching. With the goal of ensuring all children leave school reading at least on grade level in mind, Ms. Thompson earned the required teaching certification from the University of West Florida. Wanting to work in the very school that she helped build, Ms. Thompson has seen her dreams come true as a third grade teacher at West Navarre Intermediate.

The perspectives she gained from raising three children and serving in the medical field give her a unique experience base to better enrich her students education. Ms. Thompson's instructional techniques are calculated, research-based, and focused on the needs of the individual student by using exhaustive data analysis as well as daily observation. In doing this, Ms. Thompson recognizes the reality that each student is different, and she tailors her instruction to her pupils resulting in enhanced academic achievement.

Ms. Thompson's greatness extends well beyond her title as Teacher of the Year—it lies in the hearts and minds of the students who have been deeply affected, and I am proud to recognize the accomplishments that place her among the best of Northwest Florida.

Mr. Speaker, I want to congratulate Ms. Ann Thompson as Teacher of the Year and thank her for her exemplary service in the Santa Rosa County School District. My wife Vicki joins me in congratulating Mrs. Thompson, and we wish her all the best for continued success.

ALLEGANY COUNTY ADMINISTRATOR RETIRES AFTER 21 YEARS OF SERVICE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. REED. Mr. Speaker, I rise today to recognize the 21 years of dedicated service that John E. Margeson provided to Allegany County as County Administrator. Mr. Margeson began serving the Allegany County government over thirty years ago in 1977 as a probation officer. In 1982, he was appointed to be the administrative assistant to the chairman of the board and held that position until 1992 when he was appointed the county's first administrator. Mr. Margeson recently announced his retirement as Allegany County Administrator to be effective at the end of March 2013.

As the first county administrator in Allegany County, he spent over two decades making changes and updates as new federal and state mandates emerged. As a result of these mandates, the role of the Allegany County government has grown and reacted to the issues at hand. Mr. Margeson also helped oversee some of the largest capital projects in the county's history, including a new jail and a court annex. Making it a priority to attend every committee and full board meeting, Mr. Margeson provides extensive and invaluable knowledge to the board members.

Following his many years of dutiful work, Mr. Margeson looks forward to spending his retirement with his wife, two kids and his grandchildren. He also intends on playing many rounds of golf and his favorite card games in his hometown of Scio, New York.

I wish Mr. Margeson the very best in retirement and thank him for his public service.

HONORING ALPHA KAPPA ALPHA SORORITY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, each year we celebrate March as Women's History Month, and I wanted to take this opportunity to honor the women of the Alpha Kappa Alpha sorority for their decades of service and commitment to empowering their communities.

Alpha Kappa Alpha Sorority, Incorporated was founded on the campus of Howard University in Washington, D.C. in 1908. AKA is the oldest Greek organization established by African American college-educated women. From its humble beginnings, AKA has grown to 260,000 members with chapters in the U.S., the U.S. Virgin Islands, the Caribbean, Canada, Japan, Germany, Korea, and on the continent of Africa.

AKA membership is comprised of distinguished women who have excelled academically, and utilized the organization to promote our mission of "Service to All Mankind." Through AKA's human rights outreach, the organization works to raise awareness of human trafficking and domestic violence. The sorority also works to promote social justice through voter empowerment, civic engagement, and expanding access to education in minority communities. Through the organization's global poverty initiatives, AKA has focused its efforts to end hunger throughout the world, and to promote sustainability and independence through women-owned businesses and sustainable agriculture practices.

Mr. Speaker, I am a proud member of Alpha Kappa Alpha, and I am proud to highlight the many accomplishments of the organization. Throughout the years, AKA's outreach has expanded as it strives to promote high academic standards, mentorship, global health services, and the advancement of human and civil rights.

CONGRATULATIONS MONTANA SPECIAL OLYMPIANS

HON. STEVE DAINES

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. DAINES. Mr. Speaker, two Montana athletes recently competed in the Special Olympics 2013 World Winter Games in South Korea, and I want to recognize them for their efforts.

Dan Hazen of Great Falls and Kathy Rose of Kalispell made Montana proud when they were chosen to represent our state on a national stage. Of the 2,300 other athletes from 110 countries in PyeongChang, South Korea, they were the only two from Montana.

But it's been a long journey, filled with hard work and perseverance.

Their tireless dedication to their sport paid off when they placed first in their events at the 2012 Special Olympics Montana State Winter Games at Whitefish Mountain Resort. Then, they were chosen from a field of other gold medal athletes as Montana's representatives to the Games.

Hazen competed in the slalom, giant slalom and super G, alpine skiing events.

And Rose competed in the 100-meter, 200-meter and 4x100-meter relay snowshoe races.

These events require a lot of work and a lot of commitment—and I'm happy that their efforts were rewarded when they were chosen to compete in South Korea.

These athletes are true examples of what makes Montana great—their positive attitudes and tireless dedication exemplifies the characteristics that we value in our state.

Thank you for your hard work, thank you for making Montana proud, and congratulations.

PAYING TRIBUTE TO ELLEN K. ANNALA, PRESIDENT AND CEO OF THE UNITED WAY OF CENTRAL INDIANA

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. BROOKS of Indiana. Mr. Speaker, I rise today to pay tribute to Ellen K. Annala for her 23 years of service at the United Way of Central Indiana, including 15 years as President and CEO. The people of my Congressional district and the State of Indiana are forever grateful for Ellen's contributions and commitment to making the United Way what it is today, a powerful force for positive local development.

Over the years, Ellen's leadership has been critical in providing community leaders with the vision and necessary resources to discover new solutions and address the needs of our state and ensure the welfare of our citizens. As the first female leader of the United Way of Central Indiana, Ellen has been instrumental in bringing together Hoosier leaders from all walks of life to make our communities better places to live.

Due to Ellen's strong leadership, the United Way is making tomorrow a better place by

helping children today. She has tirelessly promoted early childhood learning by partnering with Indianapolis Public Schools in an effort to dramatically increase the number of children performing at grade level by sixth grade.

Today, the United Way of Central Indiana is even better equipped to support many of the region's rural communities as a result of Ellen's guidance. She has opened offices and brought resources to the five counties surrounding Indianapolis, giving the United Way the unique ability to respond to local needs.

On behalf of the grateful constituents of the Fifth Congressional District, I congratulate Ellen on the occasion of her retirement. Thank you, Ellen, for your 23 years of dedicated leadership with the United Way of Central Indiana. Best wishes to you as you pursue new challenges in the many bright years ahead of you.

IN RECOGNITION OF CASIMIR
PULASKI DAY

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize Casimir Pulaski Day. I believe it is important that each year we celebrate and retell the story of this great Polish-American hero of the 18th century, and no one does it better than Illinois with our state holiday. But it is not just the story of one man. It is also true that when we celebrate the memory of Casimir Pulaski, we honor great principles and values that are just as true today.

Principles like the idea of sacrifice for something you believe in, something much bigger than yourself. Casimir Pulaski was willing to risk and ultimately sacrifice his life for the idea of creating a new democracy—and today, young men and women are doing that very thing around the world. When we honor Casimir Pulaski, we honor our young men and women in uniform who are in harm's way even today.

The lessons of this day include the importance of international cooperation, US—Poland friendship, and immigration reform.

Casimir Pulaski made an amazing journey, considering the difficulty of travel in those days. He became, not just a participant in a historic struggle, but a great leader, a general, and helped shape the future of the United States of America. Young Polish soldiers are serving right now as part of a US-led coalition in Afghanistan and deserve our thanks today for standing shoulder to shoulder with us. When we honor Casimir Pulaski, we honor them too.

And how many young Poles living here in Chicago are waiting for their chance to be Generals or simply wear the uniform of the United States or study so they can discover a cure for cancer or be the entrepreneur that develops the next new technology? But a broken immigration system is blocking their dreams. We can honor Casimir Pulaski by working to make this generation of Americans welcoming to the dreamers and all Polish immigrants who have embraced this country.

I don't think Casimir Pulaski was asked for his visa when he mounted his horse and picked up his weapon. Today, visitors to our country from Poland should not be asked either. That is why, once again, I am a vigorous advocate for the Visa Waiver program for Poland. And by pushing for this change, we all honor the memory and heroism of Casimir Pulaski.

I hope that this day will be one during which all Illinoisans and Americans will focus on the significance of this day and this one man on our lives in the 21st century.

JAMESTOWN COMMUNITY COLLEGE
RECOGNIZED AS A "TREE CAMPUS USA" COLLEGE FOR
THE FOURTH CONSECUTIVE YEAR

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. REED. Mr. Speaker, I rise to congratulate Jamestown Community College and its faculty, staff, and student body whose commitment to the environment has earned them the distinguished award as a "Tree Campus USA" college for the fourth consecutive year. As the first community college in New York State to earn this distinction from the Arbor Day Foundation, JCC met the necessary criteria by fulfilling five standards: maintaining a campus tree advisory committee, campus tree care plan, providing annual expenditures to the tree program, observing Arbor Day, and service learning projects for students. By achieving these standards, Jamestown Community College displayed effective management of their campus trees and collaboration with the community to foster urban forests.

The Arbor Day Foundation created this national program to recognize colleges and universities who exhibit dedication to sustaining their campus and community forestry as well as engaging their student body and faculty in these conservation goals. With one million members, Arbor Day Foundation has grown to become the largest nonprofit organization dedicated to planting trees. It has helped campuses throughout the country plant hundreds of thousands of trees and last year "Tree Campus USA" colleges and universities invested \$23 million in campus forest management.

Jamestown Community College stands as an example to the community and other colleges and universities for making initiatives to sustain the environment by protecting and maintaining trees.

I applaud their many efforts and look forward to Jamestown Community College's continued leadership on this front.

ACKNOWLEDGING ADVOCACY AND
PUBLIC SERVICE OF MEMBERS
OF THE LINKS, INCORPORATED

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, March is Women's History Month, and I wanted to take this opportunity to acknowledge the advocacy and public service of the members of The Links, Incorporated.

As an organization, The Links has made service to others the founding principle of the organization. Through friendship, we build relationships based on the premise that by our numbers, we are strong. With that strength, we can uplift others.

The Links, Incorporated had as its humble beginning the friendship of two women, Ms. Margaret Hawkins and Ms. Sarah Scott. Formed in 1946, these women worked to engage the African American community in Philadelphia in civic, educational, and cultural opportunities. Each friend invited a friend, and today The Links, Incorporated, is represented by 274 chapters and more than 12,000 professional women of color.

Through its various initiatives, The Links, Incorporated is breaking new ground in providing humanitarian support and closing the achievement gap in our schools. In my role as Chair of the National STEM Career Readiness Initiative, I have used my platform as a Member of Congress to raise awareness about the need for students' science and math literacy, and to increase the ranks of women and minority STEM students, engineers, scientists, and those in academia.

Throughout the history of The Links, we have focused our efforts on children, as they will be the future generations of leaders. Recent initiatives include tackling childhood obesity in our communities, increasing the retention and graduation rates of minority students, and facilitating international involvement and global awareness to serve the educational, health, and cultural needs of people of African descent throughout the world.

Mr. Speaker, throughout the month of March we will be acknowledging women in history who have taken courageous steps and made significant impacts in their communities. The Links, Incorporated, have taken up the call for more than six decades, and through their efforts have transformed the lives of individuals and communities throughout the world.

HONORING JERRY BARBER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous volunteer firefighter, Mr. Jerry Barber.

In addition to serving his community as a volunteer firefighter, Mr. Barber is a member of the Leland High School Class of 1978, the cook for the Leland High School Booster Club, and he is also a carpenter.

Mr. Barber got his inspiration to be a volunteer firefighter from former Chief James Hasting of Leland, Mississippi. Mr. Barber thought he was brave and wanted to be like him. So, he started asking Chief Hasting about being a firefighter. Chief Hasting told him, "it's not about the money, it's about the life and property you save for others."

In 2006, Chief Michael Johnson of the Leland Fire Department hired Mr. Barber as a volunteer firefighter, where he is still employed. Since then he has taken great pride in being a fireman through training and certification. He is certified in Cardiopulmonary resuscitation (CPR). He is also trained and licensed to drive fire trucks along with mechanical knowledge and equipment maintenance of the truck. In addition to that, Mr. Barber has undergone training in other fire equipment operation and safety. Mr. Barber has excelled up the ranks since 2006 to become the Assistant Chief of the Leland Fire Department.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Jerry Barber for his dedication and passion for serving the city of Leland, Mississippi.

JOHN "JACK" HEIDECKER HAZLETON LODGE #200 "2012/13 ELK OF THE YEAR"

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor John "Jack" Heidecker as the Hazleton Lodge #200 "2012/13 Elk of the Year" for his loyal service to the Benevolent and Protective Order of Elks.

Originally from the Lehigh Valley area, Jack served in the U.S. Navy from 1960 to 1963 on the USS *Compton* DD705 out of Newport, Rhode Island. He later attended both Lehigh County Community College and then Temple University, graduating cum laude with a baccalaureate degree in Business Administration. Jack moved to the greater Hazleton area in 1986 and became a member of the Hazleton Lodge BPOE #200 in November of that same year.

Since joining the Hazleton Lodge BPOE #200, Jack has been an active and important member of the organization. He was Co-Chairman of the Lodge's House Committee as well as a trustee and currently serves as Chair of the Lodge Bulletin Committee. Jack is also a member of the Veteran's committee and Breakfast committee.

Mr. Speaker, I commend John "Jack" Heidecker for his committed service to the Benevolent and Protective Order of the Elks and congratulate him for being named the Hazleton Lodge #200 "2012/13 Elk of the Year."

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. REED. Mr. Speaker, I am writing to inform you that I was detained on February 28,

2013, and was unable to be on the House floor to vote. Had I been there, I would have voted as follows: rollcall 54—McMorris Rodgers Amendment: "no," rollcall 55—Passage of S. 47: "yes."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 5, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 6

9:30 a.m.

Committee on the Judiciary

To hold an oversight hearing to examine the Department of Justice.

SD-226

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the Department of Homeland Security at 10 years, focusing on a progress report on management.

SD-342

Committee on Veterans' Affairs

To hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of the Paralyzed Veterans of America, Vietnam Veterans of America, National Association of State Directors of Veterans Affairs, Fleet Reserve Association, Gold Star Wives, Air Force Sergeants Association, and AMVETS.

CHOB-345

MARCH 7

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the U.S. Africa Command and U.S. Transportation Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine patterns of abuse, focusing on assessing "Bank Se-

crecy Act" compliance and enforcement.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior.

SD-366

Committee on Foreign Relations

To hold hearings to examine United States policy toward North Korea.

SD-419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine safe and supportive schools, focusing on lessons from the field.

SD-430

Committee on the Judiciary

Business meeting to consider S. 150, to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, S. 54, to increase public safety by punishing and deterring firearms trafficking, S. 374, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, S. 146, to enhance the safety of America's schools, and the nominations of Sheri Polster Chappell, to be United States District Judge for the Middle District of Florida, Kenneth John Gonzales, to be United States District Judge for the District of New Mexico, Michael J. McShane, to be United States District Judge for the District of Oregon, and Nitza I. Quinones Alejandro, Luis Felipe Restrepo, and Jeffrey L. Schmehl, all to be a United States District Judge for the Eastern District of Pennsylvania.

SD-226

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold a joint hearing with the Committee on Homeland Security and Governmental Affairs to examine the cybersecurity partnership between the private sector and our government, focusing on protecting our national and economic security.

SD-G50

Committee on Homeland Security and Governmental Affairs

To hold a joint hearing with the Committee on Commerce, Science, and Transportation to examine the cybersecurity partnership between the private sector and our government, focusing on protecting our national and economic security.

SD-G50

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 12

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the U.S. Strategic Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed

session in SVC-217 following the open session.

SD-G50

2:30 p.m.

Committee on Health, Education, Labor, and Pensions

Subcommittee on Employment and Workplace Safety

To hold hearings to examine Job Corps budget shortfall, focusing on safeguarding workforce training for America's disconnected youth.

SD-430

MARCH 13

10 a.m.

Committee on the Judiciary

To hold hearings to examine fulfilling the promise of open government five years after the "OPEN Government Act".

SD-226

Committee on Veterans' Affairs

To hold hearings to examine Veterans Affairs (VA) claims process, focusing on a review of Veterans Affairs transformation efforts.

SR-418

2 p.m.

Special Committee on Aging

To hold hearings to examine Jamaican phone fraud targeting seniors.

SD-562

MARCH 19

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. European Command, U.S. Northern Command, and U.S. Southern Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SH-216

10 a.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine the American Airlines/US Airways merger, focusing on consolidation, competition, and consumers.

SD-226

APRIL 9

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the

possibility of a closed session in SVC-217 following the open session.

SD-G50

APRIL 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

HOUSE OF REPRESENTATIVES—Tuesday, March 5, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DESANTIS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 5, 2013.

I hereby appoint the Honorable RON DESANTIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

WELCOMING THE 14TH ANNUAL BIKE SUMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, as we wait for the Congress and administration to deal with how to do business differently for defense, for health care, for the Tax Code, we can take a break today as we welcome over 750 men and women from every State in the Union who are here for the 14th Annual Bike Summit. They represent, as you might expect, people from cycling clubs and the mountain bike industry. There are also dedicated recreational cyclists, those who are involved with bike tourism, which has become very big business, by the way. And speaking of business, there are representatives of bicycle repair, bicycle manufacturers, and others who design, manufacture, and sell equipment and apparel. Bicycles mean business, in my hometown alone over \$150 million of economic activity in a year, employing over 1,000 people.

As the Bike Summit attendees visit Capitol Hill later this week, we will have an opportunity to hear from peo-

ple of all ages, all walks of life, communities large and small. They are firm in the belief that the Federal Government should be a stronger partner in capitalizing on the most efficient form of urban transportation ever designed.

Bicycles burn calories, not fossil fuel, and take up a 10th of the space of a car. More importantly, for those who drive, every bicycle in the protected bike lane next to you is not a car in front of you or competing for a scarce parking space.

The goal here is to give Americans more choices about how they move, making it safe for children to walk or bike to school. It helps those children, it relieves stress on the family, and can cut 30 percent of the rush-hour congestion. Bicycling helps kids stay active at a time where we are obsessing about a lack of physical activity for our children, a level that is already too low and declining. Bicycling is a natural remedy.

Cities of all size are participating in the bicycle revolution. It would not be nearly as advanced as it is, but for \$8.9 billion of Federal investment since the original ISTEA reauthorization. It has accelerated programs, leveraged other investments and has increased transportation capacity for everybody, and done so more cost effectively than any other expenditure. By the way, \$1 million invested in bicycle facilities creates more family-wage jobs than simply constructing more miles of highway.

It is also easier and faster to accomplish. At a time when America has an infrastructure deficit that is in the trillions of dollars, when that infrastructure is falling apart and unreliable, our coalition for policies and resources to rebuild and renew America will be stronger if it includes the millions of Americans who travel by bike.

I strongly urge my colleagues and their staff to take the time to visit with these advocates this week. Hear their stories about transforming communities of all sizes: rural, urban, suburban. Most important, learn how they are giving families safe transportation choices that they never had before. Visit with these cycling leaders. More important, at home, when you are back, get on a bike, walk a trail, join the volunteers, witness an event with your family and talk to the bike businesses and community partners. All of these stakeholders can help us visualize what the Federal partnership could mean in making communities

across America more livable and our families safer, healthier, and more economically secure.

HONORING MRS. ANN MARIE KILCOURSE WILSON OF JOHNSTOWN, PENNSYLVANIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ROTHFUS) for 5 minutes.

Mr. ROTHFUS. Mr. Speaker, today I rise to recognize Ann Marie Kilcourse Wilson of Johnstown, Pennsylvania, an extraordinary woman. She passed away on February 19, 2013, at the all-too-young age of 47, following a brief and courageous battle with cancer.

Mrs. Wilson could have been anyone's daughter, anyone's wife, anyone's mother, co-worker, employer, or fellow church member. She was extraordinary because she excelled in each of these roles. She was a woman for all seasons.

Ann Wilson was born in 1965 in the Bronx of Irish stock, the daughter of Thomas and Francis Kilcourse. She graduated from St. John the Baptist High School in West Islip, New York, and earned a degree in political science from the Catholic University of America. She worked in New York City before moving to Johnstown, the hometown of her husband, Bill.

In the mountains of western Pennsylvania, this daughter of the Bronx became an adopted daughter of Johnstown, and she has thrived there. She brought into the world three beautiful children: Katie, Billy, and Clara, whom she and Bill loved dearly. And while she was raising her family, Ann pursued her professional calling with excellence and determination as the marketing director of The Gleason Agency.

Her energy was incomparable. The energy of her professional work could also be seen in her commitment to public service. In 2005, Ann made her first attempt at public office and won a 4-year term on the Johnstown City Council. She took the oath of office in January 2006 and was the first Republican woman elected to the council. Notably, Ann was the top vote-getter on the ticket, beating out seven incumbents. In a city where Democrats outnumber Republicans 7-3, she was the top vote-getter, demonstrating her broad bipartisan appeal.

□ 1010

She was reelected in 2009 and appointed deputy mayor of Johnstown in January of 2010. She also served as executive director and later chairman of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the Cambria County Republican Committee. In 2012, Governor Tom Corbett appointed her to the Pennsylvania Commission for Women, and she was elected as a delegate to the 2012 Republican National Convention.

While her energy and professional accomplishments were remarkable, the two things that mattered most to her were her family and her church. Mrs. Wilson lived for her husband and children, and she rarely missed a sporting or school event that involved the kids. She loved family time and family vacations, and she was deeply committed to her Catholic faith. She was also a strong advocate for the right to life and compassion for all.

In a world and time given to cynicism and doubt, Ann Wilson stands out in stark contrast. She is a role model for excellence in family life, professional work, and community engagement. Indeed, she was full of passion for the things of life that really mattered.

It is a privilege to stand here today to remember Mrs. Ann Wilson of Johnstown, Pennsylvania. Her family's and Johnstown's loss is Heaven's gain. May she rest in peace and may her family be comforted in their loss. She will be missed not only by her husband and children, but by her community.

PROJECT EXILE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the talk around town is the paranoid gun control crowd that want more gun restrictions and more government control over guns.

If they had their way, some of them would actually outlaw the Second Amendment, and the result would be that the people would have no guns. The only ones that would have guns would be the government and, of course, criminals who ignore gun laws. I call it the "Mexico model."

Guns are outlawed in Mexico. The citizens cannot possess guns. There is no Second Amendment and so the government has guns and criminals have guns. Some of those criminals have guns thanks in part to the United States Government sending 2,000 assault weapons to them in Fast and Furious. But that's another story.

U.S. cities are moving toward the Mexico model. Chicago and Washington, D.C., have laws that make it very difficult for a citizen to exercise the Second Amendment. These cities make it difficult to even own a firearm. But all three places—Mexico, Chicago, Washington, D.C.—all have a reputation of being violent, unsafe places. Why? Because they are.

If D.C. was so safe, why are government guards everywhere in the city? Even here in this Capitol building,

there are armed guards on the roof, at the doors, at the back doors, at the doors over to the east and to the west. It's hypocritical of the gun control crowd in this Chamber to say "more guns for me, but not for thee."

If these cities were safe, gun control laws would work, but they don't work. But there is a Federal law that the city of Richmond, Virginia, took advantage of, and it goes back to 1997. Richmond, Virginia, was one of the top five U.S. cities with the highest per capita murder rate in the United States. So the city used a Federal law to help them control the crime problem. Project Exile is the name. The local and State government voluntarily cooperated with the United States Attorney's Office in gun prosecutions.

Here's how it works: if a local or State law enforcement official arrested some criminal for a felony offense but the person also had a gun, the State official could voluntarily transfer the case to Federal court because in Federal court the person could be prosecuted by the U.S. Attorney's Office and get an additional 5 years in the Federal penitentiary because the criminal, the drug dealer, had a firearm in their possession.

It's a simple plan that worked quite well. In fact, it worked so well that in the first year Richmond, Virginia's homicide rate was down 33 percent. By 1999, homicides in Richmond, Virginia, were down 97 percent—all because the criminal was prosecuted for unlawfully possessing a firearm and the government put their resources where they should: prosecuting criminals that use guns in the commission of their offense.

The law held the criminal accountable and exiled him out of the community. That's where the phrase "Project Exile" comes from. He was exiled from the community to the Federal penitentiary where other criminals were.

Lock the gun-toting crooks up and send them away. What a novel idea: a law that's already on the books. Maybe violent cities like Chicago and Washington, D.C., should look at Project Exile and hold criminals accountable for the violence that they commit and not be misguided by some who continue to assault the Second Amendment and not punish criminals.

Maybe our system should focus on the person who commits the crime with the weapon as opposed to trying to punish really good folks that own firearms and exercise their right under the Second Amendment to bear arms.

And that's just the way it is.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 16 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live and for this great Nation which You have inspired in developing over so many years. Continue to inspire the American people, that through the difficulties of these days, we might keep liberty and justice alive in our Nation and in the world.

Grant an extra measure of wisdom and perseverance to the Members of this House, that the difficulties facing our Nation might be addressed to the benefit of all.

Give to us and all people a vivid sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other. So shall we make our Nation great in goodness and good in its greatness.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Mrs. CAPPS) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPPS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HEALTH CARE CONSCIENCE RIGHTS ACT

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, our Founders believed that conscience and religious rights occupied the highest rung on the civil liberty protection ladder. The Obama administration has fallen short of these expectations.

As a fifth-generation Montanan and a person of faith, I know that my faith does not begin and end at the doors of our church. Living the principles of what I believe is a key part of my faith.

But under the Affordable Care Act, religious institutions and employers, as well as health care providers who hold religious and moral convictions, are stripped of their religious freedoms. Religious institutions and employers are forced to pay for coverage of contraceptive methods. Health care providers do not have the protection to refuse to perform abortion services that they are morally opposed to. That is a violation of the First Amendment.

That is why I am proud to help introduce the Health Care Conscience Rights Act, which will uphold our constitutional rights of religious freedom and uphold our moral calling to practice life-affirming health care.

UPHOLDING VOTING RIGHTS ACT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this weekend I joined a trip led by Congressman JOHN LEWIS to some of the landmark sites of the civil rights struggle, culminating in a walk across the Edmund Pettus Bridge on the 48th anniversary of that historic march. The trip underscored the importance of the Voting Rights Act, which is responsible for much of the progress we have made toward eliminating voter discrimination, and the need for the Supreme Court to uphold section 5 of the law in the case pending before it.

Meanwhile, in Congress, we should be working to eliminate the inexcusably long lines at polling places across the country and ensure that every American who wants to cast a ballot is able to do so.

Decades ago, Congressman LEWIS helped lead the fight for the idea that all Americans should be able to participate in our democratic process. It is my hope that the Supreme Court and this Congress will honor that struggle in the years ahead.

SEQUESTER AND FEDERAL SPENDING

(Mr. BENTIVOLIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENTIVOLIO. Mr. Speaker, before I came to Washington, I was a high school teacher. To be a good teacher, I had to make things understandable for

my students in the classroom. With the budget, I knew that there had to be an easier way to explain the numbers I was looking at to the people who sent me to Washington. Thomas Jefferson once wrote that an informed public was vital to our continuing democracy. I would like to share with you how the sequester affects Federal spending.

Spending is expected to be around \$3.8 trillion; that's the number 38 followed by 11 zeros. The sequester is \$85 billion; that's the number 85 followed by nine zeros. That's a lot of money.

The best way to understand these numbers is to take eight zeros off of both of them. The President is complaining that we are taking an equivalent of \$850 from a budget of \$38,000. This is all pretty hypocritical after he forced hardworking Americans who actually have to live on \$38,000 a year to pay another \$760 or so in increased taxes as part of his fiscal cliff deal.

The people in my district want us to get serious about the enormous spending that's happening here in Congress. We should be able to have a reduction in the increase of spending without acting as if it will cause the end of the world.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HARRIS). The gentleman is reminded to avoid inappropriate references to the President.

SEQUESTRATION ISN'T A SOLUTION

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, yesterday I visited Core Composites, a company located in Bristol in my home State of Rhode Island. Because of sequestration, this small business has been notified that funding for a government contract will be reduced by hundreds of thousands of dollars.

I also recently met with Alexion, a pharmaceutical manufacturer in Rhode Island, whose FDA approval of a life-saving drug will likely be delayed because of sequestration. Countless other small businesses across our country are facing these same challenges today because Washington failed to take action to avoid sequestration.

Sequestration isn't a solution to our Federal deficit; it's a penalty that goes into effect because Republicans and Democrats failed to work together to responsibly reduce the deficit. And it's a penalty that will place a heavy toll on hardworking men and women across our country.

We spend a lot of time fighting in Washington. Now it's time for us to work together to reach a commonsense solution on this issue. Congressman CHRIS VAN HOLLEN has offered a very detailed alternative to sequestration that I'm proud to cosponsor that would

cut spending responsibly, repeal subsidies to Big Oil, adopt the Buffett rule, and preserve the Medicare guarantee for seniors. Rather than pointing fingers, we should be looking at this and other reasonable alternatives that would provide critical relief for working families right now.

□ 1210

HONORING THE LIFE OF RALPH WALDO ELLISON

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. Mr. Speaker, I rise to be able to pay honor to a man who deserves honor. March 1 would have been Ralph Waldo Ellison's—we know him as Ralph Ellison—100th birthday.

Ralph Ellison is a proud son of Oklahoma City. He's a graduate of Douglas High School in Oklahoma City. He hopped trains to Tuskegee to go to Tuskegee College on a music scholarship.

He's a musician, he's a sculptor, and he's the writer of the famous work, "Invisible Man." It was the defining work of African American literature in the 1950s, and still continues today as being one of the defining works to be able to point our culture to not ignore racial injustice, social injustice, and economic injustice that still occurs in our Nation today.

His work ethic, his passion for education, and his passion for justice is a great example to all Americans. I rise to be able to honor a great Oklahoma citizen, Ralph Ellison, and begin a one-year celebration of his 100th birthday.

THE NAGORNO-KARABAKH REGION OF AZERBAIJAN

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. This year marks the 25th anniversary of a critical turning point in the political freedom of the Armenian people of Azerbaijan. Let us take this occasion to remember their struggle for self-determination and freedom.

In 1988, the Nagorno-Karabakh region of Azerbaijan petitioned to become part of Armenia. For the next 2 years, the Armenian population was the target of racially motivated pogroms. Hundreds of Armenians were murdered and more wounded during three violent attacks in Sumgait, Kirovabad, and Baku.

In 1991, Nagorno-Karabakh officially declared independence, becoming a democratic state committed to freedom and respect for human rights. But today, the people of Nagorno-Karabakh are still forced to live under authoritarian rule. As we commemorate their century-long struggle, let us not forget their quest for autonomy and justice.

WE MUST RESTRAIN SPENDING

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this year the United States Treasury received more revenue than any year in the history of our Nation, yet we will spend a third more than we take in. Clearly, we do not have a revenue problem. We have a spending problem.

The Budget Control Act signed into law last year was a good first step towards deficit reduction, half of which has already been put in motion. With the Supercommittee's failure to achieve the other half, those cuts are now going into effect under sequestration.

Can these cuts be made smartly, targeting waste and overspending? Absolutely, but only if the President stops playing scare politics and begins working with Congress to make these reductions in a manner that best protects national defense and domestic priorities.

If the sequester takes full effect, the Nation's budget is still on a path to grow exponentially over the next 10 years. Unless we continue to restrain spending, our \$17 trillion national debt will continue to grow, crowding out the Nation's ability to even provide for the most in need.

We have a spending problem, not a revenue problem. More taxes won't solve it, but a little more leadership sure would help.

NATIONAL SCHOOL BREAKFAST WEEK

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in honor of National School Breakfast Week. We know that the simple act of a child eating a healthy breakfast can have dramatic effects, not only on their health, but on their academic performance.

I am cochair of the Congressional School Health and Safety Caucus, and I was honored to join the Share Our Strength's No Kid Hungry Campaign discussing last week, in a briefing, the importance of the School Breakfast Program.

I was proud to vote for the bipartisan Healthy, Hunger-Free Kids Act of 2010 that helped to expand the School Breakfast Program, but I'm disheartened that only about half of eligible students are participating in the program. We can do better.

I spent years as a school nurse, and I saw, firsthand, how hunger can cause children to lack focus in school, often get sick, and eventually fall behind. And that's why students are encour-

aged to eat, and often provided with a breakfast on the day of a big test. But we need to make sure they eat breakfast every day.

We've put the School Breakfast Program in place, and now we need to increase awareness and ensure access for all eligible students. That's why I encourage my colleagues to join me in recognizing National School Breakfast Week because, after all, breakfast is the most important meal of the day.

SEQUESTRATION IS AFFECTING US ALL

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEBER of Texas. Mr. Speaker, it doesn't seem like good leadership practice for the President to be going around the country reminding Americans that he failed to prevent his own sequestration, but to each his own.

Unfortunately, the President's sequestration is affecting us all. Why should he have shackled us all with the sequestration?

The truth is, the President's inability to lead has shackled us. The truth is, the President has not only a spending problem but a denial problem.

Well, make no mistake, Mr. Speaker. Sequestration is here. I implore the President to come back, work with Congress, and quit campaigning in the media.

SEQUESTRATION HAS BEGUN

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, Congress' failure to avert the sequestration with a balanced and responsible plan before the March 1 deadline is not just sad, it's inexcusable. The ramifications of failure are anything but artificial. They are real and they are severe. While the sequestration process has begun, it is not too late to work together to put us back on the right path.

Funny enough, Democrats and Republicans actually agree on one thing: that we can and must adjust the way we spend money. But we have dramatically different ideas about the best approach.

Democrats in Congress have a balanced approach, which includes spending cuts and revenue through closing tax loopholes to reduce our debt. This sequestration plan is not the answer to dealing with our deficits, and neither is another eleventh-hour temporary solution.

We owe it to the American people to move the needle forward and come to a compromise on a real plan that will increase revenue from sources other than just slashing critical programs.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace this sequester with spending cuts and revenues.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules and Manual, the Chair is constrained not to entertain the gentlewoman's request unless it has been cleared by the bipartisan floor and committee leaderships.

GOVERNMENT SPENDING IS THE PROBLEM

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. Mr. Speaker, last week I sat around the table with a group of young people, Millennials, who wanted to talk with me about solving our Nation's spending problem. These Millennials want all the same thing: a solution to Washington's spending problem today to stop hurting America's youth tomorrow.

I heard from one young college student who had just recently graduated, and she said, you know, I was excited to embrace all the opportunities that America had to offer, only to have many people tell me to expect 5 years of unemployment.

Unfortunately, these challenges are not unique, and their experiences are not uncommon. The national debt is more than a \$16 trillion pricetag. It's more than just a number.

Washington's out-of-control spending threatens the next generation of America's leaders from finding jobs after they graduate and having the tools they need to keep America competitive. Why?

Because spending is the problem. So we will continue to urge the Democrats who run Washington to work with us to cut spending in a responsible way.

Republicans keep fighting for smarter spending cuts and, most of all, for an economy in which young people are afforded the opportunities they deserve.

SEQUESTRATION CUTS ARE TAKING EFFECT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, it's now March 5, and sequestration cuts are starting to take effect. Instead of working together to find a compromise that would avoid these automatic spending cuts, House Republicans stood by and watched the March 1 deadline come and go.

Now, \$85 billion in deep, indiscriminate cuts that will eliminate 31,000 Michigan jobs are upon us. These cuts will harm Michigan families and slash programs that my constituents rely on

every day. And many of the most dire consequences of the sequester won't be felt immediately. The truth is, due to Republican inaction, the wheels are now in motion, and we are on a course that has real negative impacts on millions of Americans.

Congress should be working to find a bipartisan solution to avoid these indiscriminate cuts. Democrats put forth a plan to stop the sequester. I know, I cosponsored it. House Republicans would not even let it come to the floor for a vote.

Mr. Speaker, we need to work on an approach that will fix sequestration while reducing the deficit responsibly. I stand ready to act. So do my Democratic colleagues. Let's get to work.

□ 1220

CHEN GUANGCHENG

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, today, Capitol Hill is hosting a great Chinese defender of human rights, blind lawyer Chen Guangcheng. A few moments ago, I had the honor of again meeting with Chen as he continues to advocate for the freedom of the Chinese people. His amazing story of escape from house arrest is a great encouragement for all in China suffering under political persecution. The authorities could not silence him as he sought justice for victims of forced abortions and environmental abuse.

The story of China's rise is not about the success of an autocratic government. It is instead the story of a people whose ingenuity and vigor have finally been unleashed after decades of repression. China has developed not because of smart planning, but because the people have used a relatively small amount of economic freedom to transform their nation. Given more freedom, I believe there's no limit to how China will grow and how her people will impact the world. We must support Chen and other human rights defenders as they seek justice for their people.

GUN VIOLENCE

(Mr. RICHMOND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHMOND. Mr. Speaker, as a resident of Louisiana, the sportsman's paradise, I'm a strong supporter of the Second Amendment. However, I do not subscribe to the belief that Congress has no role in responding to the gun violence epidemic plaguing communities like New Orleans, Chicago, and Detroit.

According to the FBI, 1,464 people were killed by a firearm in New Orleans between 2008 and 2011. That's 1,464

families who will never see their loved ones again. We can't afford to do nothing. We can no longer be the do-nothing Congress. We have a moral obligation to reduce the broad epidemic of gun violence in this country.

So I urge my colleagues in Congress to join with me in standing with the victims and families of gun violence to approve legislation that invests in our mental health system, institute more rigorous background checks, and place a ban on assault rifles and high-capacity magazines. Even incremental progress means fewer heart-broken families. I don't want to see another child fall victim to our selfish efforts to preserve what obviously needs to change. I would remind my colleagues that the life we save may be our own.

SPENDING PROBLEM IN THIS COUNTRY

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, in January, the President asked hardworking taxpayers to contribute 2 percent more of their hard-earned paychecks to the Federal Government in the form of a payroll tax increase. They had to cut their household budgets by 2 percent. The President's sequester that went into effect last Friday called for a less-than-2-percent decrease in government spending, but the President now thinks that 2 percent is too much to cut from each Federal dollar. We all know the President's sequester is probably not the right way to control spending because it cuts programs across the board without any prioritization. But we all know this country has a spending problem, and we need to get it under control.

I can't help but think if the American people had to just cut 2 percent from their budgets, why can't the Federal Government? If hardworking taxpayers had to figure out how to manage with 2 percent less, can't the Federal Government figure out how to spend two less pennies out of every Federal dollar?

SEQUESTRATION IN NEW HAMPSHIRE

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, because the Congress refuses to compromise, across-the-board spending cuts known as the sequester—and uncertainty around the Federal economy and the budget—are casting a cloud over our entire economy. In New Hampshire, we are already seeing the impacts of these cuts.

Right now, there's a Federal prison in Berlin, New Hampshire, with over

100 open jobs, but funding fights in Washington are preventing Granite Staters from filling them.

There's a Salem company, Micro-Precision Technologies, that wants to hire more workers; but sequestration is creating uncertainty and standing in the way.

There are technicians in New Hampshire's National Guard who want to do their jobs, but deep cuts to defense means they're facing the possibility of furloughs.

These are all examples of businesses that will have to delay hiring and people who will lose their jobs simply because Democrats and Republicans will not compromise. This is not what responsible governing looks like. We owe it to New Hampshire families to work across the aisle, responsibly reduce the deficit, and stop these mindless cuts.

CRYING WOLF

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, Republicans cry that the President and Democrats are crying wolf about sequester cuts and furloughs. But, the wolf is already biting. In my hand is a furlough notice from the U.S. Attorney for the District of Columbia. In D.C., the U.S. Attorney still handles major local crimes for this big city as well as some of the most important Federal matters, including terrorism suspects.

The U.S. Attorney's notice says there will be up to 14 days—that's 2 weeks—of furlough days for Assistant U.S. Attorneys and other personnel. On furlough days, the notice says, Assistant U.S. Attorneys and other staff are not permitted to even come to the office to volunteer.

Mr. Speaker, the problem with making sequester a budget rather than a prod, as intended, is not the 2 percent sequester cut. It's the compression upfront in a short period of time. The American people who depend on U.S. Attorneys deserve better than a deliberate and avoidable public safety furlough.

SEQUESTRATION WILL KILL JOBS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I enthusiastically rise to support JOHN CONYERS' H.R. 900, of which I'm an original cosponsor, which is a thoughtful response to legislation that was really hostage-taking, and that is the passage of sequestration almost 2 years ago. Everyone knows it was the need for the debt ceiling to be raised that generated it. But I'm not about excuses. H.R. 900 simply eliminates the sequester provision in the Budget Reconciliation Act. It is thoughtful and allows us to proceed.

However, we will not be able to pass it because our friends on the other side of the aisle are celebrating about the \$85 billion in cuts across the board, hurting seniors, children, and families. And then they want to acknowledge this is the President's fault. Well, the President is willing to not look at poll numbers to be able to fight, to support, and enhance revenues and spending cuts. Thank you, Mr. President, for leading.

For those who say nothing has happened, it's because it has not happened yet, but I will tell you the continuation of sequester is going to hurt the American people and kill jobs. The continuing resolution that devastates those nondiscretionary projects of Head Start and education will also hurt the American people. Let's pass H.R. 900 and begin a process that the American people can buy into and a budget that is fair, with taxes and spending cuts that work on behalf of the American people.

SEQUESTRATION IS WRONG

(Mr. GARCIA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARCIA. Let me begin by saying that the district I have the honor to represent in south Florida is made up of middle class families in neighborhoods like Kendall, Westchester, and the Florida Keys. The families who live in this region don't care about ideological debates of the left or right. They simply know the difference between right and wrong. And, ladies and gentlemen, the sequestration is wrong.

The Keys Reporter reported that over 600 civilian workers at Key West Naval Base will be furloughed. This will hurt small businesses and families. Reports also say funding for work-study programs at schools like Miami Dade College, Florida International University, and Florida Keys Community College will be cut. The Miami Herald reported that air traffic control workers at Opa Locka Airport will be furloughed as of the beginning of April.

I respectfully ask my colleagues to put their differences aside and get to work. I urge the Speaker to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

□ 1230

MARY LOU STOTT'S 80TH BIRTHDAY, VISIT TO U.S. CAPITOL

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I'm very proud to rise today to recognize a very special guest from Hawaii who is here visiting us in Washington this week.

One of my constituents, Tracey Stott Kelly, contacted me recently to set up a United States Capitol tour for her mother's 80th birthday. This wasn't like most other requests that we receive. Her mother Mary Lou's birthday wish was to visit the Capitol to see the work of her great-great-grandfather, who was an assistant to Constantino Brumidi. Mr. Brumidi was best known for the murals he painted in the Capitol over a 25-year period, including "The Apotheosis of Washington," the "Frieze of American History," and the walls of the Brumidi Corridors.

So this Friday, Mary Lou and her 'ohana will receive a very unique tour with Dr. Barbara Wolanin, the curator for the Architect of the Capitol, to highlight the beautiful paintings by Brumidi and to bring Mary Lou closer to her very talented great-great-grandfather.

Happy 80th birthday, Mary Lou. And thank you to Dr. Wolanin for helping to make this very special day a reality.

SEQUESTER

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, the bill before us is a joke. It is only a few sentences, and all it does is ask the President to include in his budget a simple equation that divides the projected deficit by the number of taxpayers. It doesn't take a bill to do this; it just takes a calculator.

If the House Republican Conference wants us to do a math problem for the American people, I can save everyone some time and money. \$845 billion, which is the estimated deficit projected by the CBO, divided by 158 million, which is the number of taxpayers, equals \$5,300. Done.

Can't they do this arithmetic problem on their own? Why are we wasting taxpayers' money to operate this institution as we speak when we can solve this very simple math problem by just doing it. This is all an exercise in political theater.

I shouldn't have to come to the floor to do this. Any of my Republican friends could have called me, and I would have gladly walked them through that simple equation.

Mr. Speaker, my constituents in California's 41st District face an unemployment rate of 11 percent—higher than the national average. They need leadership from Congress to help them find jobs, not gimmicks disguised as legislation.

Our Founders didn't envision Congress assigning math homework. This is not elementary school. If my friends on the other side of the aisle want to talk about numbers, I would be happy to.

Zero, Mr. Speaker: that's the number of jobs this bill creates. Zero: the num-

ber or jobs bills the House Republican leadership has brought to the floor in the last 2 months. 750,000: the number of potential job losses if the Republicans refuse to stop the sequester.

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WALZ, Minnesota.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 668) to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 668

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT.

Section 1105(a) of title 31, United States Code, is amended—

(1) redesignating paragraph (37) (relating to the list of outdated or duplicative plans and reports) as paragraph (39); and

(2) by adding at the end the following:

“(40) in the case of a fiscal year in which the budget is projected to result in a deficit, an estimate of the pro rata cost of such deficit for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MESSER) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 668, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I yield myself such time as I may consume.

First, I want to thank Budget Committee Chairman PAUL RYAN and Ranking Member CHRIS VAN HOLLEN for allowing the House to consider this measure, which will require the President's annual budget submission to Congress to include the cost per taxpayer of the deficit for each year the budget is projected to result in a deficit.

This bill is based on one simple principle: that each hardworking American taxpayer deserves to know how much the deficit costs them each year. This requirement would be a powerful reminder to the President and Congress that our decisions have real-world consequences for hardworking taxpayers.

It's long past time to hold Washington accountable for its wasteful spending. The massive national debt has ballooned to an unsustainable level because Washington has refused to make tough choices, instead, simply spending money we don't have and ignoring the explosive growth of entitlements. This abdication of responsibility is delaying the inevitable until there may not be any good choices left.

Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

As one of the earlier speakers said during the 1 minutes, this bill simply requires a math calculation, and we have absolutely no objection to doing that. As the gentleman may know, about a month ago we passed an amendment that did virtually the same thing.

I do wonder why it is we think the President is better with a calculator than Congress. Because what this does require simply is that you take the deficit and you divide it by the number of taxpayers. But we're certainly fine to have transparency and have the President put that in his budget as part of his submission as well.

Our concern is that this really doesn't address the fundamental question that we're facing here in the Congress: number one, making sure we get the economy kicked into full gear, and jobs; and, number two, reducing the deficit in a smart and balanced way over a period of time so that we're not balancing the budget on the backs of our seniors, that we're not violating

commitments we've made to our seniors, that we're not cutting into education funding for our kids—which is important to making sure that the economy grows and that they have opportunities in their lives—and that we do that in a smart way that doesn't, in the process, result in fewer American jobs.

So the real number we should be focused on here today is 750,000, because 750,000 is the number of jobs that the independent, nonpartisan Congressional Budget Office says will be lost so long as the sequester that began March 1 remains in place through the end of this year.

So let me say that again. So long as the sequester that started on March 1 remains in place through the end of the calendar year, the independent, nonpartisan Congressional Budget Office says that we will have 750,000 fewer American jobs. That's not President Obama's number; it's not my number; it's an independent number.

The Chairman of the Federal Reserve, Ben Bernanke, was on the Hill testifying just last week and made similar predictions. They have both—the Chairman of the Federal Reserve, Ben Bernanke, as well as the Congressional Budget Office—said that our economic growth between now and the end of the year will be reduced by a full one-third if the sequester remains in place. So that's what this House should be doing.

Today, a little later today, for the fourth time this year—for the fourth time this year, Mr. Speaker—I will go, on behalf of my colleagues in the Democratic Caucus, to the Rules Committee and ask for the opportunity to vote on a piece of legislation that would replace that sequester in a smart and balanced way and in a way that doesn't result in 750,000 fewer American jobs.

□ 1240

Now, you would think our colleagues would want to vote on something like that instead of voting on a bill that just requires a math calculation—which is fine—but it doesn't do anything about jobs, and it doesn't actually do anything to reduce the deficit. But we've not been given that opportunity.

So I would just ask my colleagues: Why is it so important to bring a bill to the floor that asks the President to do another math calculation—which we all can support—and not bring to the floor of the House a bill that actually would prevent the loss of 750,000 jobs and present a balanced plan to reducing the deficit in a way that doesn't harm the economy?

That really is the question here today, Mr. Speaker, and maybe at some point we'll get an answer. And maybe this House will live up to its promise of being the people's House and a trans-

parent House, and we'll actually get a vote on our fourth request. I'm not holding my breath, but it would be nice if those commitments would be kept, as well.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I appreciate Representative VAN HOLLEN and his comments. As he well knows, this Chamber has twice considered sequester replacement bills put forward by the House Republican leadership, voted on and passed out of this Chamber.

The alternatives are clear. I appreciate his recognition that this simple little calculation, while admittedly not going to change the planet Earth, it is important in providing budget transparency and helping the American taxpayer understand how much money we're spending here.

We often hear, as you're out in town-hall meetings, How much is \$1 trillion? And what this bill simply shows is that if you take \$1 trillion, if that's the deficit in a given year, and divide it by 145 million taxpayers we have, it adds up to about \$6,800 per taxpayer that we are adding to our debt every year.

Back where I come from in Indiana's Sixth Congressional District, that's a lot of money. He cited the number 750,000, and I would concede that \$85 billion is a lot of money; but it represents about 2 percent of what we spend as a Nation every year in our \$3.6 billion budget.

I came to the House floor yesterday and held up two pennies representing the two cents—the two percent—the two cents out of every dollar that we're asking Congress to trim out of our Federal budget. Does anybody in America really believe that our Federal Government is so efficient and so effective that we can't afford to trim two cents out of every dollar?

Now, clearly, we can do this in a more sensible way. I know of no one in either Chamber who is not arguing that we ought to find a more sensible way to bring these reductions forward, but bring them forward we must.

Now, with that, Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman.

Right now, as we stand here, the national debt in this country stands over \$16 trillion, and one-third of that was rung up just during this President Obama's administration. And some outside expert says, what does that translate to you and me? Well, the average taxpayer may be in debt of \$111,000 to the U.S. Government because of that.

On top of that, do you know that this is the fourth time that this White House, that this President, has failed to follow the law and to submit a budget to the House on time? But when he finally does, I really do hope that this

budget differs from his other ones which were riddled with red ink and absolutely had no intent to balance, not in 5 years, 10 years, or 15 years. They never balanced. In short, his budgets have been an economic disaster. Maybe that's why there has been bipartisan opposition to these budgets.

In the Senate, which is Democratically controlled, he got absolutely zero support for his budgets in the past. So it's high time that this President gets serious about the deficits, acknowledges that frivolous spending is part of the problem, and addresses the issues with appropriate budgets.

I support this legislation before us.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

The floor manager mentioned that two times our Republican colleagues had put forth an alternative to the sequester. I know the gentleman knows well that we're in a new Congress, and starting in January, all the bills that were put forward in the last Congress were wiped off the books. They don't have any meaning at this point in time. And this year, since we've been in a new Congress, since the election, the number of times our Republican colleagues have put forth a proposal to prevent that sequester to replace it is zero—zero times in this Congress—when it could actually make a difference. Yet, today, for the fourth time, we're going to go and ask for a vote on our proposal.

Now, we're not asking our colleagues to vote for a proposal, although I think that public surveys show the overwhelming majority of the American people would think that our alternative to replacing the sequester is a lot better than the sequester. We're not even asking our colleagues to vote for it. We're just asking for a vote on it. Let's let the people's House do its work.

Now, we talked about the deficit. There's no argument about the need to reduce our deficits. We just need to do it in a smart way and in a way that doesn't hurt the economy and doesn't cost jobs; and our proposal does have a balanced way. It combines additional, targeted cuts over a period of time with cutting tax loopholes that are in the Tax Code over a period of time.

Our Republican colleagues keep talking about how bad the deficit is. We say we agree with you on that, but it apparently isn't bad enough that you would close one single tax loophole in order to reduce the deficit. In fact, that Grover Norquist pledge that's been signed by over 90 percent of our House colleagues says that you promise not to close a single tax loophole for the purpose of reducing the deficit. You can't get rid of a tax break for corporate jets. You can't get rid of the special treatment of hedge fund managers under the Tax Code if it's part of

an effort to reduce the deficit. How is that serious deficit reduction?

So what we've said is we need to do both. We need to eliminate a lot of those tax preferences and tax breaks for big oil companies and others; and we also need to make sensible, targeted cuts in other areas and reduce the deficit in a smart way. The alternative plan that we have proposed that we're asking for a vote on would accomplish the same amount of deficit reduction as the sequester through this calendar year, but do it in a way that does not cost 750,000 American jobs, because we don't do it so deeply, so quickly.

That's the difference, and that's why bipartisan commissions have recommended the balanced approach to reducing the deficit. So, again, the numbers for this year, which is the only thing that's relevant in terms of congressional action, is that there has been zero effort, zero times that our colleagues have brought to the floor a proposal to replace sequester. We're now asking our fourth time this afternoon simply to have a vote.

I hope that we can finally get one, Mr. Speaker.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Mr. Speaker, I thank the gentleman for yielding.

I rise today to speak in support of Congressman MESSER's bill, H.R. 668. This requirement would be a powerful reminder to the President and Congress on how the decisions regarding our government's spending impact the constituents that we serve.

Despite the fact that on the President's watch we have had 4 straight years of deficits exceeding \$1 trillion and we still have nearly 23 million Americans who are struggling to find work, the President continues to champion more and more deficit spending as a cure to what ails our struggling economy.

But spending money we do not have is not an investment. It's a liability that limits the potential and the freedom of the American people and future generations. Every man, woman, and child in America currently owes \$52,000 as their share of the national debt. It's time that the President and Congress level with the public about the burden of debt that's being placed on the American taxpayer each and every year.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Speaker, I rise today in support of this important legislation offered by my good friend from Indiana.

For more than 2 years now, my colleagues and I have led a family discussion across this country about our debt and deficits. Our current national debt

stands at over \$16.5 trillion and increases by \$4 billion per day. We have \$100 trillion, Mr. Speaker, in unfunded promises coming down the pike.

What many Americans, including some Members of this distinguished body, fail to understand is that these numbers have consequences. Our debt and deficits are not simply a series of numbers. They are a reflection of our morality as a people. And what our debt and deficits reveal is that, for the first time in the history of our country, this generation is preparing to leave the next worse off.

□ 1250

I always seem to be able to talk about, at least on one side of this body, how many times something was introduced last year versus this year, and somehow expecting a difference. Einstein had something to say about repeating something and expecting a different result.

Would anyone in this room be able to stand here and argue that this choice, leaving the next generation worse off, is morally correct? Of course not. The out-of-control spending coming from Washington will have a devastating impact on future generations, our children and grandchildren.

I recently received a letter from a Boy Scout in my district by the name of Michael Krane, who said he is "concerned and disappointed in the job Congress has been doing in the handling of the budget." Unfortunately, Michael does not have a voice in this conversation. He is too young to vote. And, of course, his children that he will one day have have no voice, yet they will be paying this bill.

That is why I support LUKE MESSER's bill, to continue this conversation with the American people by simply saying, to those of us who are taxpayers, what we bear in terms of the cost for the government that we now have, as inefficient and ineffective as it is.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

As I pointed out earlier, but I think it bears emphasis, about 1 month ago we passed a virtually identical provision. So why are we back here on the floor of this House, again without opposition? I think everybody in this House voted to do this calculation and have it put on the books. So why we are here one month later when the sequester just kicked in, doing something that we already did, rather than focusing on the issue at hand, I think is a mystery to the American people. Folks who just read from letters they got and from constituents, I think those constituents are going to be asking, why are you doing now what you did 30 days ago when we have got all these other burning issues on our plate right now, and at a time when we are asking for a vote on a plan to replace

the sequester in a balanced way for the fourth time.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentleman for the time.

Mr. Speaker, talking about burning issues, I don't know of anything that is more pressing than dealing with this Nation's debt. You can go back through the pages and look at what Admiral Mullen had to say on July 6, 2010:

The greatest threat to our Nation's security is our Nation's debt.

That is the reason we are here. We are not here for ourselves. We are here for our children and our grandchildren, and making certain that the America that they have, the future that they have, hope and opportunity that they have, is going to be greater than anything that we ever possibly could have imagined for ourselves.

Isn't that what preserving freedom for prosperity is all about? It is about making certain that we hand over freedom in good shape for another generation.

I will tell you, if you are looking at the debt clock, it's a pretty telling story—over \$16.5 trillion. And yesterday, the per citizen share of that debt was \$52,818. The per taxpayer share was \$147,238.

I know there are some in this body who would like to turn the debt clocks off in the hearing rooms. They just want to ignore it, and supposedly it would go away and we wouldn't have to talk about it. We could just pretend that we do not have a spending problem in Washington, D.C.

Mr. Speaker, that is not reality. That is being completely divorced from reality. In order to defeat a problem, you have to admit that there is a problem. There is a problem with spending in Washington. There is a problem with our Nation's debt.

I support the good work that has been done by my friend from Indiana and encourage all to vote for H.R. 668.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

Listening to this debate on the floor you might think that this bill did something to reduce the deficit and the debt. Just in case anyone is confused, it does nothing to reduce the deficit and debt. It does ask for a calculation, which we agree with.

In fact, the gentlelady just did the calculation herself, which begs the question why you need to go through a bill to get somebody to do the calculation. In fact, this calculation changes, because as the gentleman and all of us have said, the deficit goes up. That number changes every day, and so you have got to do it every day.

The point is, we passed this a month ago. There is no objection to doing a calculation. But this bill does nothing, nothing to reduce the deficit. In fact, it is running up the deficit as we spend time, taxpayer time, right here on the floor of the House while we continue to ask for a vote, up or down vote, on our plan to replace the sequester so that we don't lose 750,000 American jobs.

Today will be the fourth time we have asked for this. Our Republican colleagues have not taken any action in this Congress, not one step, nothing, to replace the sequester.

That is what we should be dealing with. Not a bill that we passed a month ago, not a bill that the gentlelady did a calculation on the floor to achieve the result. Let's focus on jobs and reducing the deficit in a smart way, by targeting spending cuts in a smart way, but also getting rid of all those tax breaks that our colleagues seem so wedded to keeping in place.

With that, I yield 1 minute to the distinguished Democratic leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding and for giving me this opportunity to support his proposal, the Chris Van Hollen proposal, as our ranking member on the Budget Committee, a proposal that is fair, responsible, and balanced.

Mr. VAN HOLLEN has put forth an initiative that cuts spending responsibly, ends unnecessary and wasteful tax breaks for special interests, and advances the Buffett rule, ensuring that millionaires pay their fair share.

I think it is really important to note, as he did, that this will be yet another time we are coming to the floor asking for the Republican leadership to allow a vote in what they boast of as an open Congress, open to other ideas, that has blocked over and over again the mere consideration of Mr. VAN HOLLEN's proposal on the floor.

Instead, today, we are engaged in subterfuge. What can we do instead of doing what we really need to do and make it look as if we are doing something responsible? Yes, okay, let's get the calculation. But let's reduce that deficit. Let's reduce that deficit.

And it is important to note that this debate happens in a week that we will be taking up the continuing resolution. It has been 4 days since the sequester went into effect. The continuing resolution that the Republicans are putting forth is a bill that reinforces the sequestration.

So what does that do? The Federal Reserve chairman, Ben Bernanke, told Congress last week that cuts of this size, made this quickly, would hurt hiring and incomes, slow the recovery, cost the economy 750,000 jobs this year, and keep deficits larger than otherwise.

So we are not reducing the deficit by what is really happening on the major

legislation coming to this floor last week and this week in terms of sequester and continuing resolution. That is what we should be doing—figuring out a way to get rid of the sequestration.

What does sequestration mean? Whatever its Latin roots, it equals job loss—750,000 by the estimate of the chairman of the Fed.

And what is the point of all of this? There is an answer. We already have agreed in the continuing resolution—the President and the Congress have agreed to \$1.2 trillion in spending cuts. We all recognize we must reduce the deficit. We have all agreed to spending cuts of that magnitude. That was in addition to \$400 billion of other spending cuts in the last term of Congress. So \$1.6 trillion in spending cuts, which dwarfs the \$600 billion, as significant as that is, in the expiration of the Bush tax cuts at the end of last year.

□ 1300

But we need more revenue, and there is a place to get it.

Our distinguished Speaker said there is \$100 billion in tax loopholes that could be closed. I think there is more than that, but many of the deductions that we would want people to take to strengthen the middle class I think we should separate out from what the Republicans want to do. The Republicans in Congress are protecting tax loopholes and wasteful spending in the Tax Code, which increases the deficit instead of solving problems.

Instead of closing tax loopholes for Big Oil, the Republicans want cuts for little children in Head Start—Big Oil over little children. Instead of closing tax loopholes for corporations that ship jobs overseas, 750,000 jobs will be lost here because of the sequester and the continuing resolution that contains the sequester, which is a fix that we're in because of the refusal of the Republican leadership to close those loopholes. Instead of ensuring millionaires pay their fair share, our military readiness will be impaired. We have kids who won't get the proper training when they're put into harm's way unless the Defense Department can reprogram the money; and health care for America's military families will be cut.

So there is an answer to all of this, and that is that we need to stop the spending in our Tax Code. Everybody talks about reducing spending, as our colleagues on the other side of the aisle do, and we all agree that we need to reduce it. That's why the \$1.6 trillion in spending cuts, and we can try to find more. But why can't we stop the spending on the Tax Code, the spending of tax giveaways? They're called "tax expenditures." They cost the taxpayer.

If you are so concerned about how much the deficit is costing every individual American, why don't we calculate how much the tax break is for Big Oil, corporations sending jobs overseas—the list goes on and on—and how

much those tax expenditures cost America's working families. They do so by increasing the deficit and by not creating jobs in our own country.

Again, there is an answer here. To be hopeful, we can come together to say, okay, we all agree: let's reduce the deficit, cut spending, make some changes—those that we can—without hurting beneficiaries in mandatory spending. But why are these tax loopholes for special interests such sacred cows for the Republicans, such sacred cows that they will not even allow Mr. VAN HOLLEN's bill to come to the floor? Are they afraid of the debate? Are they afraid of the outcome of their vote?

With that, I thank the gentleman again for his leadership and for putting forth a balanced, fair proposal to reduce the deficit in order to avoid sequestration, which we didn't, and as a counter to what the Republicans are putting forth. It's more than a counter. It's about leadership. It's about what is possible if we can work together in a bipartisan way to get the job done for the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentlewoman from California is reminded to address her remarks to the Chair.

Mr. MESSER. I yield myself such time as I may consume.

Mr. Speaker, let me make three quick points: first, as to the underlying merits of the bill, transparency matters. It matters that we let the American people know what is happening here. This calculation called for under the bill shows that in recent years we've been racking up \$6,800 in debt for every American taxpayer each year. That's a lot of money; secondly, we've heard from folks on the other side of the aisle about the need to close loopholes. I would submit that there is broad consensus that we need major tax reform. There is broad consensus that the loopholes that our Tax Code is riddled with should go away. The question is: Then what do you do with the money that comes from those reductions? Do you put it back in the American economy to help grow the economy? The best way to balance our budget and get this House back in fiscal order is to have a growing economy with more taxpayers who can therefore pay additional tax revenue because they have a job.

There has been a lot of talk on the other side of the aisle about the need for a balanced approach, but that balanced approach seems to ignore the fact that we had a \$600 billion tax increase that passed this body on January 1. The President promised in his campaign 4-1 spending reductions to tax increases. We're not yet even to 1-1, and we talk in this Chamber about balance.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. MESSER, and I appreciate you introducing this very good bill.

Mr. Speaker, Washington continues to spend money we don't have. As we all know, the Federal Government borrows nearly 46 cents on the dollar, much of it from China, and we are sending the tab to our children and our grandchildren. What a shame. Across America, working families have had to tighten their belts, and it is past time for Washington to do the same.

That's the bottom line.

Ignoring runaway deficits and out-of-control spending is not an option. With a national debt of more than \$16 trillion, Mr. Speaker, every American now has a \$52,000 share. We must control spending so Washington will not saddle future generations with burdensome debts that crowd out the private sector and lead to increased taxes and higher interest rates. The lack of fiscal discipline and the rising costs of the Federal debt have created a dangerous combination, necessitating action to prevent Washington from dipping into the bottomless cookie jar.

This legislation before us would simply require the President's budget submission to provide an estimate of the cost per taxpayer of the deficit the budget would run. This commonsense legislation forces us to face this fiscal danger with eyes wide open. I support this good bill, this effort by my colleague, and I urge my colleagues to do the same.

Mr. VAN HOLLEN. Mr. Speaker, may I ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Maryland has 9 minutes, and the gentleman from Indiana has 8 minutes.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Again, I have to remind people as they listen to this debate that this bill does nothing—zero—to reduce the deficit—nothing. All it does is ask for a calculation, which we've said we welcome and which one of our Members actually did on the floor of the House here as she gave her presentation, and it's that which we can all do. But by all means, let's say to the President, Put that calculation in your budget—even though that calculation is out of date 3 days after the budget is submitted if we don't get control of the deficit and do it in a smart way.

I agree with the gentleman when he says the best way to deal with the deficit is to grow the economy. That's what we should be focused on, which is why we're asking today—for the fourth time—for a vote on our proposal to replace the sequester so that we don't lose 750,000 jobs; 750,000 jobs is the number of jobs that were created between October of last year and January of this year. According to the Chairman of the Federal Reserve, if we continue

to allow that sequester to remain in place, we will see one-third less economic growth.

Now, if you don't believe the non-partisan, independent head of the Congressional Budget Office, who does professional work, and if you don't believe the Chairman of the Federal Reserve, who is not a partisan, maybe our Republican colleagues will believe the House Republican leader, Mr. CANTOR. Here is what he said on the floor of this House, not that long ago, with respect to the sequester:

"Under the sequester, unemployment would soar from its current level . . ." He goes on to say that it would set back "any progress the economy has made." He then referred to a study that said, ". . . the jobs of more than 200,000 Virginians, in my home State, are on the line." That's Mr. CANTOR.

Here is what the Republican chairman of the Armed Services Committee said about a month ago. This is what Mr. MCKEON said when we got the numbers from the last quarter showing the economy was slowing, in part, in anticipation of these cuts.

□ 1310

Mr. MCKEON said:

This is just the first indicator of the extraordinary economic damage defense cuts will do.

And that's just the defense cuts. You've also got these across-the-board cuts in important investments in biomedical research to try and find treatments and cures to diseases that hit families throughout this country. You're going to be putting people out of work who do that important research for our country. And at the end of the day, in addition to the furloughs and the disruption that will cause in the economy, throughout the entire economy, 750,000 fewer jobs will result at the end of the calendar year.

So why in the world are we debating a bill that we've already passed—I believe unanimously—1 month ago that does nothing about jobs, nothing about the deficit, rather than take up the proposal that we put forward to replace the sequester in a smart and balanced way, through targeted cuts, but also the elimination of these tax breaks. And the answer is, unfortunately, that our Republican colleagues, many of whom have signed that Grover Norquist pledge, have said that they're not willing to close one tax loophole for the purpose of reducing the deficit. Not one penny.

We hear all of the talk about reducing the deficit, but no, you can't take away one tax break for a corporate jet to reduce the deficit. You can't say to a hedge fund manager: you're no longer going to get a special tax preference if it means we're going to take that away so we can reduce the deficit. So if we're really concerned about the deficit, as we should be, let's get at it in a balanced way, and not in the sequester

way, which will result in 750,000 fewer American jobs. That's what we should be focused on today, Mr. Speaker.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I think in this debate today, you're seeing two very different philosophies of how we move forward as a country: one side of the aisle, who believes that the key to America's future is raising taxes and growing government; and our side, who believes that the key to America's future is controlling spending and giving families tax relief now. Let's use tax reform to put more money in the pocket of the American taxpayer so they can spend it out in the economy.

The gentleman mentions the CBO many, many times over and over again and fails to mention that the leadership of CBO has said that a balanced budget in the long term will help grow our economy by as much as 1.7 percent each year annually if we balance this budget. He cites Majority Leader CANTOR's statements on the sequester. We have virtual unanimity in this caucus that we need to replace the structure of those \$85 billion in cuts, but our side of the aisle believes we need to replace them with other, more sensible budget reductions that get this government under control.

Mr. Speaker, with those comments, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman for yielding.

My good friends across the aisle talk about loopholes and tax reform. They might forget that over the last 2 years, this House and this party have put forward legislation that does away with the loopholes as part of a larger tax reform proposal.

My friend across the aisle continually talks about a smart and balanced way to balance the budget. He talks about responsibility. But if you ask him, Mr. Speaker, for his legislation, when does the Democrat bill balance? When does their budget balance? It never does. Ask him: does it balance in 10, 20, 50 years? How about 100 years? Does your budget balance in 100 years? Never does it balance. That is not a balanced approach.

The Senate hasn't put forward a budget in 4 years. The President's budget, not one Democrat in this Chamber or the Senate voted for the President's budget. And that one, too, never, never balances. That's not a balanced approach. America deserves better.

But on this current legislation, America and Americans have a right to know how much their government is accumulating in debt in their name. Grandparents and parents, they have a right to know how much debt is going to be passed on to their grandchildren and their children. Those little preschoolers, those toddlers, those infants

that are going to inherit this massive debt, they have a right to know. How about those young adults that are getting out of high school and tech school and out of college? They have a right to know as they look at their car loans, at their student loans, at that new house loan. They have a right to know how much they're going to inherit and pay back over the course of their working years for this irresponsible debt. Americans have a right to know.

This legislation is important because this is the first step to making sure that America knows the fiscal trouble we're in, and to encourage our friends across the aisle to get together and not use terminology of a balanced approach but actually give us a balanced budget.

Mr. VAN HOLLEN. Mr. Speaker, the American public does have a right to know. I don't know how many times we have to say this on the floor of this House: We passed virtually the identical bill 30 days ago, approximately, and I'm not objecting to this bill. People have a right to know. We should have transparency. We should reduce the deficit, and this bill does nothing to reduce the deficit.

What we need to do is make sure that we get our deficits under control, that we stabilize the debt, and that we make smart choices for the people in this country.

Yes, there is a difference of opinion. We believe that as part of reducing the deficit, we should make targeted smart cuts, but we should also cut some of those tax loopholes. Now the gentleman mentioned that we passed a tax increase on \$600 billion over the next 10 years. That's right; we finally said, for higher income earners, you're going to go back to paying the same rates as you were during the Clinton administration.

But the gentleman suggested that budget history began on January 1 of this year. We were all here—not everybody, but most of us—when we passed the Budget Control Act in the summer of 2011. What did we do in that act? We capped spending—\$1.5 trillion in spending reductions. That was the right thing to do. Now we've done \$600 billion in revenue. So I think most people can do the math on this. We're not nearly close to the kind of ratios that the bipartisan commission, the bipartisan fiscal commission, Simpson-Bowles, we're not close to the balance that they talked about in terms of revenue and cuts, not even in the ballpark.

So let's focus on the fundamental question, which is, number one, getting the economy moving again, not losing 750,000 jobs this year, and then reducing our deficits in a smart and balanced way over a period of time. But yes, by all means, let's have the President do a calculation, which one of the earlier Republican speakers did on the floor of the House. We can all do that.

Of course as indicated, that calculation changes day to day. But by all means, let's get it. But let's not pretend that this piece of legislation does one thing to create one job or reduce the deficit by one penny.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Mr. Speaker, I rise today in support of my friend, neighbor, colleague, and fellow Hoosier, Mr. MESSER, and his bill, H.R. 668.

This legislation would require the President's budget proposal to make clear the per-taxpayer cost of any budget deficits. We have repeatedly heard President Obama proclaim his desire to have the most transparent administration in history. In furtherance of that objective then, this should be welcome legislation to all parties.

To many Americans and to many of my colleagues, Federal budgeting might seem like an abstraction, and thus unimportant because dollar amounts in terms of billions and trillions of dollars are beyond normal human comprehension. Most people just don't think in those terms. In fairness, most of us don't think in those terms, so let's clarify this process by bringing these numbers down to the individual level. Let's tell the American people, for example, under the President's last budget, you owe \$7,000 just to cover the deficit. That resonates. Folks get that. The math is pretty simple. The median income in Indiana is around \$45,000. Income and payroll taxes will eat up about \$9,000 of that.

□ 1320

People will understand what it means when you tell them that, under the President's budget, you need almost 20 percent more per year per Hoosier just to balance the budget.

Now, this is important. Contrary to some of the things we heard earlier, maybe this bill will even help incentivize those who are drafting budgets in the future to put together budgets that actually balance at some point in the distant future so that we don't have to rely on these suboptimal cutting gimmicks, like the President's sequester, to, in some way, get spending under control.

We know revenue will double over the next 10 years. We know we have a spending problem, not a revenue problem in this country, so it's time the Federal Government—and the White House, in particular—comes clean about the direct impact of our Federal deficits on our Nation's families.

So I urge my colleagues to support this measure of good government by voting "yea" for H.R. 668.

Mr. VAN HOLLEN. Mr. Speaker, may I ask how much time remains on each side?

The SPEAKER pro tempore (Mr. STUTZMAN). The gentleman from Maryland has 2 minutes, and the gentleman from Indiana has 3 minutes.

Mr. VAN HOLLEN. Does the gentleman have any other speakers?

Mr. MESSER. I think we've got one more.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. STUTZMAN), another very good friend of mine, the third Hoosier speaking on this bill today.

Mr. STUTZMAN. Thank you to my friend from Indiana. This is, I believe, the fifth speaker from Indiana. Maybe we're getting something right in Indiana—I don't know what it is—but thank you for sharing this bill.

We do have a balanced budget in Indiana. We have made sure that we have taken care of the children in education, we've made sure that our law enforcement is taken care of, but we've also made those difficult choices early on that Washington could really learn from in budgeting.

So I appreciate Congressman MESSER for bringing this particular bill. It's a good government bill.

And I know the other side of the aisle is talking about the sequester. I find it ironic that the Washington Times today has a headline that says 400 more jobs are created, in spite of the sequester. So I don't believe that the sky is falling here.

This legislation requires the President to do some simple math and include with his budget, should he choose to submit one, an estimate of the cost of the deficit per taxpayer. Taxpayers just simply deserve to know how much they owe for Washington's out-of-control spending. After all, every dime that the Federal Government borrows is saddled on this generation and the next generation and generations to follow.

Right now, the cost of Washington's \$16 trillion of national debt totals more than \$147,000 per taxpayer. In fact, approximately every minute, Mr. Speaker, the Federal Government borrows another \$4 million per minute, leaving this generation empty promises and massive debt.

This is no way to run a government. If the President refuses to break the cycle of bailouts, borrowing, and tax hikes, taxpayers deserve to know the true cost of the President's irresponsible decisions. The American taxpayers deserve transparency, and that's exactly what this bill does.

Mr. Speaker, I applaud my colleague from Indiana, and I thank him for bringing this bill to the floor. I urge the support of all of my colleagues here in the House of Representatives.

Mr. VAN HOLLEN. Mr. Speaker, it's always good to see a show of Hoosier

unity on the floor of the House, and I look forward to joining my colleagues in voting for this bill.

The State of Maryland also has a balanced budget, but we also have a capital budget and other parts that we do differently.

Look, Mr. Speaker, I'm going to support this bill. I support transparency. I supported virtually the identical provision 30 days ago. That's really not the issue. Yes, we want more information, and we'll get it.

But the real issue here is the loss of jobs. Now, the previous gentleman mentioned that the Washington Times has an article saying more jobs were created. Thank goodness we are finally seeing more and more jobs created.

We will have economic growth. There will be jobs created. The question is how many fewer jobs we will have as a result of the sequester. The CBO hasn't said it will stop every job from being created.

What the Chairman of the Federal Reserve has said, and what the non-partisan Congressional Budget Office has said, is that this sequester, if it remains in place through the end of the year, will be a drag on growth, so we will have fewer jobs created. In fact, they estimate we will have 750,000 fewer American jobs by the end of the year if we don't do something about the sequester.

So, Mr. Speaker, I'd just go back to the original question: Why take up something we've already done, already passed virtually unanimously, when we have a much more pressing issue and when we, today, will ask for the fourth time this year, when it counts, to vote on a bill that would replace the sequester in a smart and balanced way without the loss of jobs? That's the fundamental question. And why this House is shirking that responsibility and refusing to hold a vote on a proposal that would prevent the loss of 750,000 jobs is a question I think the American people are asking themselves.

So, Mr. Speaker, let's get on to the pressing business. Let's focus on jobs and really reducing the deficit and not playing these kind of games on the floor of the House.

I yield back the balance of my time.

Mr. MESSER. Mr. Speaker, I appreciate the gentleman's help and comments on this bill. It's a good government bill. It's transparency. It makes sure that taxpayers know how much the Federal Government is racking up on their dime, and I'm hopeful that it will pass.

The gentleman makes a very important point, that this bill is not the cure-all of the world, and we have lots of work to do. Far too many families in this economy have had to come home and deal with a job loss.

I remind everybody in this Chamber that the \$85 billion that we're talking about in this sequester, while a lot of

money, is 2 percent of our total Federal Government \$3.6 trillion budget. It's two pennies on every dollar.

We agree that this sequester should be replaced; we disagree on how. Surely we can find two pennies to save instead of raising taxes and taking more money out of the pocket of the American taxpayer.

With that, I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to question H.R. 668, a bill to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit. What does this bill accomplish—very little.

More specifically, H.R. 668 requires the President to submit the pro rata cost for taxpayers for any deficit projected in the President's budget for a given fiscal year.

While I support genuine bipartisan efforts to resolve our fiscal and budgetary issues, it is difficult to see how this bill proposes a productive use of the House's time and taxpayer dollars.

H.R. 668 appears to be a politically motivated bill aimed at placing blame on the President for our deficit issues rather than proposing a sound, bipartisan solution that would provide a balanced approach to turning our annual budgets deficits into surpluses.

This Congress cannot absolve itself of the duty to reach a bipartisan deal to mitigate the devastating effects of the sequester now imposed on the federal government.

We must remember that this sequester was intended to be harmful to our nation's progress in the eyes of both parties, in order to incentivize this Congress to make the difficult choices necessary to forge a sustainable economic future.

The cuts are arbitrary and are no substitute for sound policy: \$42.7 billion in defense cuts (a 7.9 percent cut); \$28.7 billion in domestic discretionary cuts (a 5.3 percent cut); \$9.9 billion in Medicare cuts (a 2 percent cut); and \$4 billion in other mandatory cuts (a 5.8 percent cut to nondefense programs, and a 7.8 percent cut to mandatory defense programs).

Each day that passes under the sequester, it imperils our security, our economic recovery, and our families across this nation.

From military readiness, to disaster and terrorism preparedness, to law enforcement and emergency responders, to education, to small business, to veterans care, to travel, to food safety, to vital research and innovation; there is virtually no facet of our way of life that will avoid being negatively impacted by the sequester.

Aircraft purchases by the Air Force and Navy are cut by \$3.5 billion.

Military operations across the services are cut by about \$13.5 billion.

Military research is cut by \$6.3 billion.

The National Institutes of Health get cut by \$1.6 billion.

The Centers for Disease Control and Prevention are cut by about \$323 million.

Border security is cut by about \$581 million. Immigration enforcement is cut by about \$323 million.

Airport security is cut by about \$323 million.

Head Start gets cut by \$406 million, kicking 70,000 kids out of the program.

FEMA's disaster relief budget is cut by \$375 million.

Public housing support is cut by about \$1.94 billion.

The FDA is cut by \$206 million.

NASA gets cut by \$970 million.

Special education is cut by \$840 million.

The Energy Department's program for securing our nuclear materials is cut by \$650 million.

The National Science Foundation gets cut by about \$388 million.

The FBI gets cut by \$480 million.

The federal prison system gets cut by \$355 million.

State Department diplomatic functions are cut by \$650 million.

Global health programs are cut by \$433 million; the Millennium Challenge Corp. sees a \$46 million cut, and USAID a cut of about \$291 million.

The Nuclear Regulatory Commission is cut by \$55 million.

The SEC is cut by \$75.6 million.

The United States Holocaust Memorial Museum is cut by \$2.6 million.

The Library of Congress is cut by \$31 million.

The Patent and Trademark office is cut by \$156 million.

This is neither the way to govern, nor is it a permissible path forward. We cannot continue along this path of perpetual, self-imposed destruction—moving from manufactured crisis to manufactured crisis without providing the American people with certainty and clarity as to the future.

In just three short weeks, the federal government faces another manufactured crisis; a shutdown that threatens to compound the effects of the sequester and further damage our economy, making it harder for families to endure.

We must focus our efforts on working together to enact a continuing resolution in order to avoid a government shutdown, and to enact a plan that provides a healthy balance of revenues and spending cuts that will move us forward without devastating the middle class.

Bills that do not serve any ostensible practical purpose and are simply meant to advance an ideological position should not occupy the House's time, and the American people expect more of their elected representatives.

We must remember that the faces of those who are negatively impacted by the sequester are not of millionaires or billionaires; they are of average Americans who, through no fault of their own, have struggled through a tough economy and fiscal adversity.

As we work together to get our Nation's fiscal house in order, we should strive to carefully consider the impact of decisions—or in this case, the lack of decisions—on the millions of middle and low-income Americans who are counting on us to come to an agreement.

I look forward to working with my colleagues in Congress on both sides of the aisle on a long-term debt and deficit solution, and am confident that we can reach an agreement that will work for the benefit of all Americans.

Mr. COLLINS of Georgia. Mr. Speaker, I rise in strong support of this legislation and I thank the gentleman from Indiana for his continued leadership on this issue.

Last month, this administration stated that it was the most transparent in history. According to recent polls, only 26 percent of Americans agree.

H.R. 668 requires this administration, and future administrations, to include a cost-per-taxpayer calculation of the Federal deficit in their annual budget submission.

Transparency is not a political issue. Regardless of which side of the aisle we sit on, our constituents deserve to know how they are impacted by the decisions we make here in Washington.

This legislation removes the excuses from those who wish to pretend that our country is not facing a fiscal crisis. It replaces rhetoric with fact.

Hard-working men and women in my district, and across America, should know what our out-of-control spending here in Washington is costing them.

The administration recently released their budget for Fiscal Year 2013. It forecasts a \$901 billion deficit this year alone.

My friends in the other body, on the other side of the aisle recently proposed a sequester replacement bill that would add \$41.5 billion to the deficit in 2013. Over 10 years, the bill would add another \$7.2 billion to the deficit.

Taxpayers deserve to know what such proposals would cost them individually. This is a commonsense bill that already passed the House in the form of an amendment. This isn't a political issue, it is reasonable and rational legislation that lets the American people know we can be serious about their financial future, and the financial future of the country.

I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 668.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MESSER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STOP TOBACCO SMUGGLING IN THE TERRITORIES ACT OF 2013

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 338) to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 338

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Tobacco Smuggling in the Territories Act of 2013”.

SEC. 2. TERRITORIES AND POSSESSIONS OF THE UNITED STATES INCLUDED IN THE DEFINITION OF STATE FOR THE PURPOSES OF THE PROHIBITION AGAINST TRAFFICKING IN CONTRABAND CIGARETTES AND SMOKELESS TOBACCO.

Paragraph (4) of section 2341 of title 18, United States Code, is amended by striking “or the Virgin Islands” and inserting “the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, or Guam”.

The SPEAKER pro tempore (Mr. MESSER). Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 338, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

□ 1330

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Cigarette trafficking is a very lucrative crime both here in the United States and abroad. It is estimated that illicit cigarettes account for over 10 percent of the more than 5.7 trillion cigarettes sold globally each year. Here in the United States alone, approximately 4 billion of the cigarettes sold each year are illicit.

Cigarette smuggling is generally carried out by large criminal organizations that take advantage of the significant disparity between the taxes levied on cigarettes across the States. These differences create a highly lucrative market for individuals to evade State and local sales taxes by purchasing cigarettes in one locality and transporting them to another for resale below market value. It is estimated that criminals can make a profit of as much as \$1 million on just a single truckload of illicit cigarettes.

Cigarette smuggling is not just profitable for criminal networks; this crime also harms State and Federal revenues. According to the Justice Department, this illicit activity costs the States and the Federal Government an estimated \$5 billion each year. This is money that could and should be put to better use.

In 2009, Congress took steps to curb contraband cigarettes with the Prevent All Cigarette Trafficking, or PACT, Act. The PACT Act prohibits the sale of cigarettes and other tobacco products over the Internet and made changes to the criminal anticigarette smuggling statutes.

H.R. 338, the Stop Tobacco Smuggling in the Territories Act of 2013, provides a technical correction to ensure that the criminal prohibitions against cigarette smuggling apply to the U.S. territories of American Samoa, Guam, and the Northern Mariana Islands just as they do in the rest of the country. Without this fix, cigarettes sold in these territories without evidence that taxes were paid do not fall within the definition of “contraband cigarettes.” This is a modest but important change that will help to discourage crime and increase tax revenues in these United States territories.

I want to thank Mr. FALEOMAVAEGA for his work on this issue, as well as the ranking member on the full committee and the subcommittee for their support of this effort, and the chairman of the Crime Subcommittee, Mr. SENSENBRENNER, as well, and I urge my colleagues to join me in support of this bill.

I reserve the balance of my time.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 338, the Stop Tobacco Smuggling in the Territories Act of 2013. This bill is simple and straightforward. It amends the Contraband Cigarette Trafficking Act by including American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam in this act.

Currently, the Contraband Cigarette Trafficking Act makes it illegal to knowingly ship, transport, receive, possess, sell, distribute, or purchase 10,000 or more contraband cigarettes that do not have a State or territorial tax stamp. The act similarly applies to the sale of contraband smokeless tobacco in excess of certain specified quantities. With respect to both activities, the act authorizes the imposition of criminal penalties and fines.

As drafted, however, the bill does not apply to American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam. Thus, the Bureau of Alcohol, Tobacco, Firearms, and Explosives is prohibited from investigating Contraband Cigarette Trafficking Act violations in those territories. H.R. 338 will cure this obvious oversight.

Mr. Speaker, cigarettes are believed to be the most illegally trafficked product in the world. In 2006 alone, more than 10 percent of worldwide sales, or 600 billion cigarettes, were counterfeited.

Contraband cigarettes actually present numerous issues. Legally manufactured cigarettes are diverted from legal trade channels in the underworld

for resale, evading the imposition of appropriate taxes, costing territorial governments a significant amount of cigarette excess tax revenue each year. They also facilitate unfair competition that hurts the bottom line of legitimate businesses.

Counterfeit cigarettes are also not subjected to any manufacturing safeguards, therefore presenting the potential for products containing toxic ingredients that can seriously jeopardize the health and safety of the smoker.

The lower price also facilitates easier affordability for our youth, resulting in addiction at earlier ages. The illicit trade therefore adds steadily to the health care costs of worker productivity losses and the growing death from tobacco use. Currently, the use of tobacco claims 5.4 million lives a year. This number is projected to rise to 8 million by 2013.

For these reasons, I strongly support H.R. 338 and thank our colleague from American Samoa, Delegate FALEOMAVAEGA, for his leadership in spearheading this issue.

Accordingly, Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. GOODLATTE. I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the delegate from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. I thank the gentleman for yielding, Mr. Speaker, and I especially want to thank my good friend, the chairman of the House Judiciary committee, Mr. GOODLATTE, and Mr. JOHN CONYERS, the senior ranking member, for their support of this proposed bill. I would especially also like to thank JIM SENSENBRENNER, the chairman of the subcommittee, and the gentleman from Virginia, my good friend, for their support in the subcommittee. I also want to acknowledge Speaker JOHN BOEHNER, Majority Leader CANTOR, and our Democratic leader, NANCY PELOSI, for their support.

Mr. Speaker, my district faces a serious problem with tobacco smuggling. According to a recent study, in 2010 alone, as many as 5.8 million cigarettes were smuggled into the territory. The study found that tobacco smuggling resulted in the loss of about \$725,000 in revenues to the territory. If continued undeterred, tobacco smuggling in the territory will lead to heavier losses in local tax revenues, especially if the cigarette excise tax rate were to be increased. Mr. Speaker, securing and sustaining stable sources of local revenue stream is essential and must be encouraged for the territories, as it has already done for the States.

It was for this reason I began to look into this important issue. I was disappointed, however, to find that under the current law prohibiting cigarette smuggling, not all the territories were

included. Under the Contraband Cigarette Trafficking Act that Congress passed in 1978, it is illegal to ship, sell, transport, or possess more than 10,000 cigarettes per month not bearing the tax stamp of the jurisdiction in which they are found. Violation is a felony punishable by up to 5 years in prison and seizure of the contraband cigarettes and/or both.

The Contraband Cigarette Trafficking Act currently, however, does not apply to American Samoa, the territory of Guam, and the Northern Mariana Islands. Historically, when Congress considered the bill in 1978, the Senate version defined “State” to include the 50 States, the District of Columbia, Puerto Rico, or a territory or possession of the United States; however, the House provision excluded the smaller territories. For some reason unbeknownst to me, the conference substitute adopted the House provision. The conference report describes the House provision as “more accurately delineating the practical scope of the legislation.”

Mr. Speaker, the bill before us today will correct this oversight under the current law. This important piece of legislation will amend the Contraband Cigarette Trafficking Act to include these territories.

I urge my colleagues to support this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. I will close simply by saying cigarette smuggling is a serious problem and revenues lost to the territories that Mr. FALEOMAVAEGA and others represent are lost revenues that they can use to meet legitimate obligations, and we want to help them combat that. So I strongly support the legislation and urge my colleagues to do the same, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today to support H.R. 338, the “Stop Tobacco Smuggling in the Territories Act of 2013,” which adds previously uncovered American territories to the Contraband Cigarette Trafficking Act.

Specifically, H.R. 338 provides that American Samoa, the Commonwealth of the Northern Marianas and Guam will be covered by the current Contraband Cigarette Trafficking Act, which makes it illegal to knowingly ship, transport, receive, possess, sell, distribute, or purchase 10,000 or more contraband cigarettes that do not have a state or territorial tax stamp.

Currently, only the 50 states, Washington, DC, Puerto Rico, and the Virgin Islands are covered by the Contraband Cigarette Trafficking Act.

We all understand the dangers associated with cigarette smoking and its prevalence in the United States. This bill seeks to treat the aforementioned territories like any other state when it comes to trafficking.

Roughly 23 percent of American adults and 30 percent of adolescents are current smokers. Every day, 3,500 minors try smoking for

the first time, one thousand of whom go on to become regular, daily smokers. Moreover, more than 15.5 million children are exposed to secondhand smoke at home.

Smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined, with thousands more dying from spit tobacco use.

About one of every five American deaths is related to smoking, or about 400,000 Americans each year. Tragically, about 50,000 adult nonsmokers in the nation die each year from exposure to secondhand smoke.

More deaths are caused each year by tobacco use than by all deaths from HIV, illegal drug use, alcohol use, car accidents, suicides, and murders combined.

More than 8.6 million Americans currently suffer from smoking-caused illness, and over six million Americans under the age of 18 who are alive today are estimated to ultimately die from smoking. In addition, smokers lose an average of 13 to 14 years of life because of their smoking.

We must do more to dissuade people from smoking.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 338.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 39 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROONEY) at 2 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 668, by the yeas and nays;

H.R. 338, by the yeas and nays;

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 668) to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 392, nays 28, answered “present” 1, not voting 10, as follows:

[Roll No. 57]

YEAS—392

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Ciocilline
Clarke
Clay

Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)

Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce

Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebuck
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney

Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarella
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmuter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sarbanes
Scalise
Schiff

Schneider
Schock
Schroeder
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—28

Capuano
Cartwright
Cohen
Cohen
Ellison
Farr
Fudge
Gutierrez
Jackson Lee
Johnson, E. B.
Larsen (WA)
Lee (CA)
McDermott
McGovern
Meeks
Nadler
Negrete McLeod
Pocan
Sanchez, Loretta
Schakowsky
Serrano
Swalwell (CA)
Takano
Thompson (MS)
Vargas
Velázquez
Waters
Watt
Wilson (FL)

ANSWERED “PRESENT”—1

Johnson (GA)

NOT VOTING—10

Coble
Davis (CA)
Grijalva
Hinojosa
Lynch
Maloney,
Carolyn
McIntyre
Rush
Sires
Young (AK)

□ 1428

Messrs. GUTIERREZ and COHEN changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 57, had I been present, I would have voted “yea.”

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 57, had I been present, I would have voted “yea.”

STOP TOBACCO SMUGGLING IN THE TERRITORIES ACT OF 2013

The SPEAKER pro tempore (Mr. WOMACK). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 338) to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 5, not voting 5, as follows:

[Roll No. 58]

YEAS—421

Aderholt	Brownley (CA)	Connolly
Alexander	Buchanan	Conyers
Amodei	Bucshon	Cook
Andrews	Burgess	Cooper
Bachmann	Bustos	Costa
Bachus	Butterfield	Cotton
Barber	Calvert	Courtney
Barletta	Camp	Cramer
Barr	Campbell	Crawford
Barrow (GA)	Cantor	Crenshaw
Barton	Capito	Crowley
Bass	Capps	Cuellar
Beatty	Capuano	Culberson
Becerra	Cárdenas	Cummings
Benishek	Carney	Daines
Bentivolio	Carson (IN)	Davis (CA)
Bera (CA)	Carter	Davis, Danny
Bilirakis	Cartwright	Davis, Rodney
Bishop (GA)	Cassidy	DeFazio
Bishop (NY)	Castor (FL)	DeGette
Bishop (UT)	Castro (TX)	Delaney
Black	Chabot	DeLauro
Blackburn	Chaffetz	DeBene
Blumenauer	Chu	Denham
Bonamici	Cicilline	Dent
Bonner	Clarke	DeSantis
Boustany	Clay	DesJarlais
Brady (PA)	Cleaver	Deutch
Brady (TX)	Clyburn	Diaz-Balart
Braley (IA)	Coffman	Dingell
Bridenstine	Cohen	Doggett
Brooks (AL)	Cole	Doyle
Brooks (IN)	Collins (GA)	Duckworth
Brown (GA)	Collins (NY)	Duffy
Brown (FL)	Conaway	Duncan (TN)

Edwards	King (IA)	Peters (CA)	Van Hollen	Wasserman	Wilson (FL)
Ellison	King (NY)	Peters (MI)	Vargas	Schultz	Wilson (SC)
Ellmers	Kingston	Peterson	Veasey	Waters	Wittman
Engel	Kinzinger (IL)	Petri	Vela	Watt	Wolf
Enyart	Kirkpatrick	Pingree (ME)	Velázquez	Waxman	Womack
Eshoo	Kline	Pittenger	Visclosky	Weber (TX)	Woodall
Esty	Kuster	Pitts	Wagner	Webster (FL)	Yarmuth
Farenthold	Labrador	Pocan	Walberg	Welch	Yoder
Farr	LaMalfa	Poe (TX)	Walden	Wenstrup	Yoho
Fattah	Lamborn	Polis	Walorski	Westmoreland	Young (FL)
Fincher	Lance	Pompeo	Walz	Whitfield	Young (IN)
Fitzpatrick	Langevin	Posey		Williams	
Fleischmann	Lankford	Price (GA)			
Fleming	Larsen (WA)	Price (NC)			
Flores	Larson (CT)	Quigley			
Forbes	Latham	Rahall			
Fortenberry	Latta	Rangel			
Foster	Lee (CA)	Reed			
Fox	Levin	Reichert			
Frankel (FL)	Lewis	Renacci			
Franks (AZ)	Lipinski	Rice (SC)			
Frelinghuysen	LoBiondo	Richmond			
Fudge	Loeb	Rigell			
Gabbard	Lofgren	Roby			
Gallego	Long	Roe (TN)			
Garamendi	Lowenthal	Rogers (AL)			
Garcia	Lowe	Rogers (KY)			
Gardner	Lucas	Rogers (MI)			
Garrett	Luetkemeyer	Rohrabacher			
Gerlach	Lujan Grisham	Rokita			
Gibbs	(NM)	Rooney			
Gibson	Luján, Ben Ray	Ros-Lehtinen			
Gingrey (GA)	(NM)	Roskam			
Gohmert	Lummis	Ross			
Goodlatte	Maffei	Rothfus			
Gosar	Maloney,	Roybal-Allard			
Gowdy	Carolyn	Royce			
Granger	Maloney, Sean	Ruiz			
Graves (GA)	Marchant	Runyan			
Graves (MO)	Marino	Ruppersberger			
Grayson	Markey	Rush			
Green, Al	Matheson	Ryan (OH)			
Green, Gene	Matsui	Ryan (WI)			
Griffin (AR)	McCarthy (CA)	Salmon			
Griffith (VA)	McCarthy (NY)	Sánchez, Linda			
Grijalva	McCauley	T.			
Grimm	McClintock	Sanchez, Loretta			
Guthrie	McCollum	Sarbanes			
Gutierrez	McDermott	Scalise			
Hahn	McGovern	Schakowsky			
Hall	McHenry	Schiff			
Hanabusa	McKeon	Schneider			
Hanna	McKinley	Schock			
Harper	McMorris	Schrader			
Harris	Rodgers	Schwartz			
Hartzler	McNerney	Schweikert			
Hastings (FL)	Meadows	Scott (VA)			
Hastings (WA)	Meehan	Scott, Austin			
Heck (NV)	Meeke	Scott, David			
Heck (WA)	Meng	Sensenbrenner			
Hensarling	Messer	Serrano			
Herrera Beutler	Mica	Sessions			
Higgins	Michaud	Sewell (AL)			
Himes	Miller (FL)	Shea-Porter			
Hinojosa	Miller (MI)	Sherman			
Holding	Miller, Gary	Shimkus			
Holt	Miller, George	Shuster			
Honda	Moore	Simpson			
Horsford	Moran	Sinema			
Hoyer	Mullin	Slaughter			
Hudson	Mulvaney	Smith (NE)			
Huelskamp	Murphy (FL)	Smith (NJ)			
Huffman	Murphy (PA)	Smith (TX)			
Huizenga (MI)	Nadler	Smith (WA)			
Hultgren	Napolitano	Southerland			
Hunter	Neal	Speier			
Hurt	Negrete McLeod	Stewart			
Israel	Neugebauer	Stivers			
Issa	Noem	Stockman			
Jackson Lee	Nolan	Stutzman			
Jeffries	Nugent	Swalwell (CA)			
Jenkins	Nunes	Takano			
Johnson (GA)	Nunnelee	Terry			
Johnson (OH)	O'Rourke	Thompson (CA)			
Johnson, E. B.	Olson	Thompson (MS)			
Johnson, Sam	Owens	Thompson (PA)			
Jones	Palazzo	Thornberry			
Jordan	Pallone	Tiberi			
Joyce	Pascrell	Tierney			
Kaptur	Pastor (AZ)	Tipton			
Keating	Paulsen	Titus			
Kelly	Payne	Tonko			
Kennedy	Pearce	Tsongas			
Kildee	Pelosi	Turner			
Kilmer	Perlmutter	Upton			
Kind	Perry	Valadao			

NAYS—5

Amash	Massie	Ribble
Duncan (SC)	Radel	

NOT VOTING—5

Coble	McIntyre	Young (AK)
Lynch	Sires	

□ 1436

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1440

MORE MONEY FOR PAKISTAN, LESS FOR SCHOOLS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, the President's sequester has gone into effect and, according to the White House, the sky is falling. The administration is on a tour de fear with the American people, yet it has the power to prioritize spending.

Who made the priority list? Pakistan. That's right, Madam Speaker. In the midst of doom and gloom of sequestration, the administration is quietly shelling out an additional \$37 million to Pakistan. That's over half of the \$67 million being cut from public education in Texas.

Pakistan is the Benedict Arnold nation in the list of countries we call allies. Pakistani leaders are continuing to vilify the United States on one hand and, with the sleight of hand, take our money—money I believe ends up in the hands of radical extremists. Pakistan plays the game of dangerous, dishonest deceit by pretending to be our ally in the war on terror while simultaneously giving a wink and a nod to extremism.

Mr. President, fund our schools, not a disloyal ally.

And that's just the way it is.

MINIMUM WAGE

(Ms. DeLAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DeLAURO. I rise in strong support of the Fair Minimum Wage Act, introduced by Congressman GEORGE MILLER, which will raise the minimum wage over 3 years to \$10.10 per hour and

then index the wage to inflation. It is long past time to get this done.

The minimum wage in America used to be equal to about half of average wages. Today, at \$7.25 an hour, it is barely a third. The purchasing power of the minimum wage has been dropping steadily since 1968. If the minimum wage kept up with inflation over the last 40 years, it would be at \$10.55 an hour.

This failure to keep pace particularly hurts women, who make up nearly two out of three workers making the minimum wage. At that rate, a year of full-time work comes out to \$14,500 a year. For a mom with two kids, it's over \$3,000 below the poverty line. For tipped workers, the situation is even worse. They make only \$2.13 an hour.

Low minimum wage is not just bad for workers. It's bad for business and the economy. Low wages limit consumer demand, which stalls our country's economic growth. It hurts everyone. Raising the minimum wage would not just mean a raise for 21 million workers, it would create 140,000 new jobs and boost our GDP by \$33 billion.

We've waited long enough. It's time to make sure all our workers make a decent pay for a hard day's work. I urge my colleagues to pass this legislation.

MINNETONKA GIRLS HOCKEY WINS STATE TITLE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, I want to congratulate the Minnetonka High School girls hockey team who recently won the Minnesota State High School Hockey Tournament, the first girls hockey team to win three consecutive State championships.

The path to achieving greatness is never uncontested, as the girls found out. The night before the championship, Madam Speaker, the Minnetonka girls played Lakeville North in a 4-hour, 17-minute marathon semifinal game that finally ended in a Minnetonka win after a goal from Amy Peterson in the sixth overtime period.

The hard work of this impressive team exemplifies what it means to be great student athletes who excel both on the ice and in the classroom. All the players and their coaches deserve great praise for their determination this season. It's an honor to represent, and recognize, such all-star athletes.

Congratulations, and go Skippers.

RETHINK THE SEQUESTER

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Madam Speaker, we are merely 5 days into the se-

quester, this totally engineered crisis that did not need to happen. We're already beginning to feel the impacts of sequestration.

My home State of North Carolina hosts the third largest military population in the country. Coast Guard Station Elizabeth City, Seymour Johnson Air Force Base, and Cherry Point Marine Corps Air Station are integral parts of their local communities and also help to form the backbone of our national defense.

The sequester has already impacted the Coast Guard, with air operations being cut by 11 percent and maritime operations cut by 24 percent. These cuts have reduced maritime safety and security in the waters off of our coastline.

Furlough notices have already gone out to thousands of civilian employees at Fleet Readiness Center, where maintenance is conducted on Navy and Marine Corps aircraft. The furlough amounts to a loss of \$81 million.

The 848 employees at Butner Federal Correctional Center, located in my district, received furlough notices and will lose up to 10 percent of their salaries because of sequestration.

The impacts of the sequester are already being felt in Martin County, where the public school system has lost \$400,000. This means that teachers are stretched even thinner and are forced to do more with significantly less.

Madam Speaker, we need to rethink the sequester.

TIME TO GET SERIOUS ABOUT CLIMATE CHANGE

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute.)

Mr. HUFFMAN. Madam Speaker, last week, in a Friday afternoon announcement designed to bury the news, the State Department released a very troubling supplemental environmental document regarding the Keystone XL pipeline, a project that would undo the progress our country has been making in recent years in showing leadership on climate change, in reducing gas emissions and transitioning to a clean energy economy.

Unfortunately, environmental protection seems to be a "foreign" policy to our State Department. But even this pro-industry report cannot gloss over the fact that Keystone XL would unlock development of some of the dirtiest, most climate-damaging fuel on Earth, and it would lock the United States into deeper dependence on expensive tar sands fuel that would take this country in the wrong direction for our environment and our economy.

Just this morning in the Subcommittee on Energy and Mineral Resources, we heard about the enormous potential for wind energy to generate jobs and also cost-effectively improve

energy independence. Other forms of clean energy hold the same promise.

Madam Speaker, it's time to get serious about climate change and clean energy job creation. Importing dirty, expensive tar sands fuel is the wrong way to do that.

□ 1450

HOUSE GOP DOCTORS CAUCUS

The SPEAKER pro tempore (Mrs. WALORSKI). Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY of Georgia. Madam Speaker, I thank the majority leader for yielding this time to discuss an extremely important issue facing the patients in this great country of ours that are going to have a very difficult time in finding a physician.

Madam Speaker, in March of 2010, when the so-called Affordable Care Act, or PPACA, was passed into law, the purpose, of course, was to increase access to physicians for all patients across this country and also to bring down the cost of health care. Well, we're 2 years into this bill—which will become fully effective in January 2014—and what are we seeing?

Madam Speaker, the CBO reported just recently that some 7 million people have actually lost their health insurance, the health insurance provided by their employer. For those who do still have health insurance—particularly those who get it maybe not from their employer but from the individual market, a small group policy—the cost has actually increased some \$2,500 a year instead of coming down, as anticipated and predicted and promised, in fact, by President Obama, but that just absolutely is not happening.

So what we're going to be talking about, Madam Speaker, is, again, what needs to be done to correct this situation. Because the thing that was never really discussed to my satisfaction when this bill was crafted was, how are you going to get the best and the brightest young men and women in this country to continue to go into the field of medicine, to become the doctors—particularly in primary care, internal medicine, and the pediatricians—to provide that care when the reimbursement system under Medicare, called the sustainable growth rate, year after year after year for the last 6 or 8 years we have actually cut the income to the providers, to the point, Madam Speaker, where they can't provide this care, they can't even break even? So this is what we're going to be talking about, this flawed sustainable growth system. It has certainly contributed to the physician shortage crisis that we see today.

Now, I have a number of slides that I want to present to my colleagues, and

we'll go with some specifics on that. But I'm very pleased to be joined today in this House with the cochair of the House GOP Doctors Caucus, my good friend and fellow physician Member from Tennessee, Dr. PHIL ROE, and I yield to Dr. ROE at this point.

Mr. ROE of Tennessee. Dr. GINGREY, thank you, and it's good to see you moving your arm well and recovering from your surgery so well.

I think the question that comes up, and Dr. GINGREY and other Members and I have discussed this, when I got here—and I've been here 4 years, and Dr. GINGREY came a couple terms before I did—we did this for a reason because we wanted to impact the health care system in our country. The problem with the health care system in our country was that costs were exploding.

If you look, as he pointed out, the Affordable Care Act has been anything but affordable. It's suggested that by 2016 the average family of four, when you have to buy an essential benefits package—which the government will determine what that is—will cost a family of four \$20,000. That's unbelievable when you think that the per capita income in my district is \$33,000. So I think we're at a point or we're going to be at a point where no one can afford it.

Well, what Dr. GINGREY is mentioning in the SGR, sustainable growth rate, what is that? What does that mean, and why should I care if I'm a senior? And Dr. GINGREY and I both have Medicare as our primary source of insurance. Well, Medicare started back in 1965, a great program for seniors who did not have access to care. It met a great need there and has met a great need since then. It started as a \$3 billion program. The estimates were from the government estimators that in 25 years this program would be a \$12 billion program—we don't do millions here, billions—and the real number in 1990, Madam Speaker, was \$110 billion instead of \$12 billion. They missed it almost 10 times.

So there have been various schemes throughout this time in which to control the cost, always by reducing the payments to providers. And who are providers? Well, those are the folks who take care of us when we go to the doctor's office—nurse practitioners, it may be a chiropractor, it could be a podiatrist, and it can be your hospital. So when you say providers, those are the folks and institutions that care for us when we're ill.

So in 1997, the Ways and Means Committee brought together something called the Budget Control Act. This is a very complex formula based on how you're going to pay doctors—their zip code, where they live, the cost of an office, the humidity in the air—I know it's an incredibly complicated scheme to pay doctors. The idea is this: We have this much money to spend in

Medicare, and so we've put a formula together to only spend this much money. If we spend less than that money, that will go as a savings. If we spend more than that much money, then we will cut the doctors and the providers that amount of money to make that line balance.

Mr. GINGREY of Georgia. Dr. ROE, if you would yield just for a second, I wanted to point out to my colleagues and to Dr. ROE the poster that we have before us. Because this is exactly what the good doctor is talking about right now in regard to what's been going on since the year 2000. Dr. ROE, you may want to refer to this slide.

I yield to the gentleman.

Mr. ROE of Tennessee. Well, the particular slide that Dr. GINGREY has down there is very telling. Basically what it says is that each year that we've recalculated what our physicians will be paid, we haven't met those metrics, which means that we have to cut.

Well, what has Congress done? Well, Congress has realized that what we're talking about is not payments to doctors; what we're talking about is access to care for patients. What happens is if you go back to 2003—I think it was 2003—when there was a 5 percent cut in Medicare payments, we realized at that point right there that if you continue to do that, that access would be lost.

So let's fast forward to 2013, what we're just facing. Doctors were facing a 26.5 percent cut, the providers were.

Mr. GINGREY of Georgia. Dr. ROE, that would be right here.

Mr. ROE of Tennessee. That's correct, that number right there. That was avoided by a 1-year so-called “doc fix.”

What has happened over the last 15 or so, 16 now, years is that the Ways and Means Committee line—now law—says we have to spend this much money, but we've actually spent this much. That is a deficit in spending that we've got to make up somewhere in our budget or add it to the budget deficit.

Now, I go back to when I was in practice just 5 years ago now in Johnson City, Tennessee. Dr. GINGREY, I don't know about you, but I was having a harder and harder time finding primary care access for my patients that I had operated on, or maybe someone who had been my patient for 30 years—if she was 40 years old when I started taking care of her, in 30 years she's 70 years old and needed a primary care doctor. That was getting harder and harder and harder to do.

Now, when you look at today's young medical students, we're having a much harder time convincing these young people to go into primary care. What is primary care? Well, it's pediatrics. If you want someone to take care of your baby, it's family medicine. It's also internal medicine and also OB/GYN. I certainly served as a primary care doc-

tor, as Dr. GINGREY did for his patients, for many, many years. That would be the only doctor that they would see. But that's getting harder for our patients to do. And Dr. GINGREY, that's my primary concern—access for seniors to their doctors.

Mr. GINGREY of Georgia. Dr. ROE, if you will yield for just a second and then I will return to you, again, I wanted to point out to our colleagues that this poster, this slide that's on the easel before us is exactly what the gentleman from Tennessee is talking about in regard to shortage of primary care physicians. And as he pointed out, primary care is a family practitioner, is a general internist—of course pediatricians provide primary care to our children. But so many of these doctors are the very ones that take the Medicare, take the Medicaid, take the SCHIP, the State Health Insurance Program for children. They see them.

□ 1500

And what Dr. ROE is referring to, before I yield back to him, on this poster it shows in the dark blue the areas of these States, several States, including my own of Georgia—Tennessee is not quite as bad—but in my State of Georgia, there are anywhere from 145 to 508 areas of the State of Georgia where there are an insufficient number of doctors to take care of these folks. Tennessee is a little bit better. There are only 67 to 99 areas. But all of this blue are critical areas, are they not, Dr. ROE? And I yield back to you.

Mr. ROE of Tennessee. That is correct. And so much so that in California, what they're recommending, I don't know whether they've carried it out or not, but they've recommended expanding the definition of “primary care” to a lower-level provider, that would be a nurse or nurse practitioner or PA or this sort of thing, this sort of designation.

I think the other thing, Dr. GINGREY, that we haven't talked about, and we probably should spend some time on, is the age of our practitioners. In our State of Tennessee—where you see that we're not quite as dire in need as Georgia, our friends to the south—the problem with it is that 45 percent of our practicing physicians in the State of Tennessee are over 50 years of age. I'm concerned that with the advent of the Affordable Care Act, the complexity of that, the frustration that I see when I go out and talk to our providers is that I'm afraid that many of them are going to punch the button for the door.

I know in my own practice, where we have now about 100 primary care providers in my program, in my OB/GYN group, in the last several years we've had over 120 years of experience walk out the door and retire. That's not a good thing for the American health care system that just lost access. Quite frankly, the crux of it all is that access. If you do not have access, you will

decrease quality, and you will increase cost. That is our concern. Ultimately, the cost will go up if our patients can't get in to see us.

Mr. GINGREY of Georgia. I thank the gentleman, because what the gentleman from Tennessee is talking about is having an insurance card, a health insurance card—and indeed even having a Medicare card—does you very little good if you have to spend 2 hours going through the Yellow Pages trying to find some physician, primary care doctor in your area that you wouldn't have to get in your car and drive 50 miles—if you could even drive. If you don't have that access, then you don't have anything.

So here again, this bill, this massive bill was passed 2 years ago at the cost of almost \$1 trillion. Unfortunately, a lot of that money was taken out of Medicare to create this new entitlement program, if you will, for younger people so that they can have health insurance. But what we've done is we've just made the crisis in the Medicare system that much more difficult.

What Dr. ROE was talking about, colleagues, is in regard to not just a shortage of the physicians, but what happens in the waiting rooms all across our country. This slide shows the number of primary care physicians per 1,000 population, the number of primary care physicians per 1,000 population.

Now, we've already gone over, we're talking about, again, general internists and family practitioners, primarily, and pediatricians for SCHIP and Medicaid. If you look at that map across the country, again, look at my State of Georgia in the deep red, and there are several States, Texas, Oklahoma, Mississippi, Alabama, Utah, Nevada and Idaho in the West where the number of primary care physicians per 1,000 of the population is fewer than one. So less than one doctor per 1,000 people that need that care. Many other States, including Tennessee, it is somewhere between one and 1.2. Now, I don't know how you get 1.2 physicians. I don't know exactly what that provider looks like. But you know how that math is calculated. Clearly, the shortage is acute, and it's only going to get worse and worse.

With that, I want to yield to one of my good colleagues, good friends on the Energy and Commerce Committee whose father actually was the chairman of the Health Subcommittee of the Energy and Commerce Committee for many, many years before he retired and his son took his place, and now the gentleman from Florida, GUS BILIRAKIS, is serving on that Health Subcommittee with me on Energy and Commerce.

I yield to Representative BILIRAKIS.

Mr. BILIRAKIS. Thank you, I appreciate it, Dr. GINGREY. Thank you, Dr. ROE, I appreciate it. Thanks for bringing up and sponsoring this Special

Order that is so very important to our constituents. Thank you for informing them.

This is a very, very serious issue. We must repeal this SGR and replace it. Again, since coming to Congress more than 6 years ago, doctors in my district have consistently stressed the unsustainability of the SGR and how it impedes them from developing long-term business models.

Each year, Congress has implemented, of course, a temporary stopgap measure to avert the payment cliff, but the doctors have to have certainty. Again, we have a shortage of doctors in the State of Florida, and it's only going to get worse. We must repeal this SGR and replace it. It has led to uncertainty for medical providers, again, as I said, which threatens patient care. Again, access to care is what it's all about. I'm glad that the chairman of the Energy and Commerce Committee, of course, Chairman UPTON, has made this a top priority in fixing, again, the SGR.

Again, not only is the uncertainty associated with reimbursement rates impacting physician practices; it also impacts how the Centers for Medicare and Medicaid Services plans to update Medicare Advantage rates for 2014. That's a huge issue. I know that the seniors in my district love their Medicare Advantage. Even though, year after year, Congress has not only allowed the devastating SGR cuts to take effect, CMS is assuming these cuts will take place as it determines the Medicare Advantage adjustment. So in other words, we always fix it at the end of the year, but they're assuming that the cuts will take place. I worry this will result in reduced benefits and increased premiums for the many seniors who like—really love—their Medicare Advantage.

Mr. GINGREY of Georgia. If the gentleman would yield, I want to thank the gentleman from Florida because what he is addressing right now goes back to the creation of this law, the Affordable Care Act, PPACA—sometimes referred to as ObamaCare—where money was taken out of the Medicare program, the existing Medicare program, which is already strained almost to the bursting point, and the Medicare Advantage program. Probably 20 percent of Medicare recipients select that model because it gives them more bang for the buck. It gives them more coverage, and it includes things—and the gentleman from Florida knows this, and this is what he is referencing—it includes more than just an annual physical when you turn 65. It includes more than being able to go to see a doctor and have it reimbursed under Medicare when you have an episode of illness.

There is a strong emphasis on Medicare Advantage to wellness. Let's say you do go and see the doctor because of

an episode of illness, and maybe several prescriptions were written. It's very important that the patient take the medication on a regular basis and not run out of medication. So under Medicare Advantage, there would be a nurse maybe in the doctor's office who within just a few days of that encounter would call the patient to make sure that he or she could afford to get those prescriptions filled and they were taking them in the right way. That's what the word "Advantage" was all about, Medicare Advantage, rather than just a traditional fee-for-service Medicare.

But this new law created 2 years ago, and will go into full effect in January, 2014, literally gutted that Medicare Advantage part, did it not, Representative BILIRAKIS? It cut that program 12 to 14 percent. I mean, it's just literally gutted. I'm talking about \$130 billion was taken out of that one program.

□ 1510

So now seniors that were on Medicare Advantage are having to look for new doctors, look for new programs, try to again go through those Yellow Pages and find somebody that will see their momma who's been going to this other group for years and is totally satisfied.

When the President said to the American public, If you like the health insurance plan you have, don't worry, you can keep it; you will not lose it, that just wasn't true. I don't think he deliberately told an untruth, but it clearly is not true. And as I said at the outset of this hour, some 7 million people have already lost insurance provided by their employer, and many more of these people that were getting their Medicare through the Advantage program, they have lost that through no choice, Madam Speaker, of their own. They have been forced out of those programs.

I yield back to my colleague, and we will continue this colloquy.

Mr. BILIRAKIS. I couldn't have said it better myself, Dr. GINGREY.

Again, I have constituents in Florida, and it's above 20 percent in my district and closer to 40 percent, who have chosen Medicare Advantage.

It's all about choices, as far as I'm concerned. If I want to get hearing aids, if I want to get a gym membership or eyeglasses, I should have the choice to choose my plan. It works so very well in our area, and we want to continue to give seniors that choice.

I want to thank you guys.

My father, as you referenced, worked so many years to fix this SGR, and I'm very proud now to serve on the Health Committee to contribute.

But I appreciate the two doctors here and all the doctors who have really sacrificed to run for Congress and do what's good for our people, patients. Treating patients is what it's all about. So thank you very much for allowing me to participate.

Mr. GINGREY of Georgia. I thank the gentleman from Florida and I thank his dad, Representative Mike Bilirakis, Madam Speaker, who served in this body for so many years with distinction. I hope that he is enjoying a happy and healthy retirement in the Sunshine State. And I hope he's able to find care, but I bet you it's not under Medicare Advantage, as his son just told us.

At this point, I would like to yield back to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank you.

And thank you, Mr. BILIRAKIS, for being here. I appreciate your leadership on the committee, too.

Why should I be concerned about this, and what experience do I have to say that if this is not fixed it will affect access and quality? I've had, I guess I could say, the misfortune in Tennessee of going through health care reform 20 years ago.

What happened? What happened was we had a large group of people in our State who didn't have access to quality, affordable health care. We reformed our Medicaid program and opened it up. We had an open enrollment time where we were going to have these various plans compete against each other. It was very much like the public option I heard discussed during the debates 4 years ago.

What happened? What happened to us was that our costs tripled in 10 years in that plan. It went up three times. And you can already see in the Affordable Care Act, even before it's been fully implemented, the estimates of costs have already doubled. The costs to patients are going up and the costs to businesses are going up. It didn't do what it had to do to really help solve the problem, which is lower the cost, bend the cost curve down. It did not do that.

When we saw those costs go up, what did we do? We started cutting our providers, and we cut our providers and we cut our hospitals and our doctors and our nurse anesthetists and our nurse practitioners and PAs and so forth. Guess what happened? Access got cut off. They stopped seeing those patients.

Now, our practice where we were, we, as an obstetrician as you were, we took everyone, because pregnancy is one of those conditions where you either are or you're not. We felt like if those folks needed care, we kept seeing those critical-care patients like that. But many elective-type things—orthopedics and dermatology and those kinds of things—got cut off, and people would have to drive hours to see a specialist.

So I saw access get denied in that system when the cost of the whole system went up to where no longer the State could afford it. I've seen that happen. That's why patients should be worried.

Dr. GINGREY, you and I know these numbers. We have 10,000 people a day

hitting Medicare age. That's 3½ million people this year that are going to be Medicare age. These are new people on the plan with less money. And if we have more people and we're not producing more doctors, do the math. In 10 years, we're going to have 35-plus more people on Medicare, and who is going to care for those people?

Another thing I want to bring up is that we're not just talking about how doctors are paid. We're talking about increasing quality. One of the measures we're going to look at when we look at the new payment formula—right now the way you and I were paid when we were in practice was a patient came in and you got a fee for that visit. That's called fee-for-service medicine. That's going to change. We're going to look at quality outcomes and measures. I'll give you an example about why that's important.

One percent of our Medicare recipients use 20 percent of all Medicare dollars, so we have to look at how we manage the care of those patients better. For instance, with congestive heart failure, when someone leaves the hospital, we know that certain metrics are taking place: weights are taken every day, blood pressure and so on. If you check in with a provider, you can prevent rehospitalizations and save tremendous morbidity, mortality, and cost. It also increases the quality of life that patient has and the quality of care they receive. So doctors are going to be evaluated on the kind of outcomes we have and the quality of care we provide our patients, which we all agree should be done.

I think coordinating care, hopefully, with better electronic records—and I could spend an hour talking about that. If we have a coordinated electronic system where, when you order a test at your office or the hospital, we have access to it so that test is not repeated and duplicated, that will make a huge difference in cost.

I just had a duplicated test, myself, done. You may have, too, when you had your procedure. I had a surgical procedure done 2 weeks ago this last Monday, and there was some testing on myself that really didn't have to be done. But because of various rules and regulations and the inability to get that information easily, it was easier to repeat it and pay for it than it was to go find it. I think that happens to 300 million people. Actually, it is 47 million of us who get Medicare now. We need to do that, better coordinate that information with sharing and transparency.

Mr. GINGREY of Georgia. If the gentleman will yield for just a second, I want to weigh in on that issue of electronic medical records.

I'm normally, as the good doctor from Tennessee knows, walking around here in a sling, as I have been for the last couple of weeks. Madam Speaker, I probably should have it on right now, but I'm resting my arm on the podium.

But I just recently had rotator cuff surgery back home in Marietta, Georgia. Madam Speaker, I was blessed with a great physician who did a wonderful job and has a fabulous staff, but going through the process of doing the paperwork, I bet I filled out the exact same form four different times. That was wasting my time and that was wasting their time. Of course, what they want to make sure is that no mistakes are made. Obviously, they want to make sure they operate on the correct arm. So I understand why, and I'm sure many of you, your parents, your grandparents, and you yourselves, my colleagues, as patients have gone through all of that.

But what Dr. ROE is talking about—and I will yield back to him—electronic records are indeed, in my opinion, the wave of the future. Honestly, I believe if we had concentrated on that 2 years ago to make sure that it was fully implemented so that duplication of testing, unnecessary procedures, maybe medications prescribed to which the patient had a dangerous allergy, you really do ultimately save lives and save money by having an electronic medical record system.

The other thing is if we had had medical liability reform. The President promised that before this ObamaCare bill of 2,700 pages was put into law, but there was nothing in there about medical liability reform.

Here again, those were two things, and I think the gentleman from Tennessee would agree with me on that.

I just wanted to interject my thoughts about electronic medical records, and I yield back to the gentleman.

Mr. ROE of Tennessee. I had the misfortune of going from paper to an electronic record. I was in the process, at our practice, of converting. It's a very difficult conversion. I think if you started with just an electronic medical record, it would be much easier than transferring tens of thousands of patient charts to an EMR. But when you start from scratch, it's a little easier.

Certainly I think the electronic ePrescribe, which I like, I didn't have the pharmacist call me and tell—I can't believe he couldn't read my prescription. Anyway, they claimed they couldn't, and this solves that problem.

□ 1520

I think there are some disadvantages to it, but overall, I think it is the wave of the future. I think you are correct.

I'm going to bring up something now about: let's say we go ahead and we do fix the SGR payment that's based on quality and that's based on outcomes and transparency, on hospital readmissions, and so forth—on all those metrics we've talked about to better serve our patients. There will still be fee-for-service. I'm sure, Dr. GINGREY, you're a rural Georgia Representative

as I'm a rural east Tennessee Representative. I have counties that have one doctor, and you can't do an accountable care organization—or all of these things—in a small, rural county. So fee-for-service medicine will still be there for those patients so they can have access in small, rural counties and don't have to drive long distances.

Let's say we do all of this wonderful stuff and that we fix this payment model and that it all looks good. The Affordable Care Act has in it one little thing called the Independent Payment Advisory Board. This Independent Payment Advisory Board trumps what we just did—all of the things that you're going to do in your Energy and Commerce. Also, thank you very much for what you're doing on that. As to all of these cuts that you see right here, let me just give you the data.

Mr. GINGREY of Georgia. The top of the green line is where we in the Congress mitigated these cuts because we can do that. That's what it says in the Constitution, that we're in charge of the purse strings. So, when there is a recommendation, as Dr. ROE is referring to, Madam Speaker, of the cuts in the pink—below the line, from 2001 to 2012, there is almost every year a 5 percent, 3 percent, 4 percent, 10 percent—then in the aggregate, that number just keeps getting bigger and bigger.

What Dr. ROE is about to explain to us is how we were heretofore able to mitigate, which is by making these changes above the line and by saying, no, we're not going to cut the doctors because we know, if we do that, they won't be there, that they won't be there for our parents and our grandparents and ourselves and our children.

Mr. ROE of Tennessee. I think correctly the Congress, in its constitutional authority, has overridden the SGR 15 times since 2002. I think that's the correct data.

What this IPAB does in the Affordable Care Act—it sets the same metric. It has a very complicated formula, which is the same as SGR, and if you have expenditures above those projections, cuts will be made. There is no judicial review, no administrative review, and it takes a 60-vote margin in the Senate to override this. Let me tell you how important this is, what Dr. GINGREY just pointed out.

Whether you agree with the plan or don't agree with the plan, there was a great article in the *New England Journal of Medicine*, one of our premier medical journals, that was published in June of 2011. I would recommend this for anyone to read as it will take you 30 minutes or less. They went back with the CMS and looked at the last 25 years and said, What if we had IPAB then? What would it do? In 21 of the 25 years, cuts would have occurred to providers—and I know exactly. Because of what I have seen in Tennessee, I know exactly what would happen. What

would happen is you cut those providers right there. As you're seeing up there, Dr. GINGREY, I can tell you that, as to the access to care, that entire map of the United States right there would be a bright red because you would not have the providers to take care of those patients.

That is a tremendous concern for me because it is current law. This year, those 15 bureaucrats are supposed to be nominated by the President. What happens if he doesn't nominate those 15 people? One person—that's the HHS Secretary, Secretary Sebelius—makes those decisions and recommendations. I hear it all the time. I go on the talk shows like you do, and they say, Well, in the bill right here, it says that you cannot ration care. That's true. This board can't ration care. What they can do is just not pay the providers. In 2017, I think, or in 2018, the hospitals are included in this. They're not included first, but they will be in 5 short years.

Mr. GINGREY of Georgia. Dr. ROE, what will happen in reference to this slide right here—if you look at these blue areas, these States that have the acute shortage areas, like Georgia and Florida—is that this whole map of the United States will be blue.

Mr. ROE of Tennessee. That is correct, Dr. GINGREY.

Unless you are very deeply buried into this—meaning, if you're a Medicare recipient out there today—you don't see this. I go home, and I see my physician friends and talk to my friends who are on Medicare. They don't know this has happened or that it could potentially happen to them, but it can and it will, and it is the law right now unless we change the law.

I would strongly encourage my colleagues on both sides of the aisle—and we have bipartisan support for the appeal of the IPAB—to put that constitutional authority back in the hands of the people who are directly responsible and responsive to the American people—us, the Representatives. Let us make those changes and, the Senate, the same thing.

Mr. GINGREY of Georgia. I thank the gentleman, and I want to continue a colloquy with him and maybe even ask a question of him. Dr. ROE, Madam Speaker, explained very clearly how that is a section of ObamaCare, a very important section of a group of 15 bureaucrats appointed by the President.

In regard to the IPAB, they basically can now say from year to year, Well, the doctors and the hospitals are going to be cut so much reimbursement. These cuts are going to occur.

We showed in the first slide how over the years Congress has been able to mitigate. Read the Constitution. We, the Members of the Congress, control the purse strings. So, fortunately, we were able to make these changes into what was suggested; but this IPAB board of 15 bureaucrats, they're not

making a suggestion. They're telling us what has to be done.

The question I wanted to ask of Dr. ROE, Madam Speaker, was: when this case went before the Supreme Court, questioning the constitutionality of the law and saying that if a Governor of a State, like the Governor of Georgia, Governor Nathan Deal—an 18-year Member of this body, by the way—makes a decision not to expand Medicaid because the State can't afford it as the State's already going broke on the current Medicaid program, is it constitutional for the Federal Government to say, If you won't expand the Medicaid program, we're going to make sure that you can't participate at all and that all of your current recipients of Medicaid in the State of Georgia are out on the street?

That was a question that was asked of the Supreme Court as well as: was it constitutional to force people to engage in health care if they didn't want to, if they did not want to purchase health insurance? Now, I'm not recommending that they don't; but the question before the Supremes was: is it constitutional under the Commerce Clause to make people engage in commerce if they don't want to do it? The Supremes said, in a very pained, strained, pretzel-like decision, that that was constitutional.

Dr. ROE, do you know whether or not this question about IPAB was addressed by the Supremes: is it constitutional or not? I'm not sure. I'm thinking it wasn't addressed. Would you speak to that.

Mr. ROE of Tennessee. That's correct.

I had the privilege of being in the chambers when a good part of this health care debate was going on in front of the Supreme Court. It was the first time I'd ever been there. Fascinating. I'd totally misread it.

As you pointed out, it was the first time in American history that the Supreme Court said that you had to purchase a good or service—even if it's good for you, that you had to purchase it. We've never forced anybody into commerce before like this. As an individual, I think you have a right to make good decisions and bad decisions. I agree with you. I think a good decision is, if you can afford health insurance coverage, you should purchase it. I think there is no question. I have for my family my entire life, and I would recommend it strongly and encourage people to protect themselves in that way.

But does the government have the right to do it?

This Court said 5-4 that they did. The Court also said that they did not have the right to force States into expanding their Medicaid if they did not want to, and the IPAB specifically was not brought up.

I believe it will be challenged and should be. No one has standing yet because it hasn't gone into effect. In other words, they haven't issued any rulings—or the Secretary hasn't—to say that I've been harmed by that ruling so that, therefore, now I have standing in the court and that I can bring a case.

□ 1530

Mr. GINGREY of Georgia. So you're saying that it's in the law, but because it hasn't been applied yet. And, in fact, indeed, as Dr. ROE pointed out, Madam Speaker, the board, the IPAB board, 15 bureaucrats, have not even—not even one of them, their salary has been set, I think they're scheduled to make \$150,000 a year and probably have a car and a driver and health insurance and retirement plan, and not too bad a gig if you can get it, but not so far I don't think any have been appointed. And so that's what Dr. ROE, Madam Speaker, was referring to when he said there's not standing yet. If you went to the Supreme Court, they would say the case is not ripe. I'm standing here as a physician trying to sound like an attorney, and I'm going to get myself in a lot of trouble here in a minute, Madam Speaker, and Dr. ROE explained that very well, but I do agree with him, colleagues. I do agree with Dr. ROE that that will be challenged and certainly should be struck down. You look at the Constitution, our fifth and sixth graders probably could make that decision, and it wouldn't be a 5-4 split decision; it would be 9-0.

Mr. ROE of Tennessee. Actually, the IPAB board of 15 bureaucrats will make \$165,000 a year with a 6-year term, and they can be appointed twice to that term. And it's something, and what bothers me about it is, no, it says in the bill you can't ration care, but we are the elected representatives. We should be able to go back home, as Congressman BILIRAKIS said, we should be able to go back home and face our constituents, and they're going to say: Dr. ROE, we have a situation where I can't go see my doctor. I can't go in and see them because they aren't accepting patients, and they aren't accepting patients because of this particular board that's cut their reimbursements enough to where they can't afford to see patients.

Now, another couple of things I want to talk about in the Affordable Care Act, not just SGR formula effects, but there is a tax out there in the Affordable Care Act that hasn't been very well discussed, and that tax is on individual insurance accounts. For instance, there are companies out there that are self-insured, and they're going to get a bill for each person that has insurance. Let's say a family of four or five, they'll get a bill for four or five people, and one company in particular, this will add—and they have no rein-

surance. They cover everything. They're totally self-insured, but this basically is a tax that will go into a fund to indemnify insurance companies so that they won't have a loss of more than \$60,000 a year, and this is billions of dollars when you stretch it across the country.

And these insurance companies are going to not have the loss to encourage them to accept patients on the exchange. That's as wrong as it gets to take a company that is doing everything right, they're going ahead and providing the health insurance coverage for their employees, and to penalize them for that.

So there are many, many issues in the Affordable Care Act we could talk about, but I want to basically finish my comments on the sustainable growth rate by saying in the past, since 2001, just so that our viewers out there will understand this, since 2001, your Medicare doctor at home has gotten an average increase in his or her payments when you come see them of 0.29 percent per year, 0.29 percent per year. When you look at all that graph that Dr. GINGREY has down there and you do all the math, that's how much of an increase. It's a very minimal increase. It hasn't even come near to covering the cost of inflation.

So again, Dr. GINGREY, I want to conclude by saying that the major concern I have, and I saw it in my practice, is the cost of care, and, number two, access to care. I'm concerned as our patients age and our population ages—and look, a good thing is happening in America: almost every 10 years we live, we're adding 3 years to our life expectancy. In 1908, the life expectancy in America was 48 years old, 47-48. In 1922 when my mother was born—and she's still living, I might add. She's living alone, by herself, doing great. She has Medicare. And I'm going to tell my mother now that later today I'm going to call her prescription in. She notified me today that she needed some medicine called in, and so I will do that for her today. I look at her and I think about her need for access to care, and if it's cut off, what does she do.

Mr. GINGREY of Georgia. I thank the gentleman, Madam Speaker. And as he talked about his mom, I stand here thinking about my own mom, who's 95 years old. Her body is getting a little frail, but Mom's mind is perfect. Perfect, Madam Speaker. She has enjoyed the benefit of Medicare and Social Security for many years. Many years. So these legacy programs are hugely important. They're hugely important to our side of the aisle.

Madam Speaker and my colleagues, all of this Medicare stuff, and things that you get all of this rhetoric about, they don't care about seniors and they're going to push somebody's grandmother over the cliff in a wheelchair, that's just a bunch of bull. I

think every Member of this body and every Member of Congress cares about seniors and cares about these programs.

But I also, Madam Speaker, have 13 grandchildren. I have 13 grandchildren, and I want this Medicare program to be there for them some day, just like it has been there for Mom all these years.

So as we talk about these issues, we would do nothing to harm current recipients of Medicare and Social Security. We used the term, the phrase I guess you'd say, "hold harmless." Hold harmless. Any changes that we would make, whether it is the payment system to our doctors and our hospitals for providing the care, it would not take away any benefit. It would not cause our current seniors to have to pay a higher premium or copay or deductible. All we're doing is trying to come up with something that would save the program for them, but, most importantly, for these youngsters that are coming behind us, the next two generations. So that's what we're all about.

My colleague, if he has some more comments, I would like to refer back to him, the gentleman from Tennessee.

Mr. ROE of Tennessee. Dr. GINGREY, I think one of the things I know you did and I know one of the things that I did was to come here to this body, this great body, to work on the repair of our health care system and improve on it.

One of the major pieces of our health care system is our Medicare system. I cannot tell you the patients I have seen in my career that have benefited, whose lives have been helped and saved by the Medicare system and by the doctors and nurses and hospitals and other providers who've cared for them. You have, too. I've operated on them, and I've seen them get cardiac care, renal, whatever it may be, that has improved the quality, improved and lengthened the quality of their life, not just to live longer, but to live better.

My goodness, look at the number of patients that we see of our orthopedic friends that we have that are mobile, that are active who've had joint replacements and so forth. Look, if you're 80 years old, 75 or 80 years old, you understand that your life is not going to be that much longer, but you also want the quality of that life to be the absolute best it can be. And it cannot be if you can't get your knee fixed if you're in pain, or your hip fixed if you're in pain. One of the things that I think our side of the aisle is committed to, I believe the other side, we may have differences of opinion, but one of the things I want to do is to be sure that we shore up and save this great system of Medicare.

I had a meeting today just after lunch about the Medicare part D program that was passed by the Republicans at some political risk for them.

That's been a plan that has actually come in under-budget. It came in under-budget because seniors are able to go shop and purchase exactly what they want that meets their needs. That is exactly what we want to do in the Medicare system.

And when our budget is published next week, we are going to look at a system where we help fix and save and sustain Medicare, as you pointed out, not only for your mother, who's 95, and my mother who is 90, but for my two grandchildren who are 7 and 9. They also deserve the same great system, and we're going to have to change it; but I think we can make it better. I really believe it can be more responsive. You see what patients do when they get Medicare Advantage. You saw what they did. There was a little confusion, I admit, when Medicare part D first came out. There is no confusion now. People shop for the best value that meets their needs, and that's exactly what we should do.

Let me give you an example, Dr. GINGREY. I turned 65 a very short time ago. What happened to me when I turned 65? Nothing. I got one day older. Except what happened was I had a plan now that had an alphabet soup—A, B, C, D.

□ 1540

The day before I had a health care plan. Why, when you turn 65 years of age, don't you have a health care plan? And in that health care plan I can pick out I don't need fertility coverage at age 65, thank you very much. And I think that's the kind of thing—allow seniors to be able to pick what meets their needs and meets their family's needs at that particular point in their life; not just one-size-fits-all, but what they need.

And seniors have done that. They do it with everything else in their life. There's no reason it should change when you hit 65. You should pick out what plan—just like you and I can do up here with the Federal Employees Health Benefits plan. There's no reason that a senior shouldn't have exactly the same plan. It will be cheaper. It will be a better plan for them, and that's one of the things I think we're going to be discussing in the next several months when the Republican budget is published.

Mr. GINGREY of Georgia. I thank the gentleman.

Madam Speaker, as we get near the closing of the hour, I wanted to just mention several things. Dr. ROE has alluded to these, talking about the Medicare Advantage and what a beneficial program that was. Unfortunately, it's now been gutted, literally gutted, cut at least 12 percent, \$130 billion, to create this whole new program that we call PPACA, or ObamaCare.

Medicare Part D, Madam Speaker, the gentleman from Tennessee is talk-

ing about the prescription drug part of Medicare that we did my first year, when I first came here in 2003, the Medicare Modernization and Prescription Drug Act.

Seniors, for many, many years, have wanted to be able to get their prescription drugs covered by Medicare but they couldn't. And of course, when you have to go to the drugstore and get five prescriptions filled, and most of them, brand name, not generic, some generic, maybe, but these brand name drugs are so expensive. And so we finally did this for our seniors.

Now, we spent what—I don't know, maybe \$750 billion—creating that program, and we got criticized for it because it wasn't paid for. We didn't offset by cutting spending somewhere else. And I think maybe that criticism, under the current system, is legitimate.

But really, when you think about it, if you scored dynamically, and you realize that if people, seniors, all of a sudden could take their blood pressure medicine and not have to worry about a stroke, could take their diabetes medicine and not have to worry about eventually having renal failure from diabetes or an amputation, in the long run, what I'm saying, Madam Speaker, is this program, Medicare Part D, Medicare Advantage, electronic medical records, if we scored things in the right way, dynamically, at the end of the day, 10 years, 20 years, whatever, we're going to save money because people are not going to have coronary bypass surgery, they're not going to have to have these amputations, they're not going to end up the rest of their lives in a nursing home because they've had a catastrophic stroke that has left them totally incapacitated.

I'm going to yield back to the gentleman from Tennessee to close us out.

Mr. ROE of Tennessee. I have just one quick statement, Dr. GINGREY. And when you brought this up in 2003—and I want to thank you, because I can remember sitting at my desk in my office in 2003 working, and I could take this pen right here, and in about a minute or a minute and a half, I could write two or three prescriptions that might take up a patient's entire monthly income. That was the decision patients were having to have.

And Republicans stepped up to the plate, made a very difficult decision. Like you said, maybe we should have some criticism for not having offsets. But seniors out there today don't have to make that decision about whether I break this pill in half or whether I don't take it today or whether I buy food.

And you ran across that in your practice. I mean, I would look in our area, many widows that I would see would have a \$600, \$700 a month Social Security check and maybe a \$100 or \$200 a month pension. And you write three

prescriptions, and the first thing they say is, Dr. ROE, it's gone. And you could easily do that. So I want to thank you for your vote.

Mr. GINGREY of Georgia. I thank my colleague.

And Madam Speaker, I thank you, and I thank the leadership of the Republican Party for allowing us to bring this information to our colleagues in a bipartisan way.

We are all about solving these problems. We talked basically about the sustainable growth formula, the way we pay doctors for a volume of care.

Clearly, we're going to have to go to paying for quality of care. We don't have time to get into all the details of that today, but in the next Special Order hour that the Doctors' Caucus leads, we'll get into more details about what we're going to recommend to our committees, to our leadership, to both sides of the aisle in regard to solving this program.

And with that, I yield back the balance of my time.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 423

Mr. COFFMAN. Madam Speaker, I ask unanimous consent to remove as cosponsors from H.R. 423 the following representatives: Representative ILEANA ROS-LEHTINEN, Representative JANICE SCHAKOWSKY, and Representative STEVE STIVERS.

On February 26, 2013, three names were added as cosponsors that were not intended to be included. They were meant to be added to another bill I introduced, H.R. 435.

Their removal is only necessary due to a clerical error on the part of my office, rather than a decision by the four offices.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

HOLLOW IDEOLOGIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Madam Speaker, it's always my honor to be recognized to speak here on the floor of the United States House of Representatives, and I'm privileged to hear from the "Dr. Phil Show" that we've just listened to over this past 60 minutes.

I have a few things on my mind that I'd like to inform you of, Madam Speaker. And I'd start with this: that sometimes we need to take a look at the bigger, broader direction that this Congress is going and this country is going.

And one of the things that I've learned, being involved in the legislative process, in fact, back in the Iowa

State Senate some years ago, one of my colleagues said we're so busy doing that which is urgent that we're not addressing those things that are important. And that should frame all the things that we do.

We should have a long-term plan. We should have a big picture plan, and the things that we do should fit into that. We should be putting the pieces of the jigsaw puzzle together under that broader view.

And how does that broader view fit?

Our Founding Fathers understood it. They understood the perspective of history. They knew where they stood in history, and they acted accordingly. They understood human nature. They understood human universals.

They watched the continuum of history to get up to their point, and they made deep, long-term, broad, deliberative decisions that were difficult and debated, they were hard-fought out, and they put those pieces in place for us. It's clear to me when I read through the documents of our Founding Fathers that they understood history and human nature.

It's not as clear to me, Madam Speaker, when I serve here in this Congress and engage in debates here on the floor and in committee and in subcommittee and around in the places where we're often called upon to comment or listen to the comment of others, that we're looking at this from the big picture.

So something that brought this home for me was on a trip that I was involved in dealing with negotiations with the Europeans, and one of the speakers who was an expert on the Middle East made a presentation about the Muslim Brotherhood. And I'm not here to speak about the Muslim Brotherhood except this: that part of his presentation was that the Muslim Brotherhood is, according to the speaker, a hollow ideology. I put that in quotes, "a hollow ideology."

Now he said that they can't sustain themselves over the long term because their belief system isn't anchored in those things that are timeless and real, those things like the core—now, I'm going to expand a little bit—the core of faith, the core of human nature, but a hollow ideology.

So when he used that term and professed that hollow ideologies cannot continue, that they will eventually expire because they're sunk by their own weight, rather than buoyed by a belief system, then I began to look at our Western civilization.

And we are, here in the United States, Madam Speaker, the leaders of Western civilization.

□ 1550

And so when the allegation of a hollow ideology is placed upon the Muslim Brotherhood, I have to wonder: can I make the argument that our ideology

is full and wholesome and identifies our values that are timeless? And are the pillars of American exceptionalism restored with the ideology we carry here? And do we strengthen this Nation so that the next generation has the opportunities we had or do we just ignorantly wallow through the day-to-day urgent decisions of Congress without dealing with the broader picture of who we are and, particularly, how we got here?

I look back to the time when I first ran for office. I was putting together a document that I wanted to hand out to my, hopefully, future constituents. I believed that I should put a quote in there that sounded wise, and hopefully was wise.

As I sat in my construction office about 1:30 in the morning, I wrote up this little quote. Part of it is naive; another part of it, I think, is appropriate. And the quote was this: that human nature doesn't change; that if we ever get the fundamental structure of government correct, the only reason we need to reconvene our legislative bodies are to make appropriations for coming years or adjustments for new technology.

Madam Speaker, when you think about what that means, if we ever get government right, if we ever get our laws in place, our regulations in place so that they reflect and bring about the best of human nature, since human nature doesn't change and it hasn't changed throughout the generations, then just make the adjustments for appropriations in new technology, that is a correct statement, I believe. But it is pretty naive about the reality of coming to a consensus on getting the fundamental structure of law correct, let alone the fundamental structure of regulations correct, without regard to the changing technology that always is thrust upon us here.

We are continually going to be in an argument, in a debate, about the fundamental human nature, how people react to public policy and about where we would like to see society go. Those of us on my side of the aisle believe that we have values that are timeless. Whatever was true 2,000 years ago is true today, and whatever was sin 2,000 years ago is sin today.

There are those on the other side of the aisle, many of them would advocate that society isn't going in the right direction unless you are constantly changing things, without regard to the values we are changing, without having to grasp for a higher ideal, just grasping for change. If change is the mission and they are launched upon that mission, they believe they are doing good because they are eliminating the things that we have had and adopting something different, not necessarily something better. And they don't even argue that it is better, but they argue for change.

I would say this, Madam Speaker: that we have fundamental values, that these fundamental values have been clear to our Founding Fathers. They are rooted in human history. They go back to the time of Adam and Eve. But the things that we should keep track of here are those things that our Founding Fathers looked at as well, that being the rule of law is one of the essential pillars of American exceptionalism. Without it, we can't be a great country. Most of the pillars of American exceptionalism are listed in the Bill of Rights.

Our Founding Fathers got it right. When they guaranteed us, in the First Amendment, the freedom of speech, religion, assembly, and the press, all of that rolled up in one amendment, think what that means.

And I would argue, especially to our young people, Madam Speaker, that if we don't exercise these rights—and our Founding Fathers made it very clear, these are God-given rights. Thomas Jefferson wrote it in the Declaration, as signed by the hands of those Founding Fathers that pledged their lives, their fortunes, and their sacred honor, that these rights come from God. And it is the first time that concept had been argued, established, and put down as a foundation of this Republic. It is not the beginning of these God-given rights; it is the most defensible version of it.

I would take us back to the origins of the rule of law, which seems to be getting eroded here in this Congress—in the House and in the Senate and in the White House. I don't have that same charge to the Supreme Court these days, but I would test them in a couple of places, perhaps in a different venue, Madam Speaker.

The rule of law, the foundation of the rule of law, I will say that was handed down by Moses, Mosaic Law. And as that law was handed down and we went through those times after the birth of Christ—and we saw during that period of time of Christ that the Greeks and the Romans had embraced Mosaic Law, even though they sometimes good-naturedly teased each other about borrowing their ideas about the rule of law from Moses—it is true, Mosaic Law flowed into Greek law and Roman law.

If you look at history, the Romans flowed across Western Europe all the way up into England up into Ireland. They established themselves in a big way because of the rule of law.

That rule of law was torn asunder about the time that the Dark Ages began, around 406 AD to around 410 AD, when Rome was sacked and we saw ourselves go into the Dark Ages. And, I will say, the uncivilized began to destroy anything that they saw that was evidence of the civilizations of the Greeks and the Romans. They tore down the buildings. They tore down the symbols, those things that reminded them of the former civilization.

Out of that, the Roman church collected and protected many of those documents of the classics and the Irish monks collected and protected many of the classics of the era of the Greeks and the Romans. And we went through those hundreds of years of the Dark Ages when people forgot how to think about the age of reason, how to apply deductive and inductive reasoning, rational thought. That disappeared, and it became the rule of emotion rather than the rule of law, the society driven by instinct and emotion rather than a society that was ordered by rational thought.

And how did this come back together? We think we couldn't lose this again today, Madam Speaker. It was lost at one time, and it was reconstructed again after hundreds of years.

I think about how that was bridged. There are a number of symbols of the bridging of the classical period of the Greeks and the Romans through the Dark Ages into the Middle Ages and into today.

One of those symbols would be the Cologne Cathedral dome in Germany. Now, if I have my history right—and I am going to speak generally, Madam Speaker, because I didn't commit this to precise memory for the purposes of delivering it, but conceptually I will—the origins of that cathedral and that church and that diocese there began about 330 AD or so.

Can you imagine, before the fall of the Roman Empire, the Christian faith was building gothic edifices in Western Europe as monuments and symbols of the deep core of their belief system, not a hollow ideology, but a full ideology driven by a Christian faith and followed along by individual rights.

The foundation of the Cologne Cathedral dome began to be laid around 330 AD. The architectural plans, as I recall them, for the church that exists today was about 832 AD. Then they began to build for a few hundred years. Around about 1100 AD or so, they ran out of money.

Now, we haven't yet emerged from the Dark Ages, but it is beginning. Hundreds of years of Dark Ages and the construction of this church had stopped. They ran out of money. The Dark Ages had suppressed it, and the image and the vision of this not hollow but full ideology had to weather through centuries.

Then coming out of the Dark Ages in 1100 AD or so, they began their fundraising drive again. For 600 years they raised money to finish the cathedral that was planned. Architectural drawings were put down on parchment about 832 AD.

They picked up those plans 600 years later, the same plans, to complete the church that was completed in the late part of the 19th century and exists today.

That is an idea of the length of time that a vision can sustain itself. A not

hollow but a full ideology can drive itself through the collapse of the Roman Empire, through the Dark Ages, through the reconstruction period, into the modern era and survive, in fact, survive all the allied bombers that went over it in World War II. That is a vision of not a hollow ideology but a full ideology that is driven by culture, by civilization, by faith.

Here we are today. As I listen to that presentation about the hollow ideology of the Muslim Brotherhood, I thought: what is our agenda here in Congress? Does this agenda reflect our value system? Does it anchor in these core beliefs that go back in a timeless way? Does it recognize that there are human universals that never will change? And does it recognize that we are motivated by those human universals and that it is anchored in our value system?

I don't know that our agenda reflects that these days. It seems as though we are running herky-jerky from one economic issue to another economic issue, not with a long view picture, but with the idea that we are going to get past this crisis and then somehow we are going to put this back together on the other side of the crisis.

□ 1600

That's the case with the fiscal cliff. That's the case with reordering the issues of sequestration, continuing resolution, and, later on, the debt ceiling. These are the urgencies that are being addressed, sometimes at the expense of the bigger picture.

It would be different if we were dealing with urgencies that were fitting the jigsaw puzzle pieces into the big picture, but I don't believe that we are. I think that we are starting to lose sight of who we are as a people and we're starting to lose our grip on those fundamentals.

There is a big difference going on in this country that we have not seen in the history of the United States of America, Madam Speaker, and the difference is this: those of us who believe that we have timeless values and that we need to be reconstructing and refurbishing the pillars of American exceptionalism competing against those who believe that chiselling those pillars of American exceptionalism down and replacing them with something or nothing is preferable to restoring them. I think that that is being driven out of the White House and the people that share common cause, Madam Speaker, with the President of the United States.

This movement that he is driving, it divides people against each other. When you see this concept of multiculturalism—which is something that I embraced when it emerged on the public scene because I believed it was a good tool for us to respect all people of all races and all ethnicities, whatever their behaviors might be in

life. But I began to see that the people on the other side were using it as a tool to divide, not to unite, a tool to pit people against each other rather than to draw them together. I've seen the President use that in his politics repeatedly to the extent that I've never seen in the history of this country. I did, though, recognize it.

When Bill Clinton was elected President, I wrote an op-ed about the method that he used to appoint his Cabinet. That method was: I'm going to put together a multicultural formula and I am going to—and he said this: I'm going to appoint a Cabinet that looks like America. That would be the quote from Bill Clinton after he was elected, before he was inaugurated, as he put the Cabinet together.

I thought at that time, the President of the United States should be putting together a Cabinet that best serves America, regardless of what they look like. But that wasn't what happened under the Clinton administration, and I'm not convinced that's what's happened under any subsequent administration, Republican or Democrat, since then. But this President has pitted us against each other along the lines of race, along the lines of ethnicity, with sometimes little comments that are made that aren't so subtle. These things divide us as a people rather than unite us as a people.

When you hear the promise out there that people won't have to worry about their rent check or won't have to worry about their car payment, that somebody will take care of you—this idea that government is going to step in and lift the burden off people and take away individual responsibility is something that was pervasive in the last two Presidential races, particularly in the last one, and it undermines the efficiency of the American people.

We should be thinking, Madam Speaker, about a Nation of over 300 million people that has some of the longest and the highest and most sustained unemployment rates in the history of this country—the Great Depression would be the exception—and a Nation with around 313 million people in it, a little over 13 million people who have signed up for unemployment, another number of people that approaches that of about 20 million people that are definably underemployed, and that's just a piece of those who are not engaged.

When we look at the Department of Labor's Web site and we start to add up those unemployed to those who are of working age simply not in the workforce, we come to a number of over 100 million Americans, Madam Speaker, that are not contributing to the gross domestic product, that are of the age group that one would think we would get some work out of some of them. Now, I recognize in that group of over 100 million there are some that are retired, some are early retired, some are

in school, some are homemakers. It's difficult for me to complete the list of reasons why people would not be contributing to our economy.

But we seem to think that 100 million Americans not in the workforce doesn't seem to trouble very many people in this Congress, but it's okay for us to be looking at 11 or 12 or 20 million people that are in this country unlawfully, who are working unlawfully, and who are, at least theoretically, taking jobs that Americans might take.

At one point, Madam Speaker, I wrote an op-ed that laid out an analogy. It described the United States as analogous to a huge cruise ship—it would also be a sailing cruise ship—with 300 million people on it. You need some people that will pull on the oars and swab the deck and trim the sails and work in the galley and clean out the cabins and do those kind of things up in steerage and in first class and wherever else, and somebody there to man the navigation and take care of the captain. That's all jobs that happen on a cruise ship. And our whole economy and our society is tied together, 50 States and 300 million people.

What kind of people, if they needed somebody else to pull on the oars or swab the deck or trim the sails or calculate the navigation, what kind of people would say, We've got 300 million people on this ship and we've got 100 million of them that are sitting up in steerage, but we need somebody else to do the work that those people in steerage won't do, so let's pull off on this continent and load another 10 or 20 million more people on to do the work that people on this cruise ship won't do? No captain in his right mind would sail that ship over there and load a bunch more people on to do work if he had 100 million people up in steerage that had opted out because somebody is taking care of delivering the food, cleaning their cabin, and making sure they have a place where they can stay. That's what happens to human nature when you have a domestic policy that makes it easy to turn the safety net into a hammock.

That's something that Phil Gramm used to discuss about how it's one thing to create a safety net—and we're for a safety net in here almost universally—but to turn the safety net into a hammock and then ask somebody else to come do work that Americans aren't willing to do is a reach that I'm not willing to accept.

Neither do I accept the idea that there's work that Americans won't do. Every single job category has Americans working in it in a majority of that job category. We saw some of that data today, Madam Speaker.

So I'd say this instead. We are a country that is richer than any country ever in the history of the world. We have more technology than ever in the

history of the world. We have more capital created. We have more human capital, more know-how, more can-do people out there to pull on the oars and trim the sails and navigate the ship and do all of the things that need to happen. This country has all of those assets and all of those resources in greater number and supply by any measure than any civilization in the history of the world, and Madam Speaker, we can't live within our means? We have to run a deficit of \$1 to \$1.2 trillion and borrow money from the Chinese and the Saudis—and, by the way, about half of this debt is held by domestic debt, the American people that are buying bonds and T-bills.

But a Nation that's the richest Nation, the richest culture, the richest economy, the richest civilization in the history of the world has to borrow over \$1 trillion a year just to sustain this lifestyle that we have, while we have 100 million—a third of our population—that is of working age that is not contributing to the gross domestic product. Think of what that means. Think how posterity will judge us if we don't step up to our responsibilities, get our spending under control, bring more of the people into the workforce that are, I will say, living off of public benefits.

I would be willing to submit that you won't find someone on the streets of America that can name for you all of the means-tested welfare programs—Federal programs that are means tested—that we have. That number used to be 72. Then it went to 80. This is a number that has been calculated and pulled together by Robert Rector of the Heritage Foundation. I asked him, you know, I used to quote you at 72, now you say 80. What happened? He said, I found some more. I said, Is 80 the finite number, 80 different means-tested Federal welfare programs? He said, Well, there are at least 80; why don't you say a minimum of 80.

So 80, a minimum of 80 different means-tested Federal welfare programs, some of them competing with each other, and no one can list them from memory, and no one has the capability of understanding how they interrelate with each other nor how they motivate or demotivate the people that they are designed to help. What kind of a country would do that?

And why would we have 100 million people of working age not in our workforce while we're running up a debt of \$1.2 trillion a year? We've seen that the per capita national debt now for a baby born in the United States—babies born today, their share of the national debt is \$53,000. It went over \$53,000 just the other day. So, welcome to the world. You're an American citizen born here by birthright citizenship, but you don't have a right not to contribute to paying off the national debt, and your share is \$53,000.

□ 1610

What kind of a country would do that and not tighten its belt and not put some of its people to work? And then I end up with these economic discussions, Madam Speaker. They come from smart people who will say, well, the labor force should be determined by supply and demand. Why don't we let human migration follow where the jobs are? Well, Milton Friedman had the answer to that. He said that you cannot have open borders and a welfare system, especially one that is as generous as our welfare system is.

So which one can you fix? Can you fix the border problem? Can you fix the welfare problem? I'd like to fix them both, Madam Speaker. One of them is a little easier than the other. We can control the borders and shut off the jobs magnet easier than we can make the case that we should be tightening down the welfare system in this country. But we need to do both. We need to bring the country back within its means. The entitlement system that's out there that fits within those 80 different means-tested welfare programs needs to be completely reexamined.

I think Congressman LOUIS GOHMERT is correct when he said we need to put all of the welfare into a single committee so they're responsible for all of the programs that we have. It's the only way we can begin to get a handle on it. The committee jurisdiction is scattered out through multiple committees, and he knows that better than I.

The big picture that I started to talk about in the beginning, Madam Speaker, is that we need to identify the pillars of American exceptionalism and we need to refurbish those pillars. The identification of them become the things that we've inherited from far back in the origins of Western Civilization. Mosaic law flowed through Greek and Roman law, and the Magna Carta that was signed in 1215 established individual freedom from the monarch or the despot that no subject could be—let's say no one other than a serf at that time—could be punished arbitrarily. They had to have the right and the protection of the rule of law.

We have these guarantees in our Constitution, freedom of speech, and I'm exercising it now, Madam Speaker, and I encourage all to do so. If we stopped exercising freedom of speech, we would eventually lose it because it would be defined away from us. Freedom of religion fits the same category. If we don't exercise our freedom of religion, it becomes redefined away from us. How about freedom of the press? I would submit, Madam Speaker, that those who abuse freedom of the press, those who do not have journalistic integrity, are undermining our First Amendment right. If every newspaper out there printed things that they knew were dishonest, if they just drove purely a

political agenda on the front page, on the side where they're held accountable for journalism, or in their commentary when they print falsehoods as fact, it undermines all of our freedom, because when someone abuses a freedom, they diminish that freedom for all of us.

Now, think in terms of this—if that's hard to understand for some folks, Madam Speaker, I'll put it this way: If everybody went out there and abused the Second Amendment right, it wouldn't be long before we wouldn't have the right to keep and bear arms, regardless of what the Constitution says. We have to utilize those rights, and we have to exercise them in a responsible way. The abuse of God-given rights, the abuse of these rights, especially in the Bill of Rights, undermines the rights that we have.

But we do have freedom of speech, religion, and the press and assembly. If we stopped exercising them, we would lose them. We have the right to keep and bear arms, not for hunting, not for target, not for self-defense, and not for collection. All of those four reasons to keep and bear arms are—I'll say they are additional rights; it's just the bonus that comes along with it because our Founding Fathers understood that a well-armed populace was a protection against tyranny. I agree with that and defend the Second Amendment because that is what allows us to defend ourselves against tyrants.

You can go on up through the Bill of Rights, the right to property in the Fifth Amendment—nor shall private property be taken for public use without just compensation. The Kelo decision took that phrase out of there, "for public use." I think one day, a Supreme Court, if we raise an adequate objection, will have to go back and revisit the Kelo decision. It was an unjust decision that didn't reflect the language in the Fifth Amendment. Property rights is another core of American exceptionalism.

Without these rights, freedom of speech, religion, and the press, and the Second Amendment rights to keep and bear arms, without property rights, without being tried by a jury of our peers and the right to face our accusers, without the concepts of federalism and these enumerated powers in the Constitution, that being reserved for the Congress and the balance of them that revert to the States or the people respectively, without those components, we would not have emerged as the country that we are. We can't sustain ourselves as a country that we are to be if we don't protect those pillars of American exceptionalism.

In the core of those pillars of American exceptionalism is, as I said earlier, the rule of law. When the rule of law is usurped by a king or a despot or a President of the United States, it diminishes us all, and it diminishes the potential destiny of the United States

of America. We've seen, as the President of the United States has decided, that he will enforce the law that he sees fit, and he will not enforce the law that he doesn't agree with. And it's clear in a number of ways, Madam Speaker. The President suspended No Child Left Behind. He won't enforce that. He essentially has waived it off the books.

Now, he took an oath to take care that the laws be faithfully executed. That is in the Constitution, and it's a requirement. He took the oath, he understands it, he taught constitutional law, but he simply set aside No Child Left Behind. It isn't the issue that I'm advocating here; it is that a President must take care that the laws be faithfully executed.

Behind that, he suspended welfare to work. In the middle 1990s, there were three times that President Clinton vetoed the welfare reform law. He finally signed it and took credit for it—okay, that's politics—but one component of that was welfare to work. And only one of all of our more than 80 different means-tested welfare programs that we have, or a minimum of 80 different means-tested welfare programs that we have, of all of them, there's only one, Madam Speaker, that requires work. That one is the TANF program, Temporary Assistance for Needy Families. And it says in there that it specifically prohibits the President from suspending or waiving the work requirement. The President did so anyway.

Sticking with this rule of law that has been so damaged by our President, it's also true with immigration law. The immigration law requires that people who are in violation of it be put into the process for deportation. The President has decided he won't do that. Now, it's one thing to have prosecutorial discretion. I agree that the executive branch has to be able to decide which highest priorities are there for the resources of law enforcement. But when the executive branch—the prosecutorial discretion is always on an individual basis, not on a group basis, not on a clear-the-board basis. But look what the President has done. He has issued a memorandum, actually a memorandum that was written by Secretary Napolitano of the Department of Homeland Security, that said that we're not going to enforce immigration law. So I'm here to endorse the rule of law and stand up and defend the Constitution. I appreciate your attention.

I yield back the balance of my time.

SUFFERING UNDER SEQUESTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, the sequestration has taken place that we

were told a year and a half ago would not. The President said during the debates last fall it would not, but it has taken place, as the President traveled around the country demonizing those of us back here that were hoping for a better way to cut, hoping that something could be reached in the way of an agreement that would have given more flexibility, but that didn't happen. People were too busy going off doing other things to be here in Washington with us and work out some kind of an agreement.

One bit of good news, though: We had heard from the Secretary of Homeland Security that the lines would be long in the airport, there would be delays and there would be all kinds of problems. Initially, it was announced that FAA officials would be pulled from between 150 to 200 airports. They were going to make America feel as much pain as possible. But with all the tough news for travelers, we can all be comforted. This is dated March 5, a story by Elizabeth Harrington: The TSA was able to seal a \$50-million sequester-eve deal to buy new uniforms.

So the lines will be longer traveling. We are told by Homeland Security they are going to make America feel pain because we managed to cut less than 2 percent of government spending when it's increased over 20 percent over the last 4 years, when every American who works and pays taxes had their taxes go up 2 percent on January 1. This was merely taxes going up 2 percent, giving basically a tax on government for 2 percent, the same one America suffered.

□ 1620

That is the same amount basically, and yet we have officials in this administration who say, Oh, no. We can't stand a 2 percent cut. Heck, here at the House itself, our budgets have been cut 11½ percent over the last 2 years. We did it. And you've got TSA, you've got FAA, you've got Homeland Security, you've got people being released from custody that will put American citizens in jeopardy all to make the point that we can't live with a 2 percent cut like every hardworking American taxpayer has. At least we know that TSA will have new uniforms while the lines are getting longer.

It also is worth noting a story here by Terence Jeffrey March 4 of this year, that President Obama borrowed nearly six times as much in February as the sequester cuts all year. I recall in 2006, the last year Republicans were in the majority before Speaker PELOSI took the gavel, Democrats on this side of the aisle appropriately beat up Republicans because we had a budget, an appropriations that year that spent \$160 billion more than we brought in, and we should have gotten it balanced. They were right.

I would never have dreamed that within a few years and with a Democrat in the White House, with a Democratic majority in the House and a Democratic majority in the Senate, that they wouldn't spend \$160 billion more than we took in; they'd spend \$1.6 trillion more than we took in. And here, with all the gloom and doom and claims of how bad it's going to be—oh, it's going to be horrible—we find out that the President borrowed \$253.5 billion in one month, the shortest month of the year, February, six times more than the sequester was with all the complaints.

I have an interesting story here in Townhall.com by Heather Ginsberg: "President Obama's Golf Trip Could Have Saved 341 Furloughed Jobs." She goes on to outline the millions of dollars it cost for the last golf outing. That's pretty tragic.

I think we have one of the most gracious and graceful First Ladies that we've ever had. She made a wonderful quote previously. She said:

This is really what the White House is all about. It's the people's house. It's a place that is steeped in history, but it's also a place where everyone should feel welcome. And that's why my husband and I have made it our mission to open up the house to as many people as we can.

That was our First Lady, and that was a wonderful position to take.

So I'm sure she was not consulted today when the White House in its frustration that all of us in Congress—heck, the cut we are having in Congress is going to put us around a 20 percent cut of our budget in the House. The Senate hadn't cut themselves 11½ percent like we have, but we will have cut our own budget in the House of Representatives in every office at least 20 percent in 3 years' time. The President, even though his government has grown about 20 percent in 4 years, could not live with just pulling back 2 percent of that 20 percent increase.

So, today, as the story indicates from today—this is from the Washington Examiner:

Never say the White House isn't affected by sequestration. The Visitors Office just notified Congress that tours of the White House are canceled until further notice.

Due to staffing reductions resulting from sequestration, we regret to inform you that White House Tours will be canceled effective Saturday, March 9, 2013 until further notice, the White House email to legislative offices explains. Unfortunately, we will not be able to reschedule affected tours. We very much regret having to take this action, particularly during the popular spring touring season.

Well, knowing that, as the story reports here, we could have had 341 Federal employees that could have kept their jobs and not been furloughed if the President had not taken his last golf outing. It seems to me that since there are so many people coming to Washington—it appears to me as many Democrats as Republicans, possibly

more—they have wanted, they have counted on the quote from the first lady. They were so looking forward to touring the White House.

I filed an amendment with the Rules Committee this afternoon so that we can work together. The amendment to the continuing resolution of funds—and I'm hoping and begging and pleading that the Rules Committee will make this amendment in order. It's an amendment to H.R. 933 offered by Mr. GOHMERT of Texas:

At the end of division C (before the short title), insert the following:

None of the funds made available by a division of this act may be used to transport the President to or from a golf course until public tours of the White House resume.

That way we will both work together so the President will not be able to take a golf outing that causes 341 more Federal officials to be furloughed and lose their job, at least temporarily. Then perhaps by avoiding furloughing all these Federal employees, we'll be able to get the Democrats and Republicans across America, people that didn't even have a party because they're just Americans, they'll be able to get their tour of the White House, and all it will cost is one or two golf trips less.

With that, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess.

□ 1736

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 5 o'clock and 36 minutes p.m.

HOURLY OF MEETING ON TOMORROW

Mr. COLE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 933, DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

Mr. COLE, from the Committee on Rules, submitted a privileged report

(Rept. No. 113-12) on the resolution (H. Res. 99) providing for consideration of the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 307. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 6, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

576. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations (St. Helena Parish, LA, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

577. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations (Unincorporated Areas of Craven County, North Carolina) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

578. A letter from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting the 2013 Recommendations of the Public Members of the Advisory Council on Alzheimer's Research, Care, and Services to the Committee on Energy and Commerce.

579. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2012 Performance Report to Congress for the Animal Drug User Fee Act to the Committee on Energy and Commerce.

580. A letter from the Secretary, Department of Homeland Security, transmitting fiscal year 2012 Performance Report to Congress for the Animal Generic Drug User Fee Act to the Committee on Energy and Commerce.

581. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-479, "Compassionate Release Authorization Amendment Act of 2012" to the Committee on Oversight and Government Reform.

582. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-654, "Council Notification on Enforcement of Laws Amendment Act of 2012" to the Committee on Oversight and Government Reform.

583. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-649, "Schedule H Property Tax Relief Act of 2012" to the Committee on Oversight and Government Reform.

584. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-655, "Retail Incentive Amendment Act of 2012" to the Committee on Oversight and Government Reform.

585. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-652, "Israel Senior Residences Tax Exemption Act of 2012" to the Committee on Oversight and Government Reform.

586. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-656, "Sign Regulation Authorization Amendment Act of 2012" to the Committee on Oversight and Government Reform.

587. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-657, "Re-entry Facilitation Amendment Act of 2012" to the Committee on Oversight and Government Reform.

588. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-653, "Washington Metropolitan Area Transit Authority Board of Directors Act of 2012" to the Committee on Oversight and Government Reform.

589. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-658, "Motorized Bicycle Amendment Act of 2012" to the Committee on Oversight and Government Reform.

590. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-659, "Service Animals Access Amendment Act of 2012" to the Committee on Oversight and Government Reform.

591. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-668, "Workplace Fraud Amendment Act of 2012" to the Committee on Oversight and Government Reform.

592. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-660, "Bloomington and LeDroit Park Backwater Valve and Sandbag Act of 2012" to the Committee on Oversight and Government Reform.

593. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-667, "Uniform Commercial Code Revision Act of 2012" to the Committee on Oversight and Government Reform.

594. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-661, "District of Columbia Flood Assistance Fund Act of 2012" to the Committee on Oversight and Government Reform.

595. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-662, "Construction and Demolition Waste Recycling Accountability Act of 2012" to the Committee on Oversight and Government Reform.

596. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-666, "Bad Actor Debarment and Suspension Amendment Act of 2012" to the Committee on Oversight and Government Reform.

597. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-663, "Administrative Disposition for Weapons Offenses Amendment Act of 2012" to the Committee on Oversight and Government Reform.

598. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-664, "United House of Prayer for All People Real Property Tax Exemption Technical Temporary Act of 2012" to the Committee on Oversight and Government Reform.

599. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-665, "Beulah Baptist Church Real Property Equitable Tax Relief Temporary Act of 2013" to the Committee on Oversight and Government Reform.

600. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-651, "State Board of Education Personnel Authority Amendment Act of 2012" to the Committee on Oversight and Government Reform.

601. A letter from the Human Resources Specialist, Department of Defense, transmitting nineteen reports pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

602. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of the Report of the Judicial Conference of the United States for the September 2012 session to the Committee on the Judiciary.

603. A letter from the Federal Register and Regulatory Liaison Officer, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA Information Security Protection [Document No.: NASA-2012-0006] (RIN: 2700-AD61) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

604. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—Modification of the Port Limits of Green Bay, WI [Docket No.: USCBP-2011-0031] (CBP Dec. 13-2) received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

605. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Revised Exhibit: Sample Notice to Interested Parties (Announcement 2013-15) received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. Billions on Oversight

and Government Reform. Billions of Federal Tax Dollars Misspent on New York's Medicaid Program (Rept. 113-11). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on rules. H. Res. 99. A resolution providing for consideration of the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 113-12). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of Iowa (for himself, Mrs. BACHMANN, Mr. BACHUS, Mr. BARR, Mr. BARTON, Mrs. BLACK, Mr. BONNER, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BUCSHON, Mr. CHABOT, Mr. COLE, Mr. COTTON, Mr. CRAMER, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. FLEMING, Ms. FOXX, Mr. GARDNER, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. GRIFFIN of Arkansas, Mr. GRIFFITH of Virginia, Mr. HARPER, Mr. HARRIS, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Ms. JENKINS, Mr. JORDAN, Mr. LAMALFA, Mr. LAMBORN, Mr. LONG, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MEADOWS, Mr. MULVANEY, Mr. NUGENT, Mr. NUNNELEE, Mr. PALAZZO, Mr. PERRY, Mr. PITTENGER, Mr. POE of Texas, Mr. ROE of Tennessee, Mr. ROSS, Mr. SALMON, Mr. SCALISE, Mr. SCHWEIKERT, Mr. STOCKMAN, Mr. WALBERG, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. YOHO):

H.R. 946. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and the Workforce.

By Mr. SCHOCK (for himself and Mr. THOMPSON of California):

H.R. 947. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the cash method of accounting for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. REED (for himself, Mr. DOGGETT, Mr. REICHERT, Mr. LEWIS, Mr. BOUSTANY, Mr. YOUNG of Indiana, Mr. GRIFFIN of Arkansas, Mr. RENACCI, Mr. DANNY K. DAVIS of Illinois, Mr. TIBERI, and Mr. PAULSEN):

H.R. 948. A bill to establish consistent requirements for the electronic content and format of data used in the administration of certain human services programs under the Social Security Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself, Mr. DEFAZIO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. LARSEN of Washington, Mr. CAPUANO, Mr. BISHOP of New

York, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. LIPINSKI, Mr. WALZ, Mr. COHEN, Mr. SIREN, Ms. EDWARDS, Mr. GARAMENDI, Mr. CARSON of Indiana, Mr. NOLAN, Mrs. KIRKPATRICK, Mr. SEAN PATRICK MALONEY of New York, Ms. ESTY, Mrs. BUSTOS, Mr. LOEBSACK, Ms. SLAUGHTER, Mr. HIGGINS, Mr. PETERS of Michigan, Mr. VISCLOSKEY, and Mr. CICILLINE):

H.R. 949. A bill to ensure that transportation and infrastructure projects carried out using Federal financial assistance are constructed with steel, iron, and manufactured goods that are produced in the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD:

H.R. 950. A bill to require the Director of the Office of Management and Budget to send a report to Congress indicating how amounts could be transferred within agencies and departments for fiscal year 2013 to avoid all furloughs or reductions in force; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Ms. DELAURO, Mr. CONYERS, Ms. DEGETTE, Mr. GRIJALVA, Ms. MOORE, Ms. NORTON, Mr. LANGEVIN, Ms. WASSERMAN SCHULTZ, Ms. BROWN of Florida, Mr. SIREN, Mr. BLUMENAUER, Ms. ROYBAL-ALLARD, Mr. LEWIS, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Ms. SLAUGHTER, Mr. ELLISON, Mr. GARAMENDI, Mr. CICILLINE, Mr. MORAN, and Ms. WATERS):

H.R. 951. A bill to promote the economic self-sufficiency of low-income women through their increased participation in high-wage, high-demand occupations where they currently represent 25 percent or less of the workforce; to the Committee on Education and the Workforce.

By Mr. SWALWELL of California:

H.R. 952. A bill to amend the Internal Revenue Code of 1986 to allow small businesses to defer the payment of certain employment taxes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 953. A bill to improve security at State and local courthouses; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself, Mr. GEORGE MILLER of California, Mr. BLUMENAUER, Mr. RUSH, and Mrs. DAVIS of California):

H.R. 954. A bill to amend the Workforce Investment Act of 1998 to provide for the establishment of the Small Business Liaison Pilot Program; to the Committee on Education and the Workforce.

By Mr. RUSH (for himself and Ms. KAPTUR):

H.R. 955. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Mr. KIND:

H.R. 956. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Ways and Means.

By Mrs. LUMMIS (for herself, Mr. HIMES, Ms. BONAMICI, Mr. MCCARTHY of California, and Mr. COOK):

H.R. 957. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSEN of Washington (for himself, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Ms. CHU, Mr. CONYERS, Mrs. DAVIS of California, Ms. DELBENE, Ms. HANABUSA, Mr. HECK of Washington, Ms. MCCOLLUM, Mrs. NAPOLITANO, Ms. NORTON, Ms. SLAUGHTER, Mr. STIVERS, and Ms. WASSERMAN SCHULTZ):

H.R. 958. A bill to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on the Budget, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself, Mr. BARROW of Georgia, Mr. GRIFFITH of Virginia, Mr. MCKINLEY, Mr. MURPHY of Pennsylvania, Mrs. ELLMERS, Mr. POMPEO, Mr. BURGESS, Mr. TERRY, Mr. GUTHRIE, and Mr. OLSON):

H.R. 959. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity to occur outside the United States and its territories and possessions; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. KING of New York, Mrs. MCCARTHY of New York, and Mr. MEEKS):

H.R. 960. A bill to amend the National Flood Insurance Act of 1968 to provide relief from increased flood insurance premium rates for homes in disaster areas; to the Committee on Financial Services.

By Mr. LYNCH:

H.R. 961. A bill to amend title 5, United States Code, to provide for the computation of normal-cost percentage for postal employees as a separate and distinct class, and to provide for the disposition of certain excess retirement contributions made by the United States Postal Service; to the Committee on Oversight and Government Reform.

By Mrs. DAVIS of California (for herself and Mr. VELA):

H.R. 962. A bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE (for herself and Mr. STIVERS):

H.R. 963. A bill to assist low-income individuals in obtaining medically recommended dental care; to the Committee on Energy and Commerce.

By Ms. DEGETTE (for herself and Mr. COFFMAN):

H.R. 964. A bill to amend the Controlled Substances Act to provide that Federal law shall not preempt State law; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTIERREZ:

H.R. 965. A bill to prohibit the possession or transfer of junk guns, also known as Saturday Night Specials; to the Committee on the Judiciary.

By Ms. HANABUSA (for herself, Ms. GABBARD, Mr. HONDA, Mr. TAKANO, Mr. FALOMAVAEGA, Ms. CHU, Mr. SABLAN, and Mr. FARR):

H.R. 966. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas and for other purposes; to the Committee on the Judiciary.

By Mrs. LUMMIS (for herself, Mr. SMITH of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 967. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. MATSUI:

H.R. 968. A bill to amend the National Flood Insurance Act of 1968 to allow the rebuilding, without elevation, of certain structures located in special flood hazard zones that are damaged by fire, and for other purposes; to the Committee on Financial Services.

By Mr. PRICE of Georgia (for himself, Mr. BOUSTANY, Mr. ROE of Tennessee, Mrs. BLACKBURN, and Mr. CASSIDY):

H.R. 969. A bill to prohibit conditioning licensure of a health care provider upon participation in a health plan; to the Committee on Energy and Commerce.

By Mr. MICHAUD:

H.R. 970. A bill to amend part D of title IV of the Social Security Act to prohibit States from charging child support recipients for the collection of child support; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. MCHENRY):

H.R. 971. A bill to prohibit the sale or trade to another community of community development block grant award amounts; to the Committee on Financial Services.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 972. A bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. CHABOT, Mr. PALAZZO, Mr. HARPER, Mr. BACHUS, Mr. KING of Iowa, Mr. TIBERI, Mr. BOUSTANY, Mr. JOHNSON of Ohio, Mr. MULVANEY, Mr. HUIZENGA of Michigan, Mr. RIBBLE, Mr. DUNCAN of Tennessee, Mr. CARTER, Mr. NUGENT, Mr. CONAWAY, Mr. PETRI, Mr. AMODEI, Mr. LANKFORD, Mr. BILIRAKIS, Mr. WESTMORELAND, Mr. FITZPATRICK, Mrs. BLACK, Mr. MARINO, Mr. GINGREY of Georgia, Mr. MILLER of Florida, Mr. JORDAN, Mr. WALBERG, Mr. BARLETTA, Mr. FORBES, and Mr. DUFFY):

H.R. 973. A bill to exempt employers from any excise tax and certain suits and penalties in the case of a failure of a group

health plan to provide coverage to which an employer objects on the basis of religious belief or moral conviction; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIREs (for himself, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. HAHN, Ms. BROWN of Florida, and Mrs. NAPOLITANO):

H.R. 974. A bill to amend titles 23 and 49, United States Code, to establish national policies and programs to strengthen freight-related infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALZ (for himself, Mr. JONES, Ms. TSONGAS, Mr. ROONEY, Ms. PINGREE of Maine, and Mr. DENHAM):

H.R. 975. A bill to amend title 10, United States Code, to extend the duration of the Physical Disability Board of Review and to expand the authority of such Board to review the separation of members of the Armed Forces on the basis of a mental condition not amounting to disability, including separation on the basis of a personality or adjustment disorder; to the Committee on Armed Services.

By Mr. WOMACK (for himself, Mr. GRIFFIN of Arkansas, Mr. CRAWFORD, Mr. COTTON, Mr. CONAWAY, Mr. HARRIS, Mr. ADERHOLT, Mr. ROGERS of Alabama, Mr. KINGSTON, Mr. WESTMORELAND, Mr. JONES, Mr. MULVANEY, Mr. COLE, Mr. CRAMER, Mr. SCALISE, and Mr. LONG):

H.R. 976. A bill to declare that certain agency actions by the National Labor Relations Board shall have no force or effect until final disposition is made in certain actions relating to the appointment of individuals to such Board that are pending in Federal court, and to prohibit further actions by such Board until such time; to the Committee on Education and the Workforce.

By Mr. KING of New York (for himself, Mr. MEEKS, Mr. STOCKMAN, Mr. GRIMM, and Mr. BISHOP of New York):

H. Con. Res. 21. Concurrent resolution expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

By Mr. DUFFY (for himself and Mr. MICHAUD):

H. Res. 97. A resolution expressing the sense of the House of Representatives that the Federal Government should take all appropriate measures to ensure that citizens continue to be provided with paper-based information, products and services, and public notices while providing, where appropriate, the ability for all citizens to opt-in to electronic delivery if they so choose; to the Committee on Oversight and Government Reform.

By Mr. GOSAR (for himself, Mr. BROWN of Georgia, Mr. COFFMAN, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. GRIFFITH of Virginia, Mr. LANCE, Mr. LONG, Mr. MICA, Mr. SALMON, Mr. STIVERS, Mr. PALAZZO, and Mr. WESTMORELAND):

H. Res. 98. A resolution expressing support for Israel and its right to self-defense against the illegal nuclear program by the Islamic

Republic of Iran; to the Committee on Foreign Affairs.

By Mr. GRIJALVA:

H. Res. 100. A resolution supporting the goals and ideals of National Middle Level Education Month; to the Committee on Education and the Workforce.

By Ms. NORTON:

H. Res. 101. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a commemorative postage stamp in 2015 to honor Constantino Brumidi, Artist of the Capitol, and to commemorate the 150th anniversary of his completion of "The Apotheosis of Washington" in the eye of the dome of the Capitol, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H. Res. 102. A resolution expressing the sense of the House of Representatives supporting the Federal workforce; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. MARKEY introduced a bill (H.R. 977) for the relief of Esther Karinge; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KING of Iowa:

H.R. 946.

Congress has the power to enact this legislation pursuant to the following:

This Act erases the forced-dues clauses in the National Labor Relations Act (NLRA) and Railway Labor Act (RLA). As such, this bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mr. SCHOCK:

H.R. 947.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. REED:

H.R. 948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. RAHALL:

H.R. 949.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18 of the Constitution.

By Mr. FARENTHOLD:

H.R. 950.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. POLIS:

H.R. 951.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. SWALWELL of California:

H.R. 952.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Sixteenth Amendment

By Mr. GRAYSON:

H.R. 953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. BONAMICI:

H.R. 954.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Mr. RUSH:

H.R. 955.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes."

By Mr. KIND:

H.R. 956.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mrs. LUMMIS:

H.R. 957.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LARSEN of Washington:

H.R. 958.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress."

By Mr. WHITFIELD:

H.R. 959.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GRIMM:

H.R. 960.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 3

By Mr. LYNCH:

H.R. 961.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mrs. DAVIS of California:

H.R. 962.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. DEGETTE:

H.R. 963.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. DEGETTE:

H.R. 964.

Congress has the power to enact this legislation pursuant to the following:

Amendment X to the Constitution of the United States.

By Mr. GUTIERREZ:

H.R. 965.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. HANABUSA:

H.R. 966.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 8 of Article I of the Constitution, which grants Congress the power "[t]o establish a uniform Rule of Naturalization . . . throughout the United States."

By Mrs. LUMMIS:

H.R. 967.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 "To regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes;" and Article I, Section 8, Clause 18 "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. MATSUI:

H.R. 968.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. PRICE of Georgia:

H.R. 969.

Congress has the power to enact this legislation pursuant to the following:

Current law has created an unconstitutional regulatory structure over the health care system. In order to make this system more compatible with a proper Constitutional structure, this bill will ensure that there is less regulation impeding the doctor-patient relationship.

By Mr. MICHAUD:

H.R. 970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PAULSEN:

H.R. 971.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. AUSTIN SCOTT of Georgia:

H.R. 972.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. Article I, Section 8, Clause 18: The Congress shall

have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SENSENBRENNER:

H.R. 973.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7 of the U.S. Constitution, which provides that "All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills."

By Mr. SIRE:

H.R. 974.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WALZ:

H.R. 975.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

To make rules for the Government and Regulation of the land and naval Forces.

By Mr. WOMACK:

H.R. 976.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. MARKEY:

H.R. 977.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution and Clause 4 of Section 8 of Article 1 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. GERLACH, Mr. WENSTRUP, and Mr. ROSS.

H.R. 146: Mr. FRELINGHUYSEN.

H.R. 163: Mr. KILDEE.

H.R. 164: Mr. RUSH, Mr. JONES, and Mr. THOMPSON of Pennsylvania.

H.R. 176: Mr. STIVERS and Mr. NUNNELEE.

H.R. 182: Mr. HIGGINS and Mr. SCHIFF.

H.R. 184: Mr. LIPINSKI and Mr. PETERS of Michigan.

H.R. 207: Mr. CARTER, Mr. STUTZMAN, and Mr. YODER.

H.R. 236: Ms. ESTY.

H.R. 274: Ms. TSONGAS, Mr. SCOTT of Virginia, and Ms. SLAUGHTER.

H.R. 285: Mr. CLEAVER.

H.R. 292: Mr. CONNOLLY.

H.R. 300: Mr. FRELINGHUYSEN, Mr. TIPTON, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 303: Mr. STEWART, Mrs. MCCARTHY of New York, Ms. BROWNLEY of California, Mr. JONES, Mr. PEARCE, Mr. BURGESS, and Mr. O'ROURKE.

H.R. 311: Mr. ALEXANDER.

H.R. 318: Mr. REED.

H.R. 329: Mr. LANCE.

H.R. 334: Mr. STIVERS.

H.R. 338: Mrs. CHRISTENSEN.

H.R. 346: Mr. JORDAN, Mr. KLINE, Mr. ROONEY, Mr. LABRADOR, Mr. WENSTRUP, Mr. CRAMER, and Mr. YOHO.

H.R. 351: Mr. YODER, Mr. MESSER, and Mr. HASTINGS of Washington.

H.R. 366: Ms. ESTY, Mr. DUFFY, Ms. VELÁZQUEZ, Mr. POLIS, Mr. CONNOLLY, Ms. BONAMICI, and Mr. CÁRDENAS.

H.R. 367: Mr. FARENTHOLD.

H.R. 445: Mr. LOEBSACK and Mr. BRALEY of Iowa.

H.R. 503: Mr. SESSIONS and Mr. STIVERS.

H.R. 519: Mr. LARSEN of Washington, Ms. SLAUGHTER, and Mr. JOHNSON of Georgia.

H.R. 523: Mr. FRELINGHUYSEN and Mr. YODER.

H.R. 543: Mr. REED, Mr. NUGENT, Mr. O'ROURKE, Mr. GUTHRIE, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 544: Mr. COTTON and Mr. PITTENGER.

H.R. 565: Mr. MCGOVERN.

H.R. 567: Mr. GRAVES of Georgia.

H.R. 569: Mr. GRIFFIN of Arkansas.

H.R. 570: Mr. GRIFFIN of Arkansas and Mr. RAHALL.

H.R. 594: Mr. LOEBSACK, Mr. LUETKEMEYER, Mr. TIERNEY, Mr. SMITH of Washington, Mr. SAM JOHNSON of Texas, Mr. WITTMAN, and Mr. KIND.

H.R. 599: Mr. CONYERS.

H.R. 609: Mr. PRICE of North Carolina.

H.R. 616: Mr. CICILLINE and Mr. LARSEN of Washington.

H.R. 621: Mr. STIVERS and Mr. LONG.

H.R. 627: Mr. DINGELL.

H.R. 628: Mr. RAHALL and Ms. SCHAKOWSKY.

H.R. 633: Mr. POLIS.

H.R. 636: Ms. JACKSON LEE, Mr. PAYNE, Mr. KEATING, Ms. ESHOO, Mr. SWALWELL of California, Mr. GALLEGO, Mrs. CHRISTENSEN, and Ms. SPIER.

H.R. 647: Mr. KEATING, Mr. BARLETTA, Mr. HIMES, Mr. LANGEVIN, and Mr. PAYNE.

H.R. 650: Mr. GENE GREEN of Texas, Ms. CLARKE, and Mr. CARSON of Indiana.

H.R. 656: Mr. STIVERS.

H.R. 670: Mr. SABLAN.

H.R. 696: Ms. TITUS.

H.R. 725: Mr. MCGOVERN, Ms. DELAURO, Mr. SCOTT of Virginia, and Mr. PRICE of North Carolina.

H.R. 730: Mr. OWENS.

H.R. 749: Mrs. MILLER of Michigan, Ms. TSONGAS, Mr. KING of Iowa, Mr. JONES, Mr. WELCH, and Mr. LONG.

H.R. 755: Ms. BROWNLEY of California, Mr. DUFFY, Mrs. ROBY, Mr. LANCE, Mr. GRIJALVA, and Mr. RUSH.

H.R. 769: Mr. PASTOR of Arizona, Ms. BASS, Mr. YARMUTH, Mr. GUTIERREZ, Mr. WATT, Mr. BRADY of Pennsylvania, Mr. BISHOP of Georgia, Mr. COHEN, Mr. BRALEY of Iowa, Ms. TITUS, Mr. THOMPSON of Mississippi, Ms. CASTOR of Florida, Mr. BISHOP of New York, Mr. VARGAS, Mr. BUTTERFIELD, Ms. VELÁZQUEZ, and Mr. PAYNE.

H.R. 792: Mr. HOLDING, Mr. NUGENT, and Mr. ROGERS of Kentucky.

H.R. 794: Mr. WITTMAN.

H.R. 795: Mr. YOHO.

H.R. 798: Mr. PETERS of Michigan, Mr. KENNEDY, Mr. CICILLINE, Ms. FUDGE, Mr. LEVIN, Mr. SCOTT of Virginia, Mr. McDERMOTT, Mr. NADLER, Ms. BONAMICI, Mr. COURTNEY, Mr. FARR, Ms. TSONGAS, Mr. PAYNE, Mr. ENYART, Mr. YARMUTH, Ms. WILSON of Florida, Mrs. DAVIS of California, Mr. ANDREWS, and Mr. POLIS.

H.R. 800: Mr. GARDNER, Mr. RUSH, Mr. CROWLEY, Mr. MEEKS, Mr. MARCHANT, Mr. SCHOCK, and Mr. ISRAEL.

H.R. 807: Mr. PITTS, Mr. POSEY, Mr. BARR, Mr. OLSON, Mrs. BLACK, Mr. GRIFFIN of Arkansas, Mr. BROWN of Georgia, Mr. YODER, Mr. STUTZMAN, Mr. LONG, and Mr. PITTENGER.

H.R. 824: Mr. HUIZENGA of Michigan and Mr. ROE of Tennessee.

H.R. 826: Mr. FINCHER.

H.R. 828: Mr. RADEL and Mr. LANKFORD.

H.R. 833: Mr. NUNNELEE, Mr. CONNOLLY, Mr. GIBSON, Mrs. ROBY, Mr. STIVERS, Mr. PITTINGER, Mr. CRAWFORD, Ms. PINGREE of Maine, Mr. RUNYAN, Mrs. BACHMANN, Ms. SINEMA, and Mr. SIMPSON.

H.R. 839: Mr. HUNTER and Mr. SIRE.

H.R. 845: Mr. WELCH.

H.R. 846: Mr. GIBSON, Mr. SIMPSON, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. BARLETTA, Mr. RYAN of Ohio, Mr. WITTMAN, Mr. PITTINGER, Mr. CASSIDY, and Mr. POE of Texas.

H.R. 850: Mr. TIPTON, Ms. TITUS, Mr. BACHUS, Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. ROSKAM, Mr. FRELINGHUYSEN, Mr. SCHWEIKERT, Mr. NEUGEBAUER, Mr. LONG, Mr. STIVERS, Ms. HAHN, Mr. WALDEN, Mr. GARRETT, Mr. WALBERG, Mr. WAXMAN, Mr. QUIGLEY, Mr. FRANKS of Arizona, Ms. BASS, Mr. DIAZ-BALART, Mr. FINCHER, Mr. HULTGREN, Mr. PEARCE, Mr. BURGESS, Mr. RICE of South Carolina, Mr. BRADY of Pennsylvania, Mr. MARKEY, Mr. BARR, Mrs.

MILLER of Michigan, Mr. LUETKEMEYER, Mr. MARCHANT, and Mr. GRIMM.

H.R. 853: Mr. COSTA, Mr. VALADAO, Mr. VARGAS, Mr. BILIRAKIS, Mr. DESANTIS, and Mr. MICA.

H.R. 879: Mr. STUTZMAN and Mr. WALDEN.

H.R. 890: Mr. GRIFFIN of Arkansas, Mr. GRAVES of Georgia, Mr. YOUNG of Indiana, Mr. PAULSEN, Ms. JENKINS, and Mr. REICHERT.

H.R. 900: Mr. JOHNSON of Georgia, Mr. CARTWRIGHT, Mr. ELLISON, Mr. GRIJALVA, Mr. PAYNE, and Mrs. CHRISTENSEN.

H.R. 904: Ms. LORETTA SANCHEZ of California, Mr. SCHOCK, Mr. KINZINGER of Illinois, and Mr. CONNOLLY.

H.R. 919: Mr. HOLT.

H.R. 928: Ms. DEGETTE.

H.R. 935: Mr. SIMPSON, Mr. RODNEY DAVIS of Illinois, and Mr. RIBBLE.

H.J. Res. 4: Mr. PETERSON and Mr. McINTYRE.

H.J. Res. 25: Mr. SWALWELL of California and Mr. GENE GREEN of Texas.

H. Con. Res. 9: Mr. RODNEY DAVIS of Illinois.

H. Res. 30: Mr. MEEKS, Mr. JEFFRIES, Mr. SWALWELL of California, Mr. HECK of Washington, and Mr. RUSH.

H. Res. 49: Mr. SMITH of Washington.

H. Res. 71: Mr. COLE and Mr. LUCAS.

H. Res. 76: Mr. ROSKAM.

H. Res. 86: Mr. BROUN of Georgia.

H. Res. 87: Mr. POSEY.

H. Res. 94: Mr. BERA of California.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 423: Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, and Mr. STIVERS.

SENATE—Tuesday, March 5, 2013

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry Black, offered the following prayer:

Let us pray.

O Lord, our rock, You are our shield in the time of storm. We give You our hopes and dreams, knowing that You know what is best for our Nation and world. Lord, You know the numerous challenges we face, so guide our Senators with Your wisdom. May integrity and uprightness be the standards for their conduct so that they will not disappoint You. Lift the light of Your countenance upon them and be gracious to them. Give fresh strength and wisdom as You renew the drumbeat of Your Spirit in their hearts, empowering them to march to the rhythm of Your righteousness.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 5, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE CHAPLAIN

Mr. REID. Mr. President, before the Chaplain leaves the Chamber, I want to

say something on behalf of all the Senators.

New Senators probably don't know him as well as those who have been here longer than the beginning of this year, but we are so fortunate to have this good man leading the Senate in our spiritual activities. He leads the prayer every morning. We have a "Prayer Breakfast" every Wednesday. And during that period of time when we don't see him, he is out counseling people who work here, including individual Senators.

During the last few years, my wife has been ill and has had a bad accident. He has been so in tune with her, making sure that we all are aware of how well she is doing. She has had a great recovery.

So on behalf of the whole Senate, I extend my appreciation to this good man—a man who was born with very little except a very good mother who taught him early on—and had a very keen intellect—that with his mind he could accomplish a great deal.

As far as memory, there is only one other person I have known in my lifetime who had a memory like his, and that was Robert Byrd, the longtime Senator from West Virginia. Chaplain Black has a remarkable memory of not only all the Scriptures, Old and New Testament, but poems. He has an intellect that is really amazing.

Again, I repeat, we are all so very fortunate that he is Chaplain of the Senate.

SCHEDULE

Mr. REID. Mr. President, following leader remarks today, the Senate will be in morning business until 11:45 a.m., with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

Following morning business the Senate will proceed to the consideration of S. Res. 64, which is the committee funding resolution. At about 12:15 p.m. there will be a rollcall vote on Senator PAUL's amendment striking funding for the National Security Working Group. Following the vote the Senate will be in recess until 2:15 p.m. to allow for the weekly caucus meetings.

As a reminder, I filed cloture on the nomination of Caitlin Halligan to be U.S. circuit judge for the D.C. Circuit, and I will discuss that in just a few minutes. We are going to vote on her tomorrow.

NOMINATIONS

Mr. REID. Mr. President, four-time Prime Minister of the United Kingdom

William Gladstone said something we all have repeated many times: "Justice delayed is justice denied." By that measure millions of Americans who rely on courts that are overworked and understaffed are being denied the justice they rightly deserve.

With 1 out of every 10 Federal judgeships today vacant, Americans can no longer rely on fairness and speedy trials. More than one-half of the Nation's population lives in a part of the country that has been declared a judicial emergency—more than one-half.

The high number of vacancies isn't due to a lack of qualified lawyers to take these jobs; it is due, instead, to blatant partisanship. I am going to lay out in a few minutes what is remarkable.

President Obama's judicial nominees have waited on average four times longer to be confirmed than those nominated by the second George W. Bush. Even highly qualified nominees—nominees who are eventually confirmed unanimously or almost unanimously—routinely wait for months to be confirmed because of the delay tactics used by my Republican colleagues.

Tomorrow we are going to consider highly qualified Caitlin Joan Halligan to be a D.C. circuit judge. She has been waiting more than 2 years to be confirmed. She was nominated for the second time to fill a vacancy on the U.S. Court of Appeals for the D.C. Circuit. This is a court that was formed some 65 years ago. It was done because the Supreme Court couldn't do the cases—they didn't have time to do them, and the circuit courts were overwhelmed with work they couldn't do.

Many consider the D.C. Circuit to be just a tiny notch below the Supreme Court. In fact, PAT LEAHY, the chairman of the Judiciary Committee, said yesterday many believe it is more important than the Supreme Court because they have such wide-ranging jurisdiction. Once they make a decision, rarely does the Supreme Court take up their cases. They consider complex appeals of Federal regulations, among other things, and have jurisdiction over vital national security challenges.

It is also one of the many courts in crisis across the country. Mr. President, 36 to 37 percent of the D.C. Circuit seats are vacant. There are four vacancies now. The last appointment to the D.C. Circuit was made in 2006. It is now 2013. In the years since the number of pending cases per judge has grown to almost 200 from a little over 100.

When Ms. Halligan was nominated to the D.C. Circuit in 2010, she was nominated to fill one of two vacancies.

Many Republicans said they voted against her then because there was no need; the D.C. Circuit had enough judges. Now it is four short.

More than 2 years after she was first turned down, her nomination is again before the Senate, and the D.C. Circuit has four empty seats. The last time the Senate considered Ms. Halligan's nomination, some of my Republican colleagues claimed the D.C. Circuit didn't need any more judges, so they filibustered the confirmation. No one could credibly make that argument today. If my Republican colleagues choose to filibuster her confirmation a second time, their naked partisanship will certainly be exposed.

For example, Patricia Wald, who served on that court for 20 years—for 5 years she was the chief judge—said of the confirmation process:

The constitutional system of nomination and confirmation can work only if there is good faith on the part of both the president and the Senate to move qualified nominees along, rather than withholding consent for political reasons.

For example, if someone doesn't want to vote for her, tell them to vote no. Have them vote no. I invite them to vote no. But don't stop her from having an up-or-down vote.

I was very troubled with Justice Thomas, who was then a circuit court judge. A decision had to be made by me and many others: Should we allow Justice Thomas an up-or-down vote? The decision was made, yes, we should. He barely made it. He got 2 or 3 votes more than 50. It would have been so easy to stop that nomination, but it would have been the wrong thing to do. As bad as I feel he has been as a jurist, it doesn't matter. He should have had the ability to have an up-or-down vote. A Republican President sent that name forward, and he was entitled to a vote. That was a decision I and many other Democratic Senators made.

If my Republican colleagues don't like this woman, for whatever reason, vote against her. Don't stop her from having an up-or-down vote. A second partisan filibuster of this highly qualified nominee by my Republican colleagues would be in very bad faith. I repeat: If for some reason you don't like her, vote against her. Don't stop her from having a vote.

One qualified, consensus judicial nominee ought to be treated as another regardless of the political party of the President who made the nomination.

President Obama is the only President in 65 years—since this court was formed—to not have a single person put on the D.C. Circuit. That is how important this court is, and this is how Ms. Halligan and others have been stymied from getting on this court.

It is not because President Obama's nominees are anything but totally qualified. Ms. Halligan's colleagues have called her a brilliant legal mind.

She has outstanding credentials, strong support from lawyers, a vast number of Republicans, former judges, law enforcement officials, and more than 20 former Supreme Court clerks from across the political spectrum.

She graduated with honors from Princeton and Georgetown Law School. She clerked for Justice Patricia Wald, whom I just quoted, and this woman was a judge in the D.C. Circuit for 20 years, 5 years as a chief judge.

If a truly exceptional candidate such as Caitlin Halligan isn't qualified to be a judge in the United States, I don't know who would be. I think it is very delicate ground Republicans are walking on if they think they can filibuster this woman and get away with it. It would be wrong. If they don't like her, vote against her.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

REGULAR ORDER

Mr. MCCONNELL. Mr. President, back in November the American people sent a divided government to Washington. I know this is not the outcome that President Obama had hoped for. I know he wanted complete control of Washington, just like he had the first 2 years of his Presidency.

Still, it was surprising to me—and I think to a lot of other people around here—to learn over the weekend that among the first calls the President made after his acceptance speech on election day had to do with ginning up another campaign.

The President wasn't focused on solving the problems that middle-class families face today but how to get a Democratic Speaker of the House 2 years down the road. That was the message he sent to top House Democrats.

Since then, the President, along with his Washington Democratic allies, has expended enormous amounts of energy to advance that goal—rebooting his political organization, provoking manufactured crises with Congress, engineering show votes in the Senate, and traveling around the country to campaign relentlessly against his opponents.

That is why the sequester went into effect in its current form. That is why

Washington continues to careen needlessly from crisis to crisis.

And that is why we find ourselves in a situation where more than 1,400 days have passed since Senate Democrats last passed a budget. What a sad state of affairs for our country, and for the notion of governance in general.

Every year House Republicans have passed budgets that seriously address the transcendent challenge of our time: putting runaway Washington spending and debt on a sustainable path so we can create jobs and grow the economy.

Meanwhile, Democrats have followed the President's lead, focusing on the next campaign to the exclusion of all else.

But it is not just Senate Democrats who have been missing in action. The President has been late submitting his own budget outline nearly every single year.

He has already missed this year's deadline by more than a month.

Just last week we learned the President will submit his budget after the House and the Senate have passed their own budgets and have gone home for Passover and Easter. That goes far beyond the pale of just missing deadlines.

Look, the American people are tired of the delays and the excuses. It is time for the President to get his budget plan over to us. Not next week or next month, but now. And this time, it should be serious—it should root out waste and inefficiency instead of kicking the can further down the road.

The budget blueprint he sent us last year was so roundly ridiculed for its fiscal gimmickry and its massive tax hikes that, when it came to a vote in the Senate, his own party joined Republicans in voting it down 99 to 0.

In the House, it was rejected unanimously. Even the President's most liberal allies couldn't defend it.

So we are counting on the President to get serious this time. And we are counting on Senate Democrats to stop relying on Republicans to bail them out of their irresponsibility and habitual legislative tardiness.

But the broader point is this: President Obama and his Senate Democratic allies will have plenty of time to campaign next year. The American people are exhausted after all these years of campaigning, and they expect Democratic leaders now to finally work with the divided Congress they elected to get things done. As I have said before, the President has to figure out how to govern with the situation he has, not the one he wishes he had. That is what being President is all about.

It is time to return to actually solving problems—in other words, to legislate the way we are supposed to around here: with transparency, with public input, and with sufficient time to develop sound policy. That is especially true when it comes to dealing with the most controversial issues in Washington. Whether it is the budget or tax

reform or health care, we end up with better outcomes when we legislate in the light of day and not in some back room.

For instance, the Senate majority should be allowing us to mark up bills so that Members with expertise in a certain issue area can contribute to the legislative process in the most constructive and transparent way possible.

When bills do reach the floor, the Senate majority should allow Members of both parties the chance to represent the voices of their constituents by offering amendments in an open process.

And when the House sends us bills, the Senate majority should actually take some of them up every once in a while.

The leadership won't agree with everything the House passes; but that is okay. If the Senate passes a different version of a bill, we can work out our differences through the legislative process.

That is how Congress is supposed to function, even though it's not at all how the Senate has functioned recently.

I know Washington Democrats' most important priority right now is getting Nancy Pelosi her old job back in 2014. But that is not what Americans want—and that is why Washington has become so dysfunctional.

The American people, including my constituents in Kentucky, expect them to get off the hustings and work with Members of both parties to address the most serious challenges facing our country. The public is tired of the manufactured crises, the poll-tested gimmicks, and the endless campaigning. They expect and deserve better than that.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11:45 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask consent to speak in morning business.

The ACTING PRESIDENT pro tempore. The Senate is in morning business.

The Senator is recognized.

STOP ILLEGAL TRAFFICKING OF FIREARMS ACT

Mr. DURBIN. Mr. President, yesterday the Senate took an important step forward when it comes to keeping guns out of the hands of criminals. Senator PAT LEAHY, chairman of the Judiciary Committee, introduced bipartisan legislation to finally crack down on the straw purchasing and illegal trafficking of firearms. I was happy to join in introducing this bill. It is a bipartisan group of Senators, including Senator KIRSTEN GILLIBRAND, Senator SUSAN COLLINS, and my colleague from Illinois, Senator MARK KIRK. Chairman LEAHY's legislation combined a straw purchasing bill he and I introduced earlier this year together with a gun trafficking bill on which Senators GILLIBRAND and KIRK had been working. We sat down with Senator COLLINS and crafted a new bill, the Stop Illegal Trafficking of Firearms Act. It is important legislation, and the need for it is very clear.

I have met a number of times in recent months with law enforcement leaders in Chicago and across my State. I asked them what Congress can do to help better protect our communities and our children, and one thing I kept hearing over and over again was that we needed to crack down on straw purchases. Time after time, law enforcement agencies say, criminals and gang members commit crimes with guns they purchased through others.

A typical straw purchase happens when someone who legally can purchase a weapon and pass a background check buys a gun on behalf of someone who cannot pass that same background check. When a straw purchaser buys from a licensed gun dealer, the purchaser falsely claims on the Federal sale form that he is the actual buyer of the gun. Under current law, it is illegal to lie and buy a gun this way, but the only charge a Federal prosecutor can bring is for knowingly making a false statement on a Federal form—an offense which dramatically understates the gravity of the situation.

We have had several hearings in the Senate Judiciary Committee, including one I chaired on February 12, where U.S. attorneys have testified that these paperwork prosecutions are wholly inadequate as a deterrent for straw purchasing. Some of the critics even on my Senate Judiciary Subcommittee panel said: Why don't you prosecute more? The U.S. attorneys told us it's

because these paperwork offenses are not taken that seriously by the court. The new law we have written will be taken seriously.

The cases, as they stand now, are hard to prove and have little jury appeal. Even a conviction usually results in a very small sentence under the current law. The reality is that straw purchasers think they can make a fast \$50 or more by buying a gun from somebody else, and that the consequences are not that great. We need to change this equation.

At the hearing I chaired in the Judiciary Committee's Constitution Subcommittee on February 12, we heard powerful testimony from Sandra Wortham from the South Side of Chicago. Her brother, a Chicago police officer, Tom Wortham IV, was murdered in 2010 by gang members with a handgun that had been straw purchased and trafficked to Chicago from Mississippi. Almost 1 out of 10 crime guns in Chicago come from Mississippi. We ask why. Because the standards for sales are lax in Mississippi, and straw purchasers know they can fill the trunk of a car with these purchased weapons and head to the Windy City and sell them on the streets to thugs and drug gangs. Then, of course, they result in tragedy.

The gang members who killed Officer Wortham were not allowed to buy a handgun from a dealer because of their age and criminal records, but it was real easy to get a straw purchased gun on the street. According to an investigative report by the Chicago Tribune, the man who straw purchased the gun that killed Officer Wortham did so for a quick \$100. The Tribune said he gave little thought to what he was doing. "I didn't even know what ATF stood for," the straw purchaser said to the Tribune.

That was the gun that was used to kill Officer Wortham, a veteran of two combat tours in Iraq, a leader in his community, one of Chicago's finest, and he was gunned down in front of his parents' home. His father was a retired Chicago police officer.

We need to send a message to those who think that straw purchasing might be an easy way to make a quick buck. As Sandra Wortham said at our hearing:

We need to do more to keep guns out of the wrong hands in the first place. I don't think that makes us anti-gun, I think it makes us pro-decent law abiding people.

I agree with Sandra Wortham. We can take steps consistent with the Constitution and the Second Amendment to crack down on straw purchases and gun-trafficking schemes that provide criminals with guns, and that is what this bill does.

The bill we introduced yesterday will create a tough Federal crime to punish and deter straw purchasing. It says that if a straw purchaser buys a gun

from a licensed dealer on behalf of someone else, the buyer will face the prospect of significant jail time for up to 15 years. They will face hard time for a Federal crime. The same penalty applies to straw purchasers who buy a gun from a private seller on behalf of someone he knows or is has reasonable cause to believe is a prohibited purchaser.

The legislation also creates a separate Federal offense for firearms trafficking, which is when someone transports or transfers firearms to another when he knows or has reasonable cause to believe that transfer violates Federal law. The bill provides for increased penalties if the trafficker was a leader of an organized gang.

Cracking down straw purchasing and gun trafficking will help shut down the pipeline of guns into cities such as Chicago, where gang members use them on almost a daily basis to commit terrible crimes.

This section of our bill is named in honor of Hadiya Pendleton, the 15-year-old girl in Chicago who was shot and killed by alleged gang members in January just days after she attended the inauguration of the President of the United States here in Washington. Both Senator KIRK's hope and mine is that these reforms—once signed into law—will help prevent gang shootings and other gun crimes in the future.

It is time to move forward on this legislation and on other commonsense proposals that will reduce the epidemic of gun violence in America. This Thursday, the Senate Judiciary Committee will take up this bipartisan legislation that was introduced yesterday. I hope we can pass it out quickly with a strong bipartisan vote.

I also look forward to voting in committee for bills to improve our system of criminal background checks and to stop the flood of new military-style and high-capacity magazines onto our streets. It is time for Congress to move forward with these measures to reduce gun violence. These proposals will not stop every shooting in America—no proposal can—but they will save lives if we put them into effect.

I again thank my colleagues Chairman LEAHY, Senator KIRK, Senator GILLIBRAND, and Senator COLLINS for collectively joining together to make sure this legislation moves forward. I think we can do something important, on a bipartisan basis, to make our streets, schools, and communities safer across America.

I ask unanimous consent that my following statement be placed in a separate part of the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF CAITLIN HALLIGAN

Mr. DURBIN. Mr. President, this week the Senate is going to have an op-

portunity to confirm the nomination of Caitlin Halligan to serve on the Court of Appeals for the D.C. Circuit. In doing so, we can correct a mistake the Senate made in the last Congress.

Ms. Halligan is an extraordinarily well-qualified nominee. She has the intellect, experience, temperament to be an outstanding Federal appellate judge.

On December 6, 2011, Caitlin Halligan's nomination was stopped by a filibuster by Republican Senators. Forty-five Republicans voted against the cloture motion on her nomination, thus denying Ms. Halligan an up-or-down vote. That killed her nomination for that Congress.

She has now been renominated in this Congress for the D.C. Circuit, and the court needs her. Right now there are only seven active status judges on the D.C. Circuit. There are supposed to be 11. Four seats are vacant, including one vacancy that opened just last month. This is untenable.

Retired D.C. Circuit Judge Patricia Wald has served as chief judge of the circuit for 5 years. She wrote in the Washington Post last month that:

There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.

It is time to address this vacancy situation by giving Ms. Halligan an up-or-down vote and confirming her nomination. She is eminently qualified. She graduated from Princeton University and the Georgetown University School of Law where she served as managing editor of the law review. She clerked for Supreme Court Justice Stephen Breyer. She served for 7 years as solicitor general for the State of New York, representing that State in a broad range of litigation. She currently serves as general counsel at the New York County district attorney's office. She has argued five cases before the U.S. Supreme Court and served as counsel in dozens more cases in that same Court. The American Bar Association has given her a unanimous "well-qualified" rating to serve on the Federal bench.

Ms. Halligan's legal views are well within the political mainstream. She has received widespread support from across the political spectrum. For example, the National District Attorneys Association, the prosecutors, said she "would be an outstanding addition" to the D.C. Circuit. She also has the support of law enforcement organizations and prominent conservative lawyers.

There is simply nothing in her background that constitutes the "extraordinary circumstances" that the so-called Gang of 14 said we are supposed to use as a standard to justify a filibuster. There are no—repeat no—legitimate questions about Ms. Halligan's competence or ethics or temperament or ideology or fitness to serve on the

bench. All she has done throughout her career is serve as an excellent lawyer on behalf of her clients.

When Ms. Halligan was filibustered in 2011, some of my Republican colleagues cited two main arguments against her. First, they claimed the D.C. Circuit didn't need another judge since they could handle the workload with eight judges. The D.C. Circuit may have had eight judges in 2011, but now there are only seven, so that argument doesn't hold.

Second, Republicans claim that when Ms. Halligan was solicitor general of New York, she advocated positions in litigations that they, the Republicans, disagreed with. Is that the standard, that a lawyer represented a client with a position that might not be the lawyer's personal position or a Senator's personal position? It has been a few years since I represented clients, but I believe that under our system of legal representation, that is not the standard; that lawyers must only represent those people they agree with.

In our system of law, the system where the scales of justice are held by the lady with the blindfold, we are supposed to give justice to both sides and hope at the end of the day the system serves us.

Ms. Halligan advocated positions at the direction of her client, which happened to be the State of New York. In the American legal tradition, lawyers are not supposed to be held to the views of their clients.

As Chief Justice John Roberts said during his confirmation hearing—and I remember this:

It is a basic principle in our system that lawyers represent clients and you do not ascribe the position of a client to the lawyer. It's a position that goes back to John Adams and the Revolution.

Those who read the book about John Adams often wonder how this man became President of the United States after representing British soldiers at a massacre in the city of Boston.

Ms. Halligan should not be filibustered because she represented clients with whom some Senators don't always agree.

The bottom line is this: Our country needs excellent judges serving on the Federal bench. If qualified mainstream judicial nominees cannot be considered fairly by the Senate on their merits, then good lawyers are going to stop putting their name in for consideration. Maybe that is the ultimate goal on the other side by some of the Senators who object to Ms. Halligan.

Why would a top-notch lawyer volunteer to go through a long, excruciating judicial confirmation if the lawyer is only going to be filibustered at the end for reasons that don't have a thing to do with their qualifications? We are going to end up with a Federal bench that is either empty or lacks the excellence we should require.

Caitlin Halligan deserves an up-or-down vote on the merits. The Senate made a mistake in denying her that vote in 2011. Let's correct that mistake this week. She has clearly demonstrated she can serve the D.C. Circuit with distinction. She deserves that chance on the merits.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for 10 minutes and ask that the Chair let me know when 9 minutes has elapsed.

The ACTING PRESIDENT pro tempore. The Chair will do so.

SEQUESTRATION

Mr. ALEXANDER. Mr. President, we remember President Lyndon Johnson's courage and skill in passing the Civil Rights Act. We remember President Nixon going to China. We remember President Carter and the Panama Canal treaties. We remember President Reagan fixing Social Security and George H.W. Bush balancing the budget by raising taxes. We remember President Clinton and welfare reform. We remember President George W. Bush tackling immigration reform. If the history books were written today, we would remember President Obama for the sequester.

This is unique in history. This is not the way our Presidents usually conduct themselves. Here we have a policy that was designed to be the worst possible policy, and that may be what our talented, intelligent current President is remembered for. He is remembered for it because it comes from a process he recommended, he signed into law, that he has known about for the last year, that he has done nothing about except to campaign around the country blaming others for it over the last month, and he seems determined to keep it in law.

Now, for what reason could this be possible?

Well, let's go back to why the President agreed to the sequester. He agreed to it in 2011 after suggesting the process from which it came in order to get \$2.2 trillion in spending reductions so he could get a debt ceiling increase that lasted through the election. And he did it, for the second reason, because he did not want to go against his own party's constituency in tackling the biggest problem our country

faces—the biggest problem according to the former Chairman of the Joint Chiefs of Staff, the biggest problem according to the President's own debt commission—the out-of-control automatic spending increases that are in the Federal budget.

So we are left today with a sequester—automatic spending decreases which are the result of the automatic spending increases in entitlements the President is unwilling to confront. We are slashing the part of the budget that is basically under control. It is growing at about the rate of inflation. I am talking about national defense, national parks, National Laboratories, Pell grants, and cancer research. All that is growing at about the rate of inflation. We are slashing that part of the budget because the President does not want to challenge his own party on the part of the budget that is out of control, growing at two or three times the rate of inflation: Medicare, Medicaid, Social Security, and other entitlements.

This is not how our Presidents usually have acted when confronted with a great crisis. When President Johnson dealt with civil rights, he knew he would be terribly unpopular in Texas and throughout the South. When President Nixon went to China, he knew Republican conservatives would be angry with him. President Carter enraged many Americans by his support for the Panama Canal Treaty. President Reagan made many seniors unhappy when he fixed Social Security. George H.W. Bush probably lost the 1992 election when he raised taxes to balance the budget. Bill Clinton was pilloried by his own party when he worked with Republicans to reform welfare. George W. Bush made many radio talk show hosts very unhappy when he tried to change our immigration laws.

Why did they do it? They did it because they were the President of the United States, and that is what presidents do.

Robert Merry, a biographer of President James K. Polk, told me recently that every great crisis in our country has been solved by presidential leadership or not at all. Every great crisis in American history has been solved by presidential leadership or not at all. Yet this president seems determined not to exercise that sort of presidential leadership. So his presidential leadership is a colossal failure, first, because he will not respect this Congress and work with it in a way to get results that all of the presidents I just mentioned did.

The New York Times had a very interesting story this Sunday about how President Woodrow Wilson would come down to the President's Room right off the Senate and sit there three days a week with the door open, and he got almost everything he proposed passed, until he went over the heads of Con-

gress around the country about the League of Nations and lost.

Or Senator Howard Baker used to tell the story of how, when Senator Everett Dirksen, the Republican leader, would not go down to the White House and have a drink with President Johnson in 1967, President Johnson showed up with his beagles in the Republican leader's office and said: Everett, if you won't come have a drink with me, I am here to have a drink with you.

I am not here to advocate having drinks, but I am here to suggest that when they disappeared into the back room together for 45 minutes, that played a big role in writing the Civil Rights Act of 1968 because it was written in Everett Dirksen's Republican leader office right down the hall, at the request of the Democratic President of the United States.

And Senator HARKIN—I do not think he will mind me telling the story about the afternoon 20 years ago when he was in his office and he got a telephone call from President George H.W. Bush's office. Would he come down with a few other Congressmen? The President was there for the afternoon. Mrs. Bush was in Texas. They spent an hour together, and the President showed them around. On the way out, Senator HARKIN said to President Bush: Mr. President, I don't want to turn this into a business meeting, but one of your staff members is slowing down the Americans with Disabilities bill. That conversation, Senator HARKIN says, changed things at the White House and helped that bill to pass.

Or Tip O'Neill, going into the Democratic Caucus in the 1980s and being criticized by his fellow caucus members: Why are you spending so much time with Ronald Reagan? Why are you fixing Social Security? He said: Because I like him. Because I like him.

Technology has changed a lot. But human nature has not. And relationships are essential in the Senate, in the White House, in politics, in church, in business, and all of our Presidents have known that you need to show respect to the people with whom you work if you are going to solve difficult problems. That is why I am disappointed by our talented President's unwillingness to work with Congress. There is no reaching out.

It was 18 months before he had his first meeting with the Republican leader one on one. He has known for a year the sequester was coming, but there was no meeting with the Republican or Democratic leaders that I know about until the day it started. It is breaking news when the President makes a telephone call to a Senate leader. And then the President spends his time running around the country taunting and heckling the Members of Congress that he is supposed to work with to get a result. What kind of leadership is that?

I started in 1969 working in congressional relations for a President of the

United States. I have worked with or for eight. I have never seen anything like it in my life.

I have been a governor. That is small potatoes compared to being a president. I know that. But I worked with a Democratic legislature, and I guarantee you, if I had taunted them and heckled them and criticized them, I never would have gotten anything passed to improve roads or schools or get the auto industry into Tennessee. Instead, I would meet with them regularly. I would listen to them. I would change my proposals based on what they had to say. I would know they had to go back into their caucuses and still survive. I did not think about ever putting them in an awkward position when we were trying to get something done. I tried to put them in a position to make it easier to get something done. I changed my ideas and I could get a result. During elections we tried to beat each other. Between elections we sought to govern.

This is all made worse by the Democratic leadership of the Senate deliberately bringing business to a halt we have a fiscal crisis, we have not had a budget in 4 years, we did not even pass any appropriations bills last year, there is little respect for committee work, and he has used the gag rule 70 times to cut off amendments from the Republican side of the aisle.

For example, last week, we had several options on our side—I think there were some on the other side—to make the sequester go down a little bit easier, to make it make more common sense, and what did we end up doing? We were here all week, and we ended up voting on two proposals. They were procedural votes, and everybody knew they were political posturing not designed to pass. Why did we not just put it on the floor? There are 100 of us here.

We are all grownups. We worked hard to get here. We have ideas. We might have improved the sequester. We had time to do it. But the Democratic leadership did not allow us to bring it up. So we end up with deliberately bad policy becoming law.

It is not too late. There are things the President and we can still do. We could spread the pain across the whole budget. We could spread it across part of the budget. We could give the President more flexibility in making decisions. Or the President could come to us with his plan, this month, for dealing with the biggest problem facing our country: the out-of-control mandatory spending. He could do what Presidents Johnson and Nixon and Carter and Bush did before him. He could confront it, go against the grain of his party, work with Members of both sides, and get a result. It is not that hard to do. Senator CORKER and I have a proposal to do it. There is the Domenici-Rivlin proposal to do it. There is the Ryan-Wyden proposal to do it.

When part of the budget is growing at two to three times inflation and the rest is growing at about the rate of inflation, it is obvious which part we need to work on.

It may be the President does not like some of us. Well, President Eisenhower had that same feeling about Members of Congress. Someone asked him: Then how do you get along with them? He said: I look first at the office. I respect the office. I do not think about the person who occupies the office.

There are real victims here. In the short term with the sequester, there is cancer research, there are airline travelers, there are many people—the President has let us know about this—who are going to be hurt by this and be inconvenienced. In the long term, if we do not deal with this No. 1 fiscal problem we have, the real victims will be seniors who will not have all of their hospital bills paid in 11 years because the Medicare trustees have told us Medicare will not be able to pay all of them—the Medicare Trust Fund will be out of money—and young Americans will be forever destined to be the debt-paying generation because we and the President did not have the courage to face up to our responsibilities.

So I would say, with respect, it is time for this President to show the kind of Presidential leadership that President Johnson did on civil rights, that President Nixon did on China, that President Carter did on the Panama Canal Treaty, that President Reagan did on Social Security, and that Presidents George H.W. Bush and Clinton and George W. Bush did. Respect the other branches of government. Confront your own party where necessary. Listen to what both have to say and fashion a consensus that most of us can support.

We are one budget agreement away from reasserting our global preeminence and getting the economy moving again. As Robert Merry said: Every great crisis is solved by Presidential leadership or not at all.

It is time, Mr. President, for Presidential leadership.

I ask unanimous consent to have printed in the RECORD the article in the New York Times, from Sunday, entitled “Wilson to Obama: March Forth!”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, Mar. 1, 2013]

WILSON TO OBAMA: MARCH FORTH!

(By A. Scott Berg)

“There has been a change of government,” declared Woodrow Wilson in his first sentence as president of the United States, one hundred years ago this Monday. Until 1937, when the 20th Amendment moved Inauguration Day to late January, chief executives took their oaths of office on March Fourth, a date that sounds like a command.

Nobody heeded this implied imperative more than Wilson: the 28th president enjoyed

the most meteoric rise in American history, before or since. In 1910, Wilson was the president of a small men's college in New Jersey—his alma mater, Princeton. In 1912, he won the presidency. (He made a brief stop in between as governor of New Jersey.) Over the next eight years, Wilson advanced the most ambitious agenda of progressive legislation the country had ever seen, what became known as “The New Freedom.” To this day, any president who wants to enact transformative proposals can learn a few lessons from the nation's scholar-president.

With his first important piece of legislation, Wilson showed that he was offering a sharp change in governance. He began his crusade with a thorough revision of the tariff system, an issue that, for decades, had only been discussed. Powerful legislators had long rigged tariffs to buttress monopolies and to favor their own interests, if not their own fortunes.

Wilson, a Democrat, thought an economic overhaul this audacious demanded an equally bold presentation. Not since John Adams's final State of the Union speech, in 1800, had a president addressed a joint session of Congress in person. But Wilson, a former professor of constitutional law (and still the nation's only president with a Ph.D.), knew that he was empowered “from time to time” to “give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient.” And so, on April 8, 1913, five weeks after his inauguration, he appeared before the lawmakers. Even members of Wilson's own party decried the maneuver as an arrogant throne speech.

The man many considered an aloof intellectual explained to Congress that the president of the United States is simply “a human being trying to cooperate with other human beings in a common service.” His presence alone, to say nothing of his eloquent appeal, affixed overwhelming importance to tariff reform. In less than 10 minutes, Wilson articulated his argument and left the Capitol.

The next day, Wilson did something even more stunning: he returned. On the second floor of the Capitol—in the North Wing, steps from the Senate chamber—is the most ornate room within an already grand edifice. George Washington had suggested this President's Room, where he and the Senate could conduct their joint business, but it was not built until the 1850s. Even then, the Italianate salon, with its frescoed ceiling and richly colored tiled floor, was seldom used beyond the third day of March every other year, when Congressional sessions ended and the president arrived to sign 11th-hour legislation. Only during Wilson's tenure has the President's Room served the purpose for which it was designed. He frequently worked there three times a week, often with the door open.

Almost every visit Wilson made to the Capitol proved productive. (As president, he appeared before joint sessions of Congress more than two dozen times.) During Wilson's first term, when the president was blessed with majorities in both the House and the Senate, the policies of the New Freedom led to the creation of the Federal Reserve, the Federal Trade Commission, the Clayton Antitrust Act, the eight-hour workday, child labor laws and workers' compensation. Wilson was also able to appoint the first Jew to the Supreme Court, Louis D. Brandeis.

Even when the president became besieged with troubles, both personal and political—the death of his first wife; the outbreak of

World War I; an increasingly Republican legislative branch; agonizing depression until he married a widow named Edith Bolling Galt—Wilson hammered away at his progressive program. In 1916, he won re-election because, as his campaign slogan put it, “He kept us out of war!” A month after his second inauguration, he appeared yet again before Congress, this time, however, to convince the nation that “the world must be made safe for democracy.” This credo became the foundation for the next century of American foreign policy: an obligation to assist all peoples in pursuit of freedom and self-determination.

Suddenly, the United States needed to transform itself from an isolationist nation into a war machine, and Wilson persuaded Congress that dozens of crucial issues (including repressive espionage and seditious acts) required that politics be “adjourned.” Wilson returned again and again to the President’s Room, eventually convincing Congress to pass the 19th Amendment: if women could keep the home fires burning amid wartime privation, the president argued, they should be entitled to vote. The journalist Frank I. Cobb called Wilson’s control of Congress “the most impressive triumph of mind over matter known to American politics.”

In the 1918 Congressional election—held days before the armistice—Wilson largely abstained from politics, but he did issue a written plea for a Democratic majority. Those who had followed his earlier advice and adjourned politics felt he was pulling a fast one. Republicans captured both houses. With the war over, Wilson left for Paris to broker a peace treaty, one he hoped would include the formation of a League of Nations, where countries could settle disputes peaceably and preemptively. The treaty required Senate approval, and Wilson, who had been away from Washington for more than six months, returned to discover that Republicans had actively, sometimes secretly, built opposition to it—without even knowing what the treaty stipulated.

Recognizing insurmountable resistance on Capitol Hill, even after hosting an unprecedented working meeting of the Senate Foreign Relations Committee at the White House, Wilson attempted an end run around the Senate: he took his case directly to the people. During a 29-city tour, he slowly captured public support. But then he collapsed on a train between Pueblo, Colo., and Wichita, Kan., and had to be rushed back to the White House. Days later he suffered a stroke, which his wife, his physician and a handful of co-conspirators concealed from the world, leaving Mrs. Wilson to decide, in her words, “what was important and what was not.”

In March 1920, having recovered enough to wage a final battle against the Republicans, Wilson could have garnered support for a League of Nations by surrendering minor concessions. But he refused. The treaty failed the Senate by seven votes, and in 1921, the president hobbled out of the White House as the lamest duck in American history, with his ideals intact but his grandest ambition in tatters.

Two months ago, our current president, facing financial cliffs and sequestration and toting an ambitious agenda filled with such incendiary issues as immigration reform and gun control, spoke of the need to break “the habit of negotiating through crisis.” Wilson knew how to sidestep that problem. He understood that conversation often holds the power to convert, that sustained dialogue is the best means of finding common ground.

Today, President Obama and Congress agree that the national debt poses lethal threats to future generations, and so they should declare war on that enemy and adjourn politics, at least until it has been subdued. The two sides should convene in the President’s Room, at the table beneath the frescoes named “Legislation” and “Executive Authority,” each prepared to leave something on it. And then they should return the next day, and maybe the day after that. Perhaps the senior senator from Kentucky could offer a bottle of his state’s smoothest bourbon, and the president could provide the branch water. All sides should remember Wilson and the single factor that determines the country’s glorious successes or crushing failures: cooperation.

March forth!

Mr. ALEXANDER. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

TEXAS INDEPENDENCE DAY

Mr. CORNYN. Mr. President, I rise to commemorate a very special day in history—a day that inspires pride and gratitude in the hearts of the people of the great State of Texas. I rise today to commemorate Texas Independence Day, which was actually this last Saturday, March 2.

I will read a letter that was written 177 years ago from behind the walls of an old Spanish mission known as the Alamo—a letter written by a young lieutenant colonel in the Texas Army, William Barret Travis. In doing so I carry on a tradition that was started by the late John Tower, who represented Texas in this body for more than two decades. This tradition was later carried on by his successor, Senator Phil Gramm, and then by our recently retired colleague, Senator Kay Bailey Hutchison. It is a tremendous honor that this privilege has now fallen to me.

On February 23, 1846, with his position under siege and outnumbered by nearly 10 to 1 by the forces of Mexican dictator Antonio Lopez de Santa Anna, Travis penned the following letter, “To the People of Texas and All Americans in the World:”

Fellow citizens & compatriots—

I am besieged by a thousand or more of the Mexicans under Santa Anna.

I have sustained a continual Bombardment and cannonade for 24 hours and have not lost a man.

The enemy has demanded a surrender at discretion. Otherwise, the garrison are to be put to the sword, if the fort is taken.

I have answered the demand with a cannon shot, and our flag still waves proudly from the walls.

I shall never surrender or retreat.

Then, I call on you in the name of Liberty, of patriotism and everything dear to the American character, to come to our aid, with all dispatch.

The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days.

If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country.

Victory or Death.

Signed:

William Barret Travis.

As we all know, in the battle that ensued, 189 defenders of the Alamo lost their lives. But they did not die in vain. The Battle of the Alamo bought precious time for the Texas Revolutionaries, allowing Sam Houston to maneuver his army into position for a decisive victory at the Battle of San Jacinto. With this victory, Texas became a sovereign and independent republic. For 9 years, the Republic of Texas thrived as an independent nation. Then, in 1845, it agreed to join the United States as the 28th State.

Many of the Texas patriots who fought in the revolution went on to serve in the U.S. Congress. I am honored to hold the seat once occupied by Sam Houston. More broadly, I am honored to have the opportunity to serve 26 million Texans because of the sacrifices made by these brave men 177 years ago.

May we always remember their sacrifices and their courage. And may God continue to bless Texas and these United States.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. COATS. Mr. President, last week, U.S. Immigration and Customs Enforcement—also known as ICE—initiated a precipitous action to reduce the population of the illegal immigrants detained by the U.S. Government for, they said, “budgetary reasons.”

Let me quote ICE spokesperson Gillian Christensen, who stated, “As fiscal uncertainty remains over the continuing resolution and the possible sequestration, ICE has reviewed its detained population to ensure detention levels stay within ICE’s current budget.” So the result was a release of a significant number of detained illegal immigrants and blaming it on the sequester’s imminent budget cuts last week, when it appears ICE mismanaged its resources.

That is unacceptable. This was an unnecessary action. It has the potential to put communities at risk. It is ineffective, inefficient, and irresponsible government.

Let’s be clear about something else that ICE points to as a reason for this action, “fiscal uncertainty.” Fiscal uncertainty is what has defined our economy over the past 4 years because this

government cannot get its act together. This government has failed to define for the American people, whether it is business men or women or whether it is homeowners, or anyone else in this country who is looking to Washington to get its act together, what the future will look like. Then decisions can be made as to how to adapt to necessary changes or modifications given our dismal fiscal situation, plunging into debt at record rates, borrowing 40 cents of every dollar. It is unsustainable. But instead of providing a clear path forward on how we will address this, we continue to lurch from cliff to cliff, fiscal calamity to fiscal calamity. It is freezing everything in place. The economy is suffering for it, and more than the economy, Americans are suffering for it. The 23 million Americans who are either unemployed or underemployed are suffering greatly.

Sadly, this uncertainty and the budget constraints we face should not catch any department or agency by surprise. This is not good government, but it is the Washington way under this administration and the current Democrat-led Senate. The Department of Homeland Security and ICE have known since September 28, 2012 exactly what level of resources were available for ICE under the current continuing resolution.

For those who do not understand the jargon that comes out of this place, “continuing resolution” means a stopgap measure that Congress put in place last September in order to fund this government at the current levels. That expires March 27. We likely will do it again for the second 6 months of the year, instead of putting a budget together, instead of putting together something that would give the American people certainty as to how much money we are going to spend, and what effect it would have on the economy.

Anyway, ICE has known their spending level since September 28, as has every agency. So they had plenty of notice. Why then would ICE release detained illegal immigrants a week before the sequestration even took place? Why did they not take proper steps necessary during the 6 months time they had to evaluate this and manage their resources in a way that would not require that someone make the decision to release hundreds if not thousands of illegal immigrants?

In an effort to sort out the facts, I have requested Secretary Napolitano provide in writing more information and answer several questions regarding the release of those individuals from detention. Question No. 1: What triggered the ICE instruction to the field to reduce the detainee population by this date?

Secondly, what is the total number of detainees released between February 22, 2013, and February 25—a 3-day pe-

riod of time? How many were released? These numbers have been all over the lot, from the low hundreds to well into the thousands. We need to know how many illegal immigrants were released in the United States and under what conditions that decision was made.

We need to know how many of these detainees were released solely due to so-called “budgetary” reasons. How many of the released detainees were designated as criminals? If additional funding can be found first within ICE or DHS for custody operations, will these released individuals be returned to detention, and how will they be rounded up and how will they be found?

We know that not all law enforcement authorities were notified of this in Arizona. It is unlikely to think that we know where all of those individuals are at this time. I do not think they are going to come back and voluntarily line up and say: Oh, I am back; I knew I should not have been released.

Have instructions been given to field offices to reduce the intake and arrest of illegal aliens into detention?

Furthermore, I want to know if the Secretary agrees with the decision to release these individuals. If not, what is being done to modify this action so it does not take place in the future?

I am also concerned that the administration has not taken accountability for this action. Secretary Napolitano distanced herself from the press by saying, “Detainee populations and how that is managed back and forth is really handled by career officials in the field.” Well, that may be the case, but that is not an appropriate response.

Is anyone in this current government willing to take responsibility and say, the buck stops here? I am assigned to this position and therefore I take responsibility for what happens underneath my position? This constantly, “well, we didn’t know about that,” or “that is somebody else’s obligation,” or “really, do you expect us to be on top of that”—yes. That is why you are CEO for a company. That is why you get paid more than anybody else. That is why you were selected as Secretary of a department or the head of an agency, to take responsibility for what happens underneath you.

I was also struck by the Secretary’s comments at an event hosted by Politico yesterday where she talked about the challenges DHS faces because there is not the opportunity to shift money around.

I agree with that. Republicans agree with that.

On this floor, just last Thursday, Republicans put forward a proposal to allow agencies to do just that after weeks and months of moaning and groaning by this administration and by its various agency heads about how this sequestration has made the situation much worse. It is stupid. It is a terrible way to do things. I agree, by the way.

However, we need to be able to have the flexibility to move the money from less efficient—or not needed at this time—to the essentials. We wouldn’t need to put out statements such as: Arrive at the airport 4 hours early because we need to cut the TSA agents at the same level as the least function of this particular government.

We put that proposal before us. The President, who has been begging for this, simply said: No, we are not going to do it. It was a quick change of mind. I think it destroyed his political narrative. This proposal was before this Senate body last week to give those agencies the flexibility to take from one pot that wasn’t needed as much—or take from areas that are efficient—and put it toward traffic controllers, transportation security officials, FDA, Department of Agriculture meat inspectors, wherever the priorities lie. To complain about not having flexibility when your own President rejected the proposal given by Republicans to allow that to happen, it just boggles my mind.

As I have said many times before over the past 2 years when the various department heads come before the Appropriations Committee: Do you have an alternative plan? Do you have a plan in the event the money doesn’t continue to flow in from the taxpayer at a rate which allows you every year to increase, increase, increase, your spending? We are running out of money. Wouldn’t it be wise to look at how you could run your department more effectively and efficiently as States have had to do, cities had to do, businesses had to do, families had to do? They need to make those decisions about separating the essential from the “would like to do but can’t afford to do it right now.” We need to eliminate the items and programs that never should have been funded in the first place or the programs that used to work, but are not a high priority any longer. Manage your department in a way that you can become more effective, do more with less.

To date, all the answers that have come back are, no, this is what the administration wants. This is what we are going to do. We are going to ask for an increase next year, and we are going to tell the American people we need to raise their taxes in order to pay for it or we are going to continue to borrow and go deeper and deeper into debt. It is a terrible way to run any organization, whether it is a Little League organization, a business or even the Federal Government of the United States. No agency can assert with any credibility that it cannot perform its stated mission if it is asked to join the rest of Americans in reducing its budget and making modest cuts. The irony is that the more Congress and the President delay action on a bold long-term fiscal plan with credible spending reforms,

the more all other programs, agencies, and departments will need to cut back and do more with less.

We are simply pushing the problem down the road for another day. Each time we push it down the road with short-term fixes or no fixes at all and don't address the real problems, we are making it ever harder and will be forced to do it in a more Draconian way.

If the Cabinet Secretaries want more flexibility with their budgets, I urge them to encourage the President to lead and reform the main problem and to address the main drivers of our spending, which is the runaway mandatory spending that is eating everybody's lunch. Whether you are for paving more roads, fixing more bridges, funding more medical research or whether you want more money to go into education or any other function of government, if you can't address the big donkey or elephant in the room, which is the mandatory runaway spending, there is not going to be enough funds for any other priorities. We have all known that year after year after year.

Without leadership from the top this cannot happen. It has been tried many times, sometimes with bipartisan efforts, all shot down because we don't have leadership from the White House and from the President of the United States. He is the chief CEO of this country and he needs to manage resources in a more effective way.

Only when we do that will we be able to avoid these constant budget showdowns and short-term stopgap measures which don't solve the problem.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Morning business is closed.

AUTHORIZING EXPENDITURES BY COMMITTEES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 64, which the clerk will report by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 64) authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, I wish to thank Senator PAUL, who is going to be offering his amendment in

a few minutes, for allowing me to go first. I would like to spend a few minutes speaking in opposition to the Paul amendment.

I wish to talk about the Senate National Security Working Group, which will be the subject of the Paul amendment. This group, along with its predecessor organization, the Senate Arms Control Observer Group, has served a useful role in helping the Senate to fulfill its unique constitutional duty to consider treaties and to provide its advice and consent to their ratification.

The Senate National Security Working Group is a key component of the Senate's ability to provide advice on treaties before those treaties are finalized because the working group begins meeting with the administration early in the process of negotiation. This was the case for the Senate consideration of the New START treaty a few years ago. The National Security Working Group convened a series of briefings and meetings with the administration starting at the very beginning of the negotiation process, and through the group the Senate has many opportunities to learn of the progress and details of negotiations and to provide our advice and views to the administration throughout the process.

Let me first assure my colleagues that throughout the entire New START negotiation process, the members of the National Security Working Group asked a great number of questions, received answers at a number of meetings, stayed abreast of the negotiation details, and provided advice to the administration. It is a vital process that not only allows Senators to engage the administration early in the negotiation process, but it also gives the administration an opportunity to respond to Senators' concerns and questions and to guide the process in such a manner as to avoid problems during Senate consideration of the treaty ratification process. That was, in fact, the principal original purpose of the Arms Control Observer Group, which ensured early Senate engagement during the negotiation process. This process helps to ensure that there is a core of Senators who are informed on treaty matters before the Senate takes up ratification, and through those Senators the entire Senate can have a role.

I also want to mention briefly to my colleagues that the National Security Working Group is perhaps unique among Senate institutions in that it is, by design, purely bipartisan. It is actually composed of an equal number of Senators from each side of the aisle. Its decisions and actions are not controlled by the majority party; they are arrived at entirely through bipartisan agreement—something we could use more of around here. The bipartisan nature of the group, which is central to its function and its crucial role in help-

ing the Senate fulfill its constitutional treaty role, is something we should support and continue.

We expect there are going to be some additional preliminary negotiations and discussions about those negotiations this year. It is very important that this National Security Working Group continues to have the ability to pave the way for negotiations that can be fruitful.

As I yield the floor, I again thank Senator PAUL for his courtesy in allowing me to go first.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, as some of you may have heard, we are a bit short of money. We are borrowing \$50,000 every second. We borrow over \$4 billion every day. In a year's time we borrow over \$1 trillion. There are ramifications to that. Some economists now say that the burden of our debt is costing us 1 million jobs a year. What I am asking is, in the midst of this sequester when people say we have no money to cut, to take this small item.

Why would I want to cut this small group? There are a couple of reasons. It is called the National Security Working Group—about \$2.8 million, which is not much money in terms of Washington. But why would I want to cut it?

The first reason would be that there are no records of them meeting. We heard about the START treaty. It was in 2009 when they were last meeting. There are no public records that this group, which spends \$700,000 a year, has met in the last 3 years. There are no public records of who works for the committee. There are no public records of their salaries. Every one of my staff's name and salary is printed in the public record—not for this group.

Now, they say we need this group to negotiate treaties. Well, we have a group; it is called the Foreign Relations Committee. I am on the Foreign Relations Committee, and that is where we discuss treaties—or at least we are supposed to. The Foreign Relations Committee has dozens of employees, and millions of dollars are spent on our committee. It goes through the regular process. Our staff's salaries are approved, the names are in the public record, and if you object, you know where to look for the information. To fund a group that has no records and no records of them meeting and doesn't tell you where they are paying the salaries I don't think makes any sense.

Our job is to look at the money as if it were ours, as if it were yours, and pay attention to detail.

Will this balance the budget? No. Is it a place we should start? Yes. Absolutely. What I would call for is looking and saving where we can. In my office, I have a \$3.5 million budget. I saved \$600,000 last year, and I turned it back in to the Treasury. That doesn't balance the budget, but we have to start

somewhere. This is another \$700,000. If I win this one vote, I could save \$700,000—or at least save us from borrowing another \$700,000. If all of your elected officials were up here doing the same, we would be much closer to a resolution. I turned in \$600,000 to the Treasury—18 percent of my budget—and I didn't lay off anybody because we are careful about the way we spend. We spend as if it were our own money. If all of our public officials were doing that, imagine what we could do.

I have another bill that will never see the light of day up here because they don't want to fix anything. This bill would give bonuses to civil servants—Federal employees—who find savings. Right now we do the opposite. If your budget is \$12 million and you work somewhere in the bureaucracy of government, you want to spend it at the end of the year so you can get it next year.

I would change that incentive. I would give that civil servant a significant bonus if they will keep money at the end of the year and turn it back in to the Treasury. Can you imagine the savings from top to bottom throughout government if we did that? But if we were to do that, to ask civil servants to do that and look for these savings—and right now, with the sequester, people throughout government are looking for savings—why shouldn't we start with the Senate?

Why would we continue to fund a group where the work they supposedly do is also done officially by another group which has many employees, a large staff, and it is the constitutional mandate of the Foreign Relations Committee to discuss treaties.

So while this is a small bit of money, it is symbolic of what needs to go on in this country in order to rectify a problem that is truly bankrupting the American people.

AMENDMENT NO. 25

Mr. President, I ask unanimous consent to call up amendment No. 25.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment. The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 25.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike supplemental staff funding available only to a limited number of Senators in a time of sequestration)

On page 31, line 22, strike "IN GENERAL.—The Senate National" and insert the following: "RECONSTITUTION.—"

(A) IN GENERAL.—The Senate National On page 32, between lines 2 and 3, insert the following:

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as extending

or providing funding authority to the Working Group.

On page 35, strike line 2 and all that follows through page 36, line 3, and insert the following:

(1) DESIGNATION OF PROFESSIONAL STAFF.—

On page 36, strike line 14 and all that follows through page 37, line 2.

On page 37, line 3, strike "(C)" and insert "(B)".

On page 37, line 8, strike "(D)" and insert "(C)".

On page 37, line 10, strike "(4)" and insert "(3)".

On page 37, strike lines 13 through 22 and insert the following:

(2) LEADERSHIP STAFF.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

On page 37, line 23, strike "(4)" and insert "(3)".

On page 39, strike line 3 and all that follows through page 40, line 2.

On page 40, line 3, strike "(d)" and insert "(c)".

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

Mr. PAUL. Mr. President, I ask for the yeas and nays when appropriate.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

Mr. PAUL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the call of the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, we yield back the remainder of all time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Kentucky. Mr. PAUL.

The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from New Jersey (Mr. LAUGENBERG), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 53, as follows:

[Rollcall Vote No. 29 Leg.]

YEAS—44

Alexander	Donnelly	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Baucus	Flake	Portman
Bennet	Grassley	Pryor
Boozman	Hagan	Risch
Boxer	Heller	Scott
Burr	Inhofe	Sessions
Coats	Johanns	Shaheen
Coburn	Johnson (WI)	Shelby
Collins	Landrieu	Thune
Coons	Lee	Toomey
Corker	McCain	Udall (NM)
Crapo	McCaskill	Vitter
Cruz	Merkley	

NAYS—53

Baldwin	Hatch	Murray
Blumenthal	Heinrich	Nelson
Blunt	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Hoeben	Roberts
Cardin	Isakson	Rockefeller
Carper	Johnson (SD)	Rubio
Casey	Kaine	Sanders
Chambliss	King	Schatz
Cochran	Kirk	Schumer
Cornyn	Klobuchar	Stabenow
Cowan	Leahy	Tester
Durbin	Levin	Warner
Feinstein	Manchin	Warren
Franken	McConnell	Whitehouse
Gillibrand	Menendez	Wicker
Graham	Mikulski	Wyden
Harkin	Murphy	

NOT VOTING—3

Begich	Lautenberg	Udall (CO)
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The amendment (No. 25) was rejected. Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the resolution.

The resolution (S. Res. 64) was agreed to.

(The resolution is printed in the RECORD of Thursday, February 28, 2013, under "Submitted Resolutions.")

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon the Senate, at 12:52 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF CAITLIN JOAN HALLIGAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. LEAHY. Madam President, I ask unanimous consent that the Senate proceed to executive session to resume consideration of Executive Calendar No. 13, the nomination of Caitlin Halligan.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, tomorrow the Senate will have an opportunity to correct itself and complete action on the nomination of Caitlin Halligan to the D.C. Circuit. She was first nominated to a vacancy on the court in September 2010, almost 30 months ago. No one who knows her, no one who is familiar with her outstanding legal career can be anything but impressed by her experience, her intelligence, and her integrity. Hers is a legal career which rivals that of the D.C. Circuit judge she was nominated to succeed.

I might mention that the judge she was nominated to succeed was John Roberts, who served on the D.C. Circuit. He is now Chief Justice of the United States. I voted for the confirmation of John Roberts to the D.C. Circuit. I voted for the confirmation of John Roberts to the Supreme Court. He and I do not share the same judicial philosophy or political party, but I voted for him because he was well qualified. I did not agree with every position he had taken or argument he made as a high-level lawyer in several Republican administrations, but I supported his nomination to the D.C. Circuit because of his legal excellence. Caitlin Halligan is also well qualified. Caitlin Halligan is as well qualified as John Roberts, whom I voted for, and her nomination deserves a vote. John Roberts was confirmed unanimously to the D.C. Circuit on the day the Judiciary Committee completed consideration of his nomination and reported it to the Senate. It is time for the Senate to consider Caitlin Halligan's nomination on her merits and end the filibuster that has extended over 2 years.

What I am saying is that if we want to be honest in the Senate, we have to apply the same standard to her that we applied to the nomination of John Roberts. After being nominated and renominated four times over the course of the last 3 years, it is time for the Senate to accord this outstanding woman debate and vote on the merits she deserves.

Caitlin Halligan is a highly regarded appellate advocate, with the kind of impeccable credentials in both public service and private practice that make her unquestionably qualified to serve on the D.C. Circuit. In fact, the ABA Standing Committee on the Federal Judiciary reviewed her nomination and gave her their highest possible rating. The judge for whom she clerked on the D.C. Circuit, former chief judge Pat Wald, urges her confirmation. Those who have worked with her all praise

her. We have not heard a single negative comment on her legal ability, judgment, character, ethics, or her temperament. By the standard we have used for nominees of Republican Presidents, there is no question that Caitlin Halligan should be confirmed and this ill-advised filibuster should end. Earlier this month the Senate ended a filibuster against the nomination of Robert Bacharach and he was confirmed unanimously to the Tenth Circuit. We finally were allowed to complete action on the nomination of William Kayatta to the First Circuit. So, too, the Senate should now reconsider its prior treatment of Caitlin Halligan and confirm her nomination.

She is a stellar candidate with broad bipartisan support. She is supported by law enforcement, with whom she worked closely while serving as a chief appellate lawyer in the State of New York and as general counsel for the Manhattan district attorney. That includes the support of New York City police commissioner, Ray Kelly; the New York Association of Chiefs of Police; and the National District Attorneys Association.

Carter Phillips, who served as an assistant to the Solicitor General during the Reagan administration, describes her as one of those extremely smart, thoughtful, measured, and effective advocates and concluded that she would be a first-rate judge. She has the strong support of the New York Women in Law Enforcement, the National Center for Women and Policing, the National Conference of Women's Bar Associations, the Women's Bar Association of the District of Columbia, and the U.S. Women's Chamber of Commerce.

I ask unanimous consent to have printed in the RECORD a list of letters in support for Ms. Halligan at the conclusion of my remarks.

I have been here 38 years and occasionally see things that really disappoint me. This is one where I see that narrow special interest groups seek to misrepresent her as a partisan or ideological crusader. She is not. Everybody who knows her, everybody who has dealt with her, Republican and Democratic alike, says she is not. What they do say is that she is a brilliant lawyer who knows the difference between the roles of legal advocate and judge. She will be a fair, impartial, and outstanding judge.

To oppose her for her work as an advocate would be like saying: We can't have this particular nominee be a judge because the nominee was appointed to defend a murderer and we are against murder. No. We are against the rule of law. We are against everybody who appears before a court having good representation whether we agree with their position or not. These kinds of arguments undermine our whole legal system.

While serving as the solicitor general for the State of New York, she was an advocate, representing the interests of her client. How often have we heard Republican Senators say that what lawyers do and say in legal proceedings should not be used to undermine their judicial nominations? Chief Justice Roberts himself has made that point. As an attorney, Chief Justice Roberts advocated for positions where I disagreed with him, but he was supporting the position of the people for whom he was an advocate. At his confirmation hearing to join the United States Supreme Court, Judge Roberts said:

[I]t's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients. The most famous example probably was John Adams, who represented the British soldiers charged in the Boston Massacre. He did that for a reason, because he wanted to show that the Revolution in which he was involved was not about overturning the rule of law, it was about vindicating the rule of law.

Our Founders thought that they were not being given their rights under the British system to which they were entitled, and by representing the British soldiers, he helped show that what they were about was defending the rule of law, not undermining it, and that principle, that you don't identify the lawyer with the particular views of the client, or the views that the lawyer advances on behalf of the client, is critical to the fair administration of justice.

That has always been our tradition—at least until now. This litmus test that would disqualify nominees because as lawyers they represented a legal position in a case is dangerous and wrong. Almost every nominee who had been a practicing lawyer would be disqualified by such a test. By the standard that is being applied to Caitlin Halligan, John Roberts could not have been confirmed to serve as a Federal judge let alone as the Chief Justice of the United States.

Yet some have justified their filibuster because she was directed by the New York attorney general to draft an amicus brief challenging a Federal law that protected gun manufacturers from liability for crimes committed with their products. As New York's solicitor general she filed a brief in support of a class action lawsuit against anti-choice clinic protestors under the Hobbs Act. She filed a brief on behalf of New York in support of a lower court's decision to permit back pay to undocumented employees whose employers were violating Federal law. She filed a brief on behalf of New York and other States in support of the University of Michigan's affirmative action program. In all of these cases, she was representing her client, the State of New York.

Note that her critics are not arguing that she was a bad lawyer. In essence, what they are contending is that because they disagree with the legal positions taken on behalf of her client, she should not get an up-or-down vote. That is wrong.

When I voted for Chief Justice Roberts, I remember a number of Republicans told me, of course, that is the only thing you should do because you think he is qualified. Now I have Republicans who tell me they feel she is well qualified, but this special interest group or that special interest group is opposed to her. She took positions with which they disagree. That is not the issue. Is she qualified? Did she stand up for her clients the way an attorney should in our adversarial system?

Her public service in the State of New York is commendable, and no reason to filibuster this nomination. Vote yes or vote no on this nomination. Voting to block it from coming to a vote is saying: I don't have the courage to stand up and vote yes or no; I want to vote maybe. It never comes to a vote if we filibuster it. I may vote maybe so I don't have to explain to people that she is far more qualified than people we voted for who were nominated by Republican Presidents. I didn't vote against her; I didn't vote for her; I voted maybe.

That is not the way it should be. Our legal system is an adversarial system, predicated upon legal advocacy for both sides. There is a difference between serving as a legal advocate and as an impartial judge. She knows that. She is a woman of integrity. No one who fairly reviews her nomination has any reason to doubt her commitment to serve as an impartial judge.

I always said when I practiced law that I didn't want to walk into a courtroom and say the case is going to be determined by whether I was plaintiff or defendant, Republican or Democratic, but that the case would be determined on the facts and the law.

We have been fortunate in Vermont that we have had many judges like this, judges who were appointed by Republican Governors, judges appointed by Democratic Governors, Federal judges appointed by Republican Presidents, Federal judges appointed by Democratic Presidents. In Vermont, we have been fortunate because no matter what their positions have been before, they turned out to be impartial judges, which is what this good woman will be.

In fact, it is not only wrong but dangerous to attribute the legal position she took in representing her client, the State of New York, to her personally and then take the additional leap—and it is a huge leap—to contend that her personal views will override her commitment to evenhandedly apply the law.

John Adams, one of our most revered Founders, wrote that his representation of the British soldiers in the controversial case regarding the Boston Massacre was “one of the most gallant, generous, manly and disinterested actions of my whole life, and one of the best pieces of service I ever rendered my country.” That is our tradition.

The Senate should end this filibuster and vote to confirm a woman who has ably served as a public official representing the State of New York and the district attorney of Manhattan.

The other justification Republican Senators used 2 years ago to justify their filibuster is gone. Some contended that the caseload in the D.C. Circuit was not sufficiently heavy to justify the appointment. There are now four vacancies on the D.C. Circuit. The vacancies have doubled during the last 2 years. The bench is more than one-third empty. This is reason enough for Senators to reconsider their earlier votes and end this filibuster.

The Senate responded to this caseload concern in 2008 when we agreed to decrease the number of D.C. Circuit judgeships from 12 to 11. Caitlin Halligan is nominated to fill the 8th seat on the D.C. Circuit, not the 11th. Just a few years ago when the D.C. Circuit caseload per active judge was lower than it is now, all the Republican Senators voted to confirm nominees to fill the 9th seat, the 10th seat twice, and the 11th seat on this court. In fact, the D.C. Circuit caseload for active judges increased 50 percent from 2005—50 percent from when the Senate confirmed the nominee to fill the 11th seat on the D.C. Circuit bench. The caseload on the D.C. Circuit is also greater than the caseload on the Tenth Circuit, to which the Senate just confirmed Judge Robert Bacharach of Oklahoma last week.

In her recent column in *The Washington Post*, Judge Wald explains why the work of the D.C. Circuit, with its unique jurisdiction over complex regulatory cases is different and more onerous than in other circuits and why the court needs to have its vacancies filled. She wrote:

The number of pending cases per judge has grown from 119 in 2005 to 188 today. A great many of these are not easy cases. The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health-care reform, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

She also notes: “The D.C. Circuit has 11 judgeships but only seven active judges. There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.” I ask that a copy of her article be included in the *RECORD* at this point.

I urge all those who have said filibusters on judicial nominations are unconstitutional to end this filibuster. I urge those who have said here on this floor

that they would never support a filibuster of a judicial nomination to end this filibuster. I urge those who said they would filibuster only in extraordinary circumstances to end this filibuster. I urge all those who care about the judiciary and the administration of justice, the Senate, and the American people to come forward and end this filibuster.

There being no objection, the material was ordered to be printed in the *RECORD*, as follows:

LETTERS OF SUPPORT FOR HALLIGAN

February 14, 2011—Derek Champagne, Franklin County District Attorney

February 16, 2011—William Fitzpatrick, Onondaga County District Attorney

February 22, 2011—Randy Mastro, Gibson Dunn

February 25, 2011—Daniel Donovan, Jr., Richmond County District Attorney

February 28, 2011—Chauncy Parker, Director of New York/New Jersey High Intensity Drug Trafficking Area program

February 28, 2011—23 Former United States Supreme Court Clerkship Colleagues

March 4, 2011—Cyrus Vance, Jr., New York County District Attorney

March 4, 2011—Joint Letter from 21 lawyers (Clifford Sloan, Sri Srinivasan, Miguel Estrada, Carter Phillips, Seth Waxman, Walter Dillinger, David Frederick, Andrew Levander, Richard Davis, Michele Hirshman, Dietrich Snell, Paul Smith, Patricia Ann Millet, Kathleen Sullivan, Thomas Brunner, Mier Feder, Evan Tager, Philip Howard, Ira Millstein, Roy Reardon, Michael H. Gottesman)

March 4, 2011—Judith S. Kaye, former Chief Judge of the New York State Court of Appeals

March 23, 2011—Robert Morgenthau, Wachtell, Lipton, Rosen & Katz

April 22, 2011—Derek Champagne, President, District Attorney's Association of the State of New York

April 27, 2011—John Grebert, New York Association of Chiefs of Police

May 2, 2011—Peter Kehoe, Executive Director, New York State Sheriff's Association

May 26, 2011—Raymond Kelly, Police Commissioner, City of New York

May 31, 2011—New York Women in Law Enforcement

June 2, 2011—James Reams and Scott Burns, National District Attorneys Association

June 8, 2011—National Center for Women and Policing

June 16, 2011—Monica Parham, Women's Bar Association of the District of Columbia

June 23, 2011—Mary E. Sharp, National Conference of Women's Bar Associations

June 28, 2011—Margot Dorfman, U.S. Women's Chamber of Commerce

November 15, 2011—Joint letter from 107 women law professors (Kerry Abrams, Michelle Adams, Jane Aiken, Adjoa Aiyetoro, Judith Areen, Barbara Black, Barbara Atwood, Barbara Babcock, Heather Baxter, Vivian Berger, Francesca Bignami, Tamar Birkhead, Catherine Brooks, Stacy Brustin, Sherri Burr, Stacy Caplow, Caroline Davidson, Elizabeth DeCoux, Christine Desan, Laura Dickinson, Ariela Dubler, Heather Elliott, Lyn Entzeroth, Cynthia Estlund, Christine Galbraith, Abbe Gluck, Emily Waldman, Suzanne Goldberg, Risa Goluboff, Sara Gordon, Sarah Gotschall, Cynthia Bowman, Ariela Gross, Phoebe Had-
don, Valerie Hans, Rachel Harmon, Melissa

Hart, Nancy Hauserman, Carrie Hempel, Lynne Henderson, Laura Hines, Candice Hoke, Sara Jacobson, Dawn Johnsen, Olatunde Johnson, Deborah Merritt, Anne O'Connell, Pamela Karlan, Ellen Katz, Amalia Kessler, Eleanor Kinney, Heidi Kitrosser, Catherine Kelin, Kristine Knaplund, Maureen Laflin, Mary LaFrance, Robin Lenhardt, Odette Lienau, Nancy Loeb, Joan Heminway, Solangel Maldonado, Sheila Maloney, Maya Manian, Jenny Martinez, Mari Matsuda, Margaret McCormick, Ann McGinley, M. Isabel Medina, Carrie Menkel-Meadow, Gillian Metzger, Binny Miller, Nancy Morawetz, Tamara Packard, Kimani Paul-Emile, Katharina Pistor, Ann Powers, Nancy Rapoport, Kalyani Robbins, Julie O'Sullivan, Shelley Saxer, Erin Ryan, Liz Cole, Carol Sanger, Margaret Satterthwaite, Lisa Schultz Bressman, Diana Sclar, Elizabeth Scott, Ilene Seidman, Laurie Shanks, Katherine Sheehan, Jodi Short, Florence Shu-Acquaye, Jessica Silbey, Michelle Simon, Charlene Smith, Joan Steinman, Drucilla Stender Ramey, Beth Stephens, Nomi Stolzenberg, Maura Strassberg, Nadine Strossen, Ellen Taylor, Penny Venetis, Valerie Vollmar, Rachel Vorspan, Candace Zierdt, Diane Zimmerman)

December 1, 2011—Albert M. Rosenblatt, retired Judge, NY Court of Appeals

December 1, 2011—Linda Slucker, President, National Council of Jewish Women

December 5, 2011—Nancy Duff and Marcia Greenberger, Co-Presidents, National Women's Law Center

December 5, 2011—Wade Henderson, President and CEO, The Leadership Conference on Civil and Human Rights

December 5, 2011—Gregory S. Smith, President, Bar Association of DC

March 1, 2013—Doug Kendall, President, Constitutional Accountability Center

March 4, 2013—Wade Henderson, President and CEO, The Leadership Conference on Civil and Human Rights

March 4, 2013—Sam A. Cabral, International President, International Union of Police Associations.

[From The Washington Post, Feb. 28, 2013]

SENATE MUST ACT ON APPEALS COURT VACANCIES

(By Patricia M. Wald)

Pending before the Senate are nominations to fill two of the four vacant judgeships on the U. S. Court of Appeals for the District of Columbia Circuit. This court has exclusive jurisdiction over many vital national security challenges and hears the bulk of appeals from the major regulatory agencies of the federal government. Aside from the U.S. Supreme Court, it resolves more constitutional questions involving separation of powers and executive prerogatives than any court in the country.

The D.C. Circuit has 11 judgeships but only seven active judges. There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.

The court's vacancies date to 2005, and it has not received a new appointment since 2006. The number of pending cases per judge has grown from 119 in 2005 to 188 today. A great many of these are not easy cases. The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, healthcare reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days

of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

I served on the D.C. Circuit for more than 20 years and as its chief judge for almost five. My colleagues and I worked as steadily and intensively as judges on other circuits even if they may have heard more cases. The nature of the D.C. Circuit's caseload is what sets it apart from other courts. The U.S. Judicial Conference reviews this caseload periodically and makes recommendations to Congress about the court's structure. In 2009, the conference recommended, based on its review, that the circuit's 12th judgeship be eliminated. This apolitical process is the proper way to determine the circuit's needs, rather than in the more highly charged context of individual confirmations.

During my two-decade tenure, 11 active judges were sitting a majority of the time; today, the court has only 64 percent of its authorized active judges. This precipitous decline manifests in the way the court operates. And while the D.C. Circuit has five senior judges, they may opt out of the most complex regulatory cases and do not sit en banc. They also choose the periods during which they will sit, which can affect the randomization of assignment of judges to cases.

There is, moreover, a subtle constitutional dynamic at work here: The president nominates and the Senate confirms federal judges for life. While some presidents may not encounter any vacancies during their administration, over time the constitutional schemata ensures that the makeup of courts reflects the choices of changing presidents and the "advise and consent" of changing Senates. Since the circuit courts' structure was established in 1948, President Obama is the first president not to have a single judge confirmed to the D.C. Circuit during his first full term. The constitutional system of nomination and confirmation can work only if there is good faith on the part of both the president and the Senate to move qualified nominees along, rather than withholding consent for political reasons. I recall my own difficult confirmation 35 years ago as the first female judge on the circuit; eminent senators such as Barry Goldwater, Thad Cochran and Alan Simpson voted to confirm me regardless of differences in party or general political philosophy.

The two D.C. Circuit nominees before the Senate are exceedingly well qualified. Caitlin Halligan served as my law clerk during the 1995-96 term, working on cases involving the Department of Health and Human Services, the Immigration and Naturalization Service, the Federal Communications Commission and diverse other topics. She later clerked for Supreme Court Justice Stephen Breyer. She also served as New York solicitor general and general counsel for the Manhattan district attorney's office, as well as being a partner in a major law firm. The other nominee, Sri Srinivasan, has similarly impressive credentials and a reputation that surely merits prompt and serious consideration of his nomination.

There is a tradition in the D.C. Circuit of spirited differences among judges on the most important legal issues of our time. My experience, however, was that deliberations generally focused on the legal and real-world consequences of decisions and reflected a premium on rational thinking and intellectual prowess, not personal philosophy or policy preferences. It is in that vein that I urge the Senate to confirm the two pending nomi-

nations to the D.C. Circuit, so that this eminent court can live up to its full potential in our country's judicial work.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask that the colloquy between the distinguished Senator from Tennessee and myself be as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. HATCH. Madam President, I rise today, along with my colleague from Tennessee, to discuss two pieces of legislation we introduced to restore liberty and to protect jobs. The first bill, S. 40, the American Liberty Restoration Act, would repeal ObamaCare's unconstitutional individual mandate. The second bill, S. 399, the American Job Protection Act, would repeal Obama's job-killing employer mandate. These two provisions were included in the President's health law for the purpose of raising revenues—an attempt to pay for all of the new spending under ObamaCare—and to garner support from the private insurance industry.

I would ask Senator ALEXANDER, has the so-called Affordable Care Act lived up to the promises President Obama made during the health care reform debate to maintain personal freedom, reduce health care costs, and decrease unemployment?

Mr. ALEXANDER. Madam President, I thank the Senator from Utah for his leadership on these two pieces of legislation, and the answer is: No, the new health care law hasn't lived up to the promises.

Let me cite an example. The President promised in the debates leading up to the health care act that if someone wanted to keep the insurance they had, they would be able to do that. I am afraid it is not working out that way, and here is why.

What happens is that businesses around the country are finding out when the health care law goes into effect fully they will either have to supply a certain type of health care insurance, which in many cases—as many as half the cases according to some studies—is a better policy and more expensive policy than they are now offering their employees, or they will have to pay a \$2,000 tax, to the Internal Revenue Service. That means the employee, if the business decides to do that, will go into the exchange and lose the employer insurance they had.

Based on my experience in talking to many businesses, there is going to be a massive rush, by small businesses in particular and by many large businesses, to stop offering employer-sponsored health insurance to their employees and, instead, pay the \$2,000 penalty, or tax, which means all of those employees—most of them lower income

employees or middle-income employees—will lose the insurance they had and be in the exchanges looking for a new insurance policy.

Mr. HATCH. Madam President, I agree with my colleague and thank him for his comments.

I would also argue the individual mandate is unconstitutional. When the law was being debated here in Congress, and later when it was being litigated in the courts, proponents repeatedly argued the individual mandate was constitutional under the commerce clause. Well, that simply isn't the case. While the Supreme Court ultimately upheld the law on other grounds, the majority of Justices agreed the individual mandate was not a proper exercise of Congress's power to regulate interstate commerce.

I have to say I agree with that conclusion. Indeed, I say it is simply common sense the power to regulate interstate commerce does not include the power to compel individuals to engage in commerce, which is precisely what the individual mandate does.

Despite the Court's overall decision, the American people see the individual mandate for what it is—an affront to individual liberty. Indeed, the vast majority of the American people know it violates our constitutional principles and that it cedes too much power to the Federal Government. That is why, in poll after poll, the majority of Americans support repealing the mandate.

I would also ask the distinguished Senator from Tennessee, Mr. ALEXANDER, to share his views about the individual mandate, if he has any additional views.

Mr. ALEXANDER. I agree with the Senator from Utah. I think he stated clearly what the constitutionality is and he has been a most forceful advocate of that.

As I think about the legislation we are talking about, I am thinking also about the employer mandate and the requirement that, as I mentioned earlier, employers pay \$2,000 if they do not offer insurance or a \$3,000 penalty if they offer the wrong kinds of insurance.

I would say to the Senator from Utah that we are making it more difficult to lower the unemployment rate in this country, which has stayed too high, with 12 million people unemployed, when we keep loading up employers with costs that make it more expensive to hire an employee. If we make it more expensive to hire an employee, we don't give the employer an incentive to hire more people. In fact, we discourage the employer from hiring more people.

I wonder if I might ask the Senator, in thinking about the employer mandate, if he agrees that employers across the country are considering reducing their number of employees, having

more part-time employees in order to deal with this new cost of the employer mandate which is part of the health care law.

Mr. HATCH. I would say to the distinguished Senator from Tennessee that is certainly the case. There are various reports and analyses of this that indicate a significant number of employers would rather pay the penalty and not have to deal with the particular requirements the Affordable Care Act seems to require.

On top of the unconstitutional individual mandate, this job-killing employer mandate is a real problem. Under the President's health law, employers with more than 50 full-time employees are required to offer coverage, as the distinguished Senator said, that meets a minimum value or pay a penalty of \$2,000 per employee. The distinguished Senator from Tennessee explained this well. If the employer does offer coverage but that coverage does not meet the minimum value, employers must pay \$3,000 per employee. I have never heard such a ridiculous approach toward business. Not surprisingly, the penalty under this provision costs less than offering coverage. According to the Kaiser Family Foundation annual survey of employer-sponsored health insurance, average annual premiums are \$5,615 for single coverage and \$15,745 for family coverage. Once again, the penalty for an employer who doesn't offer health insurance is only \$2,000 per employee. That being the case, the law does not incentivize employers to offer the employees health insurance. Instead, it does exactly the opposite. Rather than footing the full cost of providing health coverage, many employers are going to take the less expensive route and simply pay the penalty, as the distinguished Senator from Tennessee has mentioned. Even worse, many employers that currently do offer their employees health benefits under current law will likely drop the benefits and, instead, choose to pay the penalty.

Studies are already showing this is the case, and this will be the case. An employer survey done by McKinsey and Company found that "30 percent of respondents who said their companies offered employer-sponsored health insurance said they would definitely or probably drop coverage in the years following 2014."

So despite the President's claim to the contrary, ObamaCare has not preserved the employer-sponsored health insurance market. It dismantles it. As a result, the President's promise that those who like their health insurance would be able to keep it falls by the wayside.

I believe Senator ALEXANDER is also concerned about the fact the President's law defines small employers as those with less than 50 employees. In addition, I thought this law was sup-

posed to create jobs. The President claimed it would. So again, I would turn to my colleague from Tennessee and ask: Does he think that has been the case? Does he think the President has been right about that?

Mr. ALEXANDER. No, I would say to my friend from Utah, I am afraid the President was mistaken about that. And we have talked about some specifics, but let me give some very specific examples of why I believe that is true.

Some time ago I met with a large group of chief executive officers of restaurant companies in America. The service and hospitality industries are the largest employers in America. Restaurant companies are the largest employer of low-income, young, usually minority people. These are Americans who are often getting their first job or they are Americans of any age who are trying to work their way up the economic ladder, starting with a lower paying job, a job that doesn't require as many skills, and hoping that instead of having a minimum wage they will end up someday with a maximum wage. But in order to get that maximum wage they have to get on the ladder. They have to start somewhere.

Here is what I was told. The chief executive officer of Ruby Tuesday, Incorporated, which has about 800 restaurants, said to me—and he didn't mind being quoted—that the cost to his company of implementing the new health care law would equal his entire profit for the company last year and that he wouldn't build anymore new restaurants in the United States as a result of that. He said he would look to expand outside.

Another, even larger restaurant company, said because of their analysis of the law, instead of operating their stores with 90 employees, they would try to offer it through stores with 70 employees. So that means fewer employees and it means fewer employees receiving employer health care.

Then almost every other restaurant said they were looking for ways to have more part-time employees so they didn't have to incur the expense of the new health care law.

So at least with that industry and those low-income, usually minority, often young employees, the jobs are going away because of the health care law. And with those jobs goes whatever employer health care insurance was being offered by those companies.

Mr. HATCH. I have heard the same complaints by the restaurant industry, and by a lot of small businesses that are looking to not hire more than 50 people, and also are looking to cut their employees' work hours down to below 30 hours a week in order to avoid these massive costs that would incur to them.

The employer mandate is a drag on our economy, forcing too many of our

Nation's job creators to stop hiring and growing their businesses in order to comply with the onerous provision in the President's health law. Instead of letting the Federal Government dictate how employers should allocate resources, we should repeal this job-killing mandate and let businesses freely manage their personnel needs.

Mr. ALEXANDER. I certainly agree with the Senator from Utah, and that is the purpose of our legislation. We could offer more examples. The Wall Street Journal article of February 22 of this year said:

Many franchisees of Burger King, McDonalds, Red Lobster, KFC, Dunkin' Donuts and Taco Bell have started to cut back on full-time employment, though many are terrified to talk on the record.

These are the kinds of companies I was talking about.

The article also references a 2011 Hudson Institute study that estimates the employer mandate will cost the franchise industry \$6.4 billion and put 3.2 million jobs at risk.

Mr. HATCH. I couldn't agree more with the distinguished Senator from Tennessee, and I ask unanimous consent to have printed at this point in the RECORD an article under Politico's banner, titled: "Under ACA, Employer Mandate Could Mean Fewer Jobs."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, Feb. 27, 2013]

UNDER ACA, EMPLOYER MANDATE COULD MEAN FEWER JOBS

(By Dan Danner, Bruce Josten, Matthew Shay, and Dirk Van Dongen)

This March marks the third anniversary of the passage of the president's sweeping health care legislation. But for many in the business community now facing a litany of difficult decisions in the law's wake, this milestone will be met with capitulation rather than celebration.

With the employer mandate, Obamacare puts the nation's job creators between a rock and a hard place. Despite the gentle sounding title, the Shared Responsibility provision actually takes the two parties who should be making decisions about employer-sponsored health coverage (the employer and the employee) completely out of the equation. Beginning in 2014, large employers must provide a prescribed level of health care coverage to all full-time employees or potentially pay a hefty penalty. While this may sound relatively straightforward, it is anything but.

Beyond imposing a costly and non-negotiable mandated benefit, the law also redefines the long-standing definition of a full-time employee. With the passage of the law, an employee working an average of 30 hours or more per week over a month is a full-time employee. Further, the law sets out a complicated algorithm to determine whether a business is a large employer. Aggregating the hours of all part-time workers and adding in the number of full-time workers are necessary to determine whether a business has the equivalent of 50 or more fulltime employees and is therefore, a large employer.

Under the guise of improving access to coverage, the mandate presents a false choice

for owners: provide one-size-fits-all health care coverage at the expense of higher wages and other benefits; or potentially pay a penalty. The unfortunate reality is that, with this devil's choice, everyone ends up paying a penalty—employers, employees and the unemployed. Whatever "choice" the employer makes will lead to fewer jobs, lower wages and lost revenue.

For employers near the "large" employer threshold, we can expect to see layoffs or dramatically reduced hours. These will be tough decisions, especially for small businesses where employees are like family and benefits options are often discussed and agreed upon collaboratively. The rising cost of the mandated insurance plans will very likely force many businesses to drop coverage entirely and pay the steep penalty, a difficult choice but a necessary one in light of increasingly cost-prohibitive employee coverage. Smaller businesses that might otherwise be eyeing expansion and growth down the road will most likely reduce or cap the number of employees to avoid the expensive mandate in the future.

The options available to job creators are bleak—cut their workforce, stem growth, pay a penalty or go out of business—and whatever choice they are forced to make will ultimately harm employees and the economy. Replacing one full-time position with two part-time positions is a hollow form of job creation—not an efficient way to create good jobs that can support families. Compliance costs—already 36 percent higher for small firms—will soar; those costs, as well as the money that must now go toward increased benefits or nontax deductible penalties, will crowd out wage increases and business investment.

The Commerce Department reported last month that in the fourth quarter of 2012, economic growth contracted for the first time in more than three years. This isn't a surprise, given that the small-business sector has never recovered—and is unlikely to—while Washington continues to penalize small employers for expanding. At a time when our economy is deeply troubled, our government is forcing employers to restructure in ways that repress growth and employment.

Thankfully, Thursday's bicameral introduction of the American Job Protection Act by Sens. Orrin Hatch of Utah and Lamar Alexander of Tennessee and Congressmen John Barrow of Georgia and Charles Boustany of Louisiana comes at a perfect time. Members of both parties recognize the damage this impending mandate will have on our economy, and Congress should repeal it before it's too late.

Mr. HATCH. Again, I thank my colleague from Tennessee for working with me on these two critical issues that impact every American. I will conclude with a quote from a Utah employer. This is a small business owner who is concerned about what the company will do come January 1 if these mandates remain in place. This employer wrote to me saying this about ObamaCare:

We will have to choose who will work 30 or less hours a week, which in turn is bad for our business because we have to train more people to do one job. It is bad for our customers because they will have to interact with different employees who may not know the customer's needs as well, and it is most devastating for the employee because the employee's hours will be cut.

If we want to turn this economy around, government decrees such as the employer mandate must be repealed.

Our job creators cannot grow and innovate with these heavy-handed regulations coming from Washington bureaucrats who have no clue how to run a business.

We must work together on this important issue for the sake of the individuals working three jobs at a time to make ends meet, for employers trying to keep workers on the payroll and contributing to the economy, and for our Nation as a whole to put our economy on the right track and to keep us globally competitive. At least that is my viewpoint, and it is certainly the viewpoint of my small business colleagues there in Utah.

Mr. ALEXANDER. I thank the Senator from Utah for this opportunity to have a colloquy with him, and I ask unanimous consent to have printed in the RECORD following my remarks letters from the National Restaurant Association, Chamber of Commerce of the United States, and the National Retail Federation, each of which strongly supports our legislation and makes the points we have made about the employer mandate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL RESTAURANT ASSOCIATION,

Washington, DC, February 27, 2013.

Re Support for repeal of Shared Responsibility for Employers provision.

Hon. ORRIN HATCH,

U.S. Senate,

Washington, DC.

Hon. LAMAR ALEXANDER,

U.S. Senate,

Washington, DC.

DEAR SENATORS HATCH AND ALEXANDER: On behalf of the National Restaurant Association members, we write in support of the American Job Protection Act, and to thank you for your leadership on this issue. This legislation would repeal the 2010 health care reform law's harmful employer mandate.

The National Restaurant Association is the leading business association for the restaurant and food service industry. The industry is comprised of 980,000 restaurant and foodservice outlets employing 13.1 million people who serve 130 million guests daily. Although it is predominately comprised of small businesses, the restaurant industry is the nation's second-largest private-sector employer, employing 10 percent of the U.S. workforce.

Regrettably, the employer mandate is expected to significantly increase costs within our industry, threatening entrepreneurs' ability to hire additional employees, or expand operations. The American Job Protection Act would repeal the mandate, thereby providing restaurateurs the flexibility to provide the health care coverage that they can afford, while addressing the varying needs within the diverse workforce.

Again, thank you for introducing the American Job Protection Act. We strongly support the legislation's passage and look

forward to working with you toward that end.

Sincerely,
ANGELO I. AMADOR, ESQ.,
*Vice President,
Labor & Workforce Policy.*
MICHELLE REINKE NEBLETT,
*Director,
Labor & Workforce Policy.*

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 1, 2013.

Hon. ORRIN G. HATCH,
*U.S. Senate,
Washington, DC.*
Hon. LAMAR ALEXANDER,
*U.S. Senate,
Washington, DC.*

DEAR SENATORS HATCH AND ALEXANDER: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, thanks you for introducing S. 399, the "American Job Protection Act," which would repeal the employer mandate included in the Patient Protection and Affordable Care Act (PPACA). This requirement is already having a negative effect on employment and will continue to discourage small businesses from growing. In fact, the Chamber's most recent quarterly small business survey released in January of 2013 confirmed that 71 percent of small business executives believe that implementation of the health care law will make it harder for them to hire more employees.

The PPACA requires businesses with 50 or more full-time equivalent employees to offer certain health benefits or pay steep penalties. Even businesses that do provide health benefits may still be subjected to draconian fines. Businesses with fewer than 50 full-time equivalent employees are hesitant to grow their businesses or hire what would amount to the fiftieth employee. Repealing this "shared responsibility" provision would not only protect existing jobs, but spur the creation of new jobs by removing the fear and uncertainty many small businesses are experiencing in anticipation of these coverage requirements that begin in 2014.

Prior to the enactment of the PPACA, businesses voluntarily offered health insurance to most Americans. According to the Employee Benefits Research Institute, more than 156 million Americans had employer-sponsored health insurance in 2009. But now, the employer mandate requires businesses to provide prescribed coverage, an unprecedented intrusion on employers' freedom to develop employee compensation packages. This requirement is not only unlikely to achieve the objective of forcing all employers to provide federally prescribed coverage, it is also likely to incent employers to drop coverage entirely, limit employees' hours, and restrict job growth.

The requirement would also disproportionately disadvantage low-income workers and the businesses that employ them, since these are the workers that would trigger the penalty provision and subject a business to unpredictable and significant fines. Further, for the first time, the PPACA defines a "full-time" employee as someone who works 30 hours per week, rather than the traditional definition of 40 hours per week.

It is critical that the employer mandate be removed before it takes effect in 2014 so that employers can focus on strengthening their businesses, hiring more workers, and revitalizing the economy. The Chamber looks for-

ward to working with you and your colleagues to enact this vital legislation.

Sincerely,
R. BRUCE JOSTEN.

NATIONAL RETAIL FEDERATION,
Washington, DC, March 4, 2013.

Hon. ORRIN HATCH,
*Senate Hart Office Building, U.S. Senate,
Washington, DC.*

DEAR SENATOR HATCH: I write to lend the support of the National Retail Federation (NRF) to employer mandate repeal legislation you have introduced: S. 399, the American Job Protection Act. We strongly support your bill and urge that it be promptly adopted.

NRF has myriad concerns with and objections to the Affordable Care Act, even as our focus shifted to trying to help our members comply with the new law. Your legislation appropriately would repeal the employer mandate. We strongly supported your legislation in the 112th Congress and proudly do so again now.

Eliminating the employer mandate would greatly aid the greater retail community, which is heavily dependent on labor. One of every four jobs in the American economy is supported by retail, which would be jeopardized by the mandate effective in 2014. The employer mandate is already deterring job growth today at the expense of tomorrow's economy.

NRF commends you for introducing this legislation. We note with appreciation that your bill was introduced with 26 original cosponsors. We strongly support your efforts.

Sincerely,

DAVID FRENCH,
*Senior Vice President,
Government Relations.*

Mr. HATCH. Once again I thank my colleague from Tennessee, and I am hoping that others will hear our call for support and join us in these two crucial efforts to protect individual freedom and to maintain our system of free enterprise which has built this country and made it the best in the world.

So I thank the Senator from Tennessee.

CORRECTING THE RECORD

Mr. ALEXANDER. Madam President, I see the Senator from Maryland is waiting, and I wonder, if we are through with our colloquy, if the Senator would allow me 2 or 3 minutes to correct a mistake I made on the floor of the Senate last week.

Confessing error: I came to the floor following the vote on the Hagel nomination to point out the difference between a vote against a premature motion to cut off debate—which I thought the majority leader made—and an effort to kill a nomination with a filibuster, which are two different things. I pointed out—correctly—that in the history of the Senate, we have never denied to a district judge nominee his or her seat because of a failed cloture vote, and I don't believe we should. I pointed out we have never denied a Cabinet nominee his or her seat because of a filibuster, with the possible exception of John Bolton, whom the Democrats filibustered. Some Presi-

dents count that nomination to the U.N. in their Cabinet and some don't.

I then went on to say—incorrectly—that on appellate judges, the Democratic majority had filibustered and killed 10 of President Bush's nominations, and Republicans had in response denied two appellate judge seats by filibuster. Senator SCHUMER of New York—ever wary of what I might say—corrected me and said it was less than that. So I have consulted with him and his staff, and the score is actually 5 to 2.

The correct result is that before George W. Bush became President—and the Senator from Utah knows this story very well—there were no instances of an appellate Federal judge being denied his or her seat because of a filibuster. Then our friends on the Democratic side invented the idea of filibustering circuit judges and voted against a whole series of President Bush's nominees just as I came to the Senate: Miguel Estrada, Charles Pickering, William Pryor, Priscilla Owen, Carolyn Kuhl, Janice Brown, and then four more in 2004: William Myers, David McKeague, Henry Saad, and Richard Griffin.

But then we had a cooling of tempers and a coming to our senses and a bipartisan Gang of 14 said we don't want to make this a new precedent, and we agreed—there was a consensus, anyway—that only in a case of extraordinary circumstance would there be a denial of a nominee of an appellate judge by a cloture vote. So then 5 of those 10 Bush nominees were approved.

So the Schumer staff and my staff agreed with this—and if anybody thinks it is wrong, I would like to know—that only in five cases have Democrats denied a Republican President an appellate judge nominee by filibuster and only in two cases have Republicans denied a Democratic President's nominee by filibuster in the case of appellate judges. As I said when I began, the answer is never in the case of district judges and never in the case of Cabinet members, with the possible exception of John Bolton.

I am glad to come to the floor and correct the record. I thank Senator SCHUMER for his diligence in noting my error.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that we return to the Halligan nomination.

I also ask further unanimous consent that I be permitted to speak following the distinguished Senator from Maryland.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maryland.

Mr. CARDIN. Madam President, I am taking this time on the floor to speak in support of the nomination of Caitlin Halligan to be U.S. Circuit judge for

the U.S. Court of Appeals for the District of Columbia Circuit.

I think my comments are at the right time, following Senator ALEXANDER's comments about the difficulty we have had in the past confirming judicial nominees and the use of the filibuster that blocked the consideration of Presidential nominees.

Senator ALEXANDER pointed with pride to an accommodation that was reached a few years ago, before I got to the Senate, that the filibuster would only be used in "extraordinary circumstances."

Ms. Halligan was first nominated by President Obama in September 2010, after that accommodation had been reached. I am disappointed that her nomination was filibustered, nearly on a party-line vote, in December of 2011. I urge my colleagues to allow an up-or-down vote on Ms. Halligan's nomination.

I would challenge my colleagues who oppose an up-or-down vote to come to the floor and explain the extraordinary circumstances that would prevent an up-or-down vote on Ms. Halligan's nomination. She is extremely well qualified for this position, and I will support her nomination.

The Senate Judiciary Committee favorably reported her nomination last month. The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated Ms. Halligan "well qualified" to serve on the D.C. Circuit—the highest rating from its nonpartisan peer review.

Ms. Halligan received her A.B. from Princeton University and her J.D. from Georgetown University Law School. After law school, she clerked for Supreme Court Justice Stephen Breyer and for Judge Patricia Wald on the D.C. Circuit, the court to which she has now been nominated.

After working in private practice, Ms. Halligan joined the New York State attorney general's office. She began working in the office as the first chief of the office's Internet Bureau, where she worked to protect consumers against Internet fraud and safeguard online privacy. She was ultimately promoted to the position of solicitor general, a position she held for 6 years. The solicitor general is basically the top attorney for the State of New York.

In that capacity she managed a staff of nearly 50 appellate attorneys litigating in State and Federal appellate courts. Her responsibility included handling cases of public corruption and judicial misconduct.

She then became a leading appellate lawyer in private practice at a national law firm, serving as counsel of record for a party or amicus curiae in nearly 50 matters before the U.S. Supreme Court.

She is well qualified for the position to which President Obama has nominated her.

She is currently general counsel at the New York County district attorney's office, an office that investigates and prosecutes 100,000 criminal cases annually in Manhattan. In her current position, she is focused on reducing crime, protecting victims of domestic and sexual violence, and reviewing so-called cold cases that remain unsolved.

Most of Ms. Halligan's career has been dedicated to public service and law enforcement. She has also made time over the years to devote substantial time to pro bono work, including representing the evacuees from Hurricanes Katrina and Rita who were in danger of losing their rental assistance benefits.

She has also served as pro bono counsel to the Board of Lower Manhattan Development Corporation, the entity that is overseeing the rebuilding of Lower Manhattan following the terrorist attacks of September 11, 2001.

She has her priorities straight. She is an outstanding attorney. She has used a lot of her time to help people less fortunate receive free legal services as a result of her participation.

Ms. Halligan has received widespread support from law enforcement and legal professionals across the political spectrum which I understand will be made part of the RECORD, so I will not repeat those statements now.

I have heard only two substantial reasons in opposition to her nomination. Let's review those two points that have been raised to see whether they are extreme circumstances that warrant a vote to support a filibuster. Last time we had over 40 Senators who supported the filibuster basically blocking an up-or-down vote. We had an accommodation that would only be used for extraordinary circumstances. Let's take a look at the two cases that have been made about why those extraordinary circumstances may exist—and, I will submit, they do not exist.

One argument is that Ms. Halligan is a liberal advocate who cannot set aside her personal views on issues, including the second amendment. The other argument is that the D.C. Circuit has too low a caseload to justify additional judges.

Ms. Halligan was questioned about her views on the second amendment issues during her Senate Judicial Committee hearing. She testified, both at her hearing and in response to written questions, that she would faithfully follow and apply the Supreme Court precedent from the District of Columbia v. Heller and McDonald v. Chicago, which held the second amendment protects an individual right to keep and bear arms for self-defense.

When asked by Senator GRASSLEY whether the rights conferred under the second amendment are fundamental, Ms. Halligan answered: "That is clearly what the Supreme Court held and I will follow that precedent, Senator."

Some have also criticized her for her position she advocated while solicitor general for the State of New York. In her confirmation hearing, she made it clear she filed these briefs at the direction of the New York attorney general—arguing on behalf of New York State, not her own views. It was her responsibility as solicitor general to represent her client, the State of New York.

Of course, she has worked on controversial issues before the State of New York, such as affirmative action, the death penalty, and same-sex marriage. As New York solicitor general, she argued in support of affirmative action and in defense of the constitutionality of the death penalty because that is what her client's position was and she represented her client. That is what she is supposed to do. That is what a lawyer does, represent her client as best as she can, and she did that well on behalf of her client, the State of New York.

But I will remind my colleagues what Chief Justice Roberts said during his Supreme Court confirmation hearing in terms of attributing the views of a client to an attorney. Chief Justice Roberts testified that:

It's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients.

We should apply the same standard when considering Ms. Halligan's nomination, as our legal system requires vigorous advocacy by both sides of a dispute.

I quote Chief Justice Roberts here in part because Ms. Halligan, quite remarkably, has been nominated in 2013 to fill Chief Justice Roberts' former seat in the D.C. Circuit, which became vacant in 2005.

This brings me to the second argument that has been used. I urge my colleagues to consider whether this is an extraordinary circumstance that justifies a vote in support of a filibuster.

The second argument is that this court has a low caseload, which is just not the case. Chief Justice Roberts was elevated from the D.C. Circuit to the Supreme Court in 2005. His seat has been vacant for 8 years, one of the longest circuit vacancies in the country. The D.C. Circuit has four vacancies on the 11-member court. That is one-third of the court that is currently unfilled.

Ms. Halligan has been nominated by the President for the seat formerly held by Chief Justice Roberts, so, of course, the Senate should act as quickly as possible to fill this seat.

The D.C. Circuit is often referred to as the second most important court in the land due to the complexity and importance of its caseload. The court regularly reviews highly technical decisions and rulemaking of Federal agencies that are based in Washington,

often without a lower court decision of a Federal district court.

The D.C. Circuit proclaims the final law of the land for many environmental, health, labor, financial, civil rights, and terrorist cases. The Supreme Court only accepts a handful of cases each year, so the D.C. Circuit is often the last word in these cases.

According to the Administrative Office of the U.S. Court, the caseload per active judge in the D.C. Circuit has increased 50 percent since 2005, when this vacancy was created. It was also the year the Senate confirmed President Bush's nominee to fill the 11th seat on the court. Let me repeat that. We in 2005 confirmed President Bush's 11th seat of the 12-seat court. Justice delayed is justice denied.

To remind my colleagues, the Senate confirmed President Bush's nominees for the 9th, 10th, and 11th seats on the D.C. Circuit. Ms. Halligan is President Obama's first nominee to the District Circuit to fill the eighth seat. The Senate confirmed four of President Bush's nominations to the D.C. Circuit, twice filling the 10th seat and once filling the 11th seat.

So there is no extraordinary circumstance that exists. Let's be clear about that. A vote against moving forward is filibustering a judicial nominee in an effort to kill the nominee and not allow an up-or-down vote. There are no extraordinary circumstances that would justify the delay and not allowing us to have an up-or-down vote.

I urge my colleagues to vote for us proceeding and not using the filibuster; to adhere to the agreement that was reached. Again, it was before I got to the Senate. It was the right agreement, that there should truly be an extraordinary circumstance that prevents an up-or-down vote on a judge. It does not exist in this case. President Obama's nominee is well qualified. The court is in desperate need of additional judges, being four seats short today, only two-thirds of the bench having been appointed and confirmed to date. I urge my colleagues to vote in favor of proceeding and then, after we have the nominee before us, I hope my colleagues will join me in supporting the confirmation. I think Ms. Halligan will make an outstanding member of the D.C. Circuit.

Mr. HATCH. Madam President, we have before us one of the most activist judicial nominees we have seen in years.

Rather than choose a more consensus nominee, President Obama has chosen to again provoke a political confrontation.

This is unnecessary, divisive, and not in the best interests of either the judicial selection process or the judiciary.

The Constitution gives the power to appoint judges to the President, not to the Senate. I believe, therefore, that the Senate owes the President some

deference with respect to nominees who are qualified by both legal experience and, more importantly, judicial philosophy.

A nominee whose record shows that she has an activist judicial philosophy is simply not qualified to sit on the Federal bench, and the Senate owes the President no deference under those circumstances.

That is the kind of nominee we have before us today.

Nothing has changed since a cloture motion failed on this nominee in December 2011.

Well, that might not be quite true.

One thing that has changed is that the need to fill another vacancy on the D.C. Circuit is even less today than it was then.

Year after year, case filings decrease for the D.C. Circuit while they increase for the rest of the judiciary.

Year after year, the D.C. Circuit ranks last among the 12 geographical circuits in the number of appeals filed per three-judge panel.

The court has even cancelled argument days because of an insufficient docket.

And I would remind my friends on the other side of the aisle that the D.C. Circuit's caseload today is lower than when they used this argument to block President Bush's nominees to this court—which they did.

Looking at the nominee herself, Caitlin Halligan was a member of the New York City Bar's Committee on Federal Courts and signed its March 2004 report titled "The Indefinite Detention of 'Enemy Combatants': Balancing Due Process and National Security in the Context of the War on Terror."

Based on policy rather than legal grounds, it makes left-wing arguments that courts and even the Obama administration itself have repudiated.

Although she tried to distance herself from the report's left-wing positions at her confirmation hearing, Halligan signed rather than abstained from the report, as four other committee members had done, and never repudiated it before her hearing.

If she were a Republican nominee, my friends on the Democratic side would call this a confirmation conversion.

Her report argued that the Authorization for the Use of Military Force, or AUMF, does not authorize indefinite detention of enemy combatants.

The Supreme Court rejected this in *Hamdi v. Rumsfeld*. The Obama administration has sought, and the D.C. Circuit has adopted, a broad construction of the AUMF.

Halligan's report argued that alien terrorists should be tried in Article III courts, with full constitutional protections, rather than in military commissions.

On March 7, 2011, President Obama signed an executive order re-estab-

lishing military commissions for enemy combatants held at Guantanamo Bay.

But Halligan's extreme record on these important issues goes beyond that report.

She also authored a legal brief in 2009 arguing that the AUMF does not authorize the seizure and long-term military detention of lawful permanent resident aliens.

This position again disregarded the Supreme Court's holding in *Hamdi v. Rumsfeld* and appears even to conflict with the Obama administration's justification of assassinating American citizen Anwar al-Awlaki.

She just won't take no for an answer when pushing such extreme views, not even from the D.C. Circuit or the Supreme Court itself.

That is the classic definition of judicial activism, trying to use the courts to advance a political agenda no matter what the law is.

As Solicitor General of New York, Halligan aggressively sought to hold gun manufacturers liable for criminal acts committed with handguns.

In one speech, she said that the Federal Protection of Lawful Commerce in Arms Act "would nullify lawsuits. . . including one brought by my office. . . that might reduce gun crime or promote greater responsibility among gun dealers."

The Senate voted overwhelmingly for this legislation in July 2005.

Once again, Halligan turned to the courts to push her personal political views, filing a legal brief challenging the law's constitutionality.

In *New York v. Sturm & Ruger*, she argued that gun manufacturers maintain a "public nuisance" of illegally possessed handguns.

The New York Court of Appeals rejected Halligan's activist approach, concluding that "the Legislative and Executive branches are better suited to address the societal problems concerning the already heavily regulated commercial activity at issue."

Attempting to address social problems in the judicial rather than the legislative branch is a hallmark of judicial activism.

Finally, other legal briefs she has filed similarly demonstrate extreme views that the Supreme Court has rejected.

In *Scheidler v. NOW*, Halligan argued that pro-life protesters should be prosecuted under the Federal racketeering statute because they somehow engage in extortion.

The Supreme Court voted 8-1 to reject that position.

And in *Hoffman Plastics Compounds, Inc. v. NLRB*, the Supreme Court rejected Halligan's position that the NLRB can grant backpay to illegal aliens.

As I said, the Senate owes the President some deference with regard to his

nominees who are qualified by their legal experience and, more importantly, their judicial philosophy.

Republicans have consistently cooperated with the President and will continue to do so. But when a nominee's record clearly shows that she has a politicized view of the courts, I for one have to say no.

The political ends do not justify the judicial means.

I urge my colleagues to oppose this nominee.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to speak as in morning business.

THE PRESIDING OFFICER. Without objection, it is so ordered.

KEYSTONE XL PIPELINE

Mr. HOEVEN. Madam President, last week the U.S. State Department issued its new environmental review for the Keystone XL Pipeline. This is the fourth environmental review in nearly 5 years of study. Unsurprisingly, it said the same thing as all the other reports have said.

The Keystone XL Pipeline will have no significant impact on the environment. Again, the Keystone XL Pipeline will have no significant impact on the environment.

Ironically, the report indicates that there will be more emissions if you do not build the pipeline than if you do build the pipeline. So let's go through that for a minute. The Keystone XL Pipeline project is perhaps the most thoroughly studied and long-delayed project of its kind in U.S. history. The State Department's favorable finding in this, its most recent report, underscores both the good environmental stewardship of this project and the need to begin construction without further delay. But the State Department now indicates it will hold a 45-day comment period and an as-yet-undetermined period of time before it will issue a final environmental impact statement. Then it will conduct an interagency comment period to make its national interest determination.

So while we welcome the finding of no significant impact, for the fourth time now, we have yet another indeterminate delay which runs counter to both public opinion and reasonable due diligence. After four environmental reviews and favorable results, the President needs to approve the Keystone XL Pipeline project without delay because there remains no excuse not to do it.

The argument has been advanced that the oil sands will increase carbon emissions and that failing to build the Keystone XL Pipeline will somehow reduce emissions. But the most recent State Department report makes clear that this contention is false. The report actually indicates just the opposite, that if the pipeline is not built from Alberta, Canada to the United

States, the oil will still move to market but it will move to China from Canada's west coast. To get the product to China, the oil will be shipped in tankers across the Pacific Ocean to be refined in overseas facilities with weaker environmental standards and more emissions than facilities in the United States. The United States, moreover, will continue to import oil from the Middle East—again on tankers. Factor in the cost of trucking and rail the product to market over land and the results—contrary to the claims of its opponents—will be more emissions and a less secure distribution system than if in fact we build the Keystone XL Pipeline project.

Let's look at it. This is a common-sense argument. The report indicates less emissions if we build the project. Yet it is being held up by extreme activists on the basis that if we build the pipeline, somehow we get more emissions. That is just not the case.

With the pipeline from up in the Edmonton-Hardisty-Alberta, Canada region, the pipeline brings oil down right in the North Dakota-Montana area where it picks up 100,000 barrels a day from the Bakken. The oil then goes to refineries in Illinois and Oklahoma, Texas and Louisiana. We have domestic oil, from our country, oil from our closest friend and ally, Canada, that we are using here in our refineries for our customers: more energy, more jobs, more economic activity so we get economic growth, we get revenue to reduce the debt and the deficit without raising taxes, and it is a national security issue. Instead of having tankers coming from the Middle East bringing heavy crude in some cases which in fact has higher emissions than the Canadian oil, we rely on oil from our country and Canada. We get what Americans want; that is, no longer depending on the Middle East for oil.

If we do not build the pipeline, the oil is still produced. This oil will be produced, but it will not come to the United States. It is going—where? It is going to China. And it is going to be sent on tankers over to China so you have not only the emissions of those tankers but it is going to be refined in Chinese refineries which have worse environmental standards than we do, and we continue to bring in oil from the Middle East. That makes no sense and that is why 70 percent of the American people approve the project. Only 17 percent have indicated opposition.

This is about President Obama making a decision for the American people rather than for special-interest groups. In my home State of North Dakota, as I say, we will put 100,000 barrels a day of light sweet Bakken crude into that pipeline. That takes 500 trucks a day off our roads. That is a safety issue. That is an issue for our roads in western North Dakota.

To recount briefly, this is a \$7 billion high-tech pipeline project that will

bring 830,000 barrels of oil today from Alberta, Canada to refineries in Oklahoma and the Texas gulf coast, as I said, including 100,000 barrels a day of light sweet crude from the Bakken oil fields in North Dakota and Montana.

As the most recent State Department report confirms, it will create tens of thousands of jobs during the construction phase, boost the American economy, raise much needed revenue for State and local governments at a time when they very much need it, and do it without raising taxes. Perhaps most importantly, it will put our country within striking range of a long-sought goal, and that is true energy security.

For the first time in generations, the United States—along with its closest friend and ally Canada—has the capacity to produce more energy than we use, as well as eliminate our reliance on the Middle East and other volatile parts of the world such as Venezuela.

Even after an exhaustive review process, the consent of every State along its route, the backing of a majority of Congress, and the overwhelming support of the American people, the Keystone XL Pipeline project continues to languish at the hands of the President of the United States.

We again ask, as we have before, that President Obama and Secretary of State Kerry provide us with an actual timeline and some certainty as to when this long-delayed project will finally get approved.

The Keystone XL project will provide tens of thousands of jobs and hundreds of millions of dollars in revenue to help us reduce our debt and deficit, and it will do it with good environmental stewardship.

With 70 percent of the American people in support of the Keystone XL Pipeline and 12 million Americans still out of work, there is no reasonable excuse to delay this project any longer.

I yield the floor and note the absence of a quorum.

THE PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent that I be recognized for 15 minutes as in morning business.

THE PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 458 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ROBERTS. I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair.

(The remarks of Mr. MCCAIN pertaining to the submission of S. Con. Res. 5 are located in today's RECORD under "Submitted Resolutions.")

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, the Founders of our country, committed to justice and fairness for all its citizens and in establishing a structure that would make this country uniquely strong as a democracy, gave us three coequal branches of our government. Two of those branches have dominated the national news recently as we lurch from crisis to crisis, from fiscal cliff to sequester. The back-and-forth between the President and Congress, between the executive and the legislative branches, has been the headline day after day.

Meanwhile, the third coequal branch, the judicial branch of our Federal Government, has quietly gone about its business, doing its job for the American people, providing fair hearings, equal justice under the law, the basic right to a speedy resolution to any dispute—or has it?

All around this country members of the judicial branch are getting their jobs done but with fewer and fewer resources and support, fewer colleagues on the bench than ever before. Nearly 10 percent of all Federal judgeships—positions for Federal judges that should be filled—are vacant, empty, leaving those judges who are on the bench overwhelmed with steadily increasing caseloads and unable to provide the level of service, certainty, and swift resolution that the American people deserve and upon which our government was predicated.

Particularly when you are the one going into court seeking redress or when you are the one facing legal action, justice delayed is justice denied. As a member of the Delaware bar and a former Federal court clerk myself, as well as a member of the Senate Judici-

ary Committee, I have seen firsthand the consequences of this ongoing, slow-rolling crisis in our Federal courts.

Right now we have more than double the judicial vacancies we had at the same point in the last administration. The Senate has confirmed 30 fewer of President Obama's nominees than it had of President Bush's at this same time.

One of the most underresourced circuits is right here under our nose in Washington, DC. The D.C. Circuit is often called the second most important court in the land. Although it may not make the headlines, it may not be as visible to the American people as this ongoing fight between the Congress and the President, the D.C. Circuit decides issues of national importance, from terrorism and detention to the scope of agency power. It has importance to every American, not just the ones who happen to live in the District of Columbia, and yet its bench is almost half empty.

Congress has set the number of judgeships needed by the D.C. Circuit Court at 11, and right now they have just 7. President Bush had the opportunity to appoint four judges to the D.C. Circuit, including the 10th judicial position twice and the 11th judicial position once. Yet President Obama has been denied the opportunity to make even a single appointment to the D.C. Circuit Court despite four vacancies. As a result, the per-judge caseload is today 50 percent higher than it was after President Bush had the opportunity to fill that last, the 11th seat. And in terms of our obligation to this coequal branch, our obligation to the citizens of the United States, and our obligation to provide an opportunity for justice, that is an outrage.

Today the Senate has the opportunity to take up and consider a highly qualified nominee to fill one of these vacancies, to start to do our job and bring this vital circuit court closer to full capacity. We can do that by confirming the nomination of a brilliant lawyer and a dedicated public servant named Caitlin Halligan.

Ms. Halligan, with whom I have met, has been nominated to the D.C. Circuit Court and renominated to the D.C. Circuit Court and renominated to the D.C. Circuit Court across three sessions of Congress—the 111th, 112th, and 113th. She has been nominated because of her superb qualifications and her impressive personal background.

She worked in private practice at a respected New York law firm. She served in public service as solicitor general for the State of New York. She is currently the general counsel of the New York County District Attorney's Office—an office that investigates and prosecutes 100,000 criminal cases every year.

Ms. Halligan has earned the support of her colleagues in law enforcement

and across the spectrum. Everyone, from New York City police commissioner Raymond Kelly to preeminent conservative lawyer Miguel Estrada, has supported her nomination. The American Bar Association's standing committee unanimously gave her its ranking of highest qualification to serve: "highly qualified." Yet Ms. Halligan has had to face, in my view, outrageous distortions of her record that cause one to wonder if any nominee to this circuit would be acceptable on their merits.

Ms. Halligan has withstood steady and withering political attacks on positions she advocated while solicitor general for the State of New York, positions she argued on behalf of her client—New York State and its attorney general—not positions that represented her own personal views. If you reflect on this, it is, as all practicing attorneys know, inappropriate to disqualify a judicial candidate because she advocated a position for a client with which a certain Senator might disagree or which has been rejected by a court. This fundamental principle that you do not associate an attorney with a position advocated in court has been widely shared, widely supported, and, in fact, Chief Justice Roberts himself said:

It's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients.

Even so, Ms. Halligan's positions on issues such as, for example, marriage and States rights have hardly been radical. When asked to analyze New York's marriage law, she concluded that the State statute did not provide same-sex couples with the right to marry. When presented with the question of whether a ban on same-sex marriage was legal under the New York Constitution, she merely said that there were arguments for and against and that it should be left to the courts to decide. What could be more modest than deciding that a constitutional question should be decided by the courts and not the executive branch? Yet I have heard on this floor and elsewhere her positions on this and other issues mischaracterized as extreme, as out of the mainstream. In my view, this position demonstrates her great respect for our judicial process and proves that if this body confirms her to the bench, she would fairly and faithfully apply precedent in making important decisions on the D.C. Circuit.

She told us directly on the Judiciary Committee that she would respect and apply precedent in other important cases—cases that touch on the second amendment, such as the District of Columbia v. Heller and McDonald v. Chicago, cases that held that the second amendment protects an individual's right to keep and bear arms for self-defense. I am confident, despite what we

have heard spun in the press about Ms. Halligan's position, that she would faithfully respect precedent in these cases.

So in these two areas, I think we can see that Caitlin Halligan is not a radical or an ideologue. She is an attorney, she is a lawyer—and a good one. In my view, having reviewed her qualifications, having sat through meetings, and having looked at her record, she has earned her nomination to the D.C. Circuit Court. She deserves this Senate to get out of the way and to stop this endless delay of consideration of qualified candidates for the bench and let her get to work.

Today the Senate has an opportunity, a chance to do the right thing, to stop endless partisan political games, to break through our gridlock and get something done in the interest of the American people and especially those who seek swift and sure justice.

Every individual and business in this country has the fundamental right to a fair and fast trial, to access to the judicial system, and to the hearing of their appeals in an appropriate and timely manner. And judicial vacancies and understaffed courts at the district and the circuit level are denying them that right. This Senate and its dysfunction are denying them that right. So today I urge my colleagues on both sides of the aisle to do our job, to confirm Caitlin Halligan and recommit ourselves to moving forward in a productive and bipartisan way.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, first let me compliment my colleague from Delaware not only for his typically excellent remarks today but also for his vigilance on these issues. He is a relatively newer member of the Judiciary Committee, but he has jumped into these issues with tremendous eagerness, intelligence, balance, and effectiveness. So I thank him for his great remarks.

I too rise today in enthusiastic support of the nominee to the Court of Appeals for the D.C. Circuit, Caitlin Halligan. Ms. Halligan has been waiting 23 months for an up-or-down vote. More importantly, the entire country has been waiting to fill this position—a judgeship on the second most important court of the Nation—for 23 months.

The question we are going to answer tomorrow is, Can we take some of our bipartisan good will, our desire to legislate and get things done for the coun-

try, and apply it to a nominee who is the very picture of moderation and mainstream legal thinking, a nominee who has dedicated her entire career to public service, and a nominee who would be only the sixth woman to join this court in its 212-year history? That is right—there have only been five women to serve on the D.C. Circuit in 212 years.

The D.C. Circuit is currently one-third vacant. Four of its 11 slots—37 percent—are without active judges. Ms. Halligan is one of the two nominees for these four slots.

Two years ago, when Halligan was first filibustered, many of my colleagues decided they could not support a cloture motion because she would have been the tenth judge on an 11-member court, a court they perceived as understaffed and overworked. I take issue with the fundamental premise. The D.C. Circuit hears many of the most complex and important cases in the country. The court hears appeals from virtually every regulatory agency, reviews statutes, has jurisdiction over numerous terrorism cases, including those from Guantanamo Bay. But even if I were to accept the faulty premise that the court somehow needs fewer judges than it ever had, the court that hears the most complex cases, the court is now near a crisis point. There are only seven active judges currently sitting. What is more, the caseload per judge has risen by 21 percent—21 percent since the last judge was confirmed, and that was under President Bush's administration.

I think there is now more than compelling evidence that the caseload-based argument against Halligan is gone, and you would have thought our colleagues on the other side of the aisle would say: OK, four vacancies, the last vacancy filled under Bush, we can now move to support her. But they do not.

What else could possibly prevent a vote on Halligan? Is it her ideology? I submit to my colleagues it cannot possibly be her ideology. If zero is extremely liberal and 10 is extremely conservative, Halligan falls right in the sweet spot of judges who both President Obama and President Clinton have generally nominated, 5s and 4s, maybe even a 6 or two. Opposing Halligan on her ideology, opposing even a cloture vote based on her ideology, can mean only one of two things:

First, that some of my colleagues have misread her record. Let me clear up a few things today. Halligan is not anti-gun nor anti-second amendment. She has clearly said at her hearing she fully supports the individual second amendment right to bear arms as the Supreme Court decided in *Heller*. Her briefs for the State of New York—which were product liability cases, not second amendment cases—were briefs for a client and not her own views, just

as Chief Justice Roberts described his work for clients. In fact, Halligan, like many of my colleagues, enjoys shooting and does so from time to time on weekends. Anyone who accepted a meeting with her would have discovered this.

Halligan is not anti-law enforcement in any way. She spent most of her career in law enforcement. New York Police Department Commissioner Ray Kelly, hardly a shrinking violet, hardly a wallflower—he is a tough-on-crime guy; that is why I like him so much, and he is one of the most respected law chiefs in the country—has written a letter in full support of her.

Specifically, Halligan has lived with the consequences of terrorism. She lives not far from the World Trade Center site, and she represented the Redevelopment Corporation there in its post-9/11 efforts. She has personally handled terrorism cases in the New York Manhattan office. In her hearing she stated her beliefs regarding the executive's power to detain terrorism suspects.

I have heard evasive nominees. She was not evasive. She gave completely clear answers to every single question that was asked.

The second possible reason my colleagues might decide to oppose cloture for such a reasonable candidate and such a gifted lawyer is that they want to put their own judges on the D.C. Circuit and they would rather leave it vacant than move Halligan. In other words, it is not that Halligan is extreme—unacceptably extreme in her views; it is simply that she doesn't share all their views. It is one thing to fight against certain judicial nominees with the sincere belief that they are outside the judicial mainstream. It is another for my colleagues to fight against a nominee because they disagree with him or her.

I always look for judges, when I nominate them, who are moderate. I don't like judges too far right. That is obvious. But I equally do not like judges too far left. My judicial panel will tell you, if I think a judge is too far left I will not nominate them, because judges at the extremes, whichever extreme, tend to want to make law, not interpret law. The best judges are those who see things clearly and fairly, not through an ideological lens, whether that lens is colored red or blue. Those are judges who understand the law, understand the role of each branch of government, understand the proper balance between State and Federal power, and understand the people who come before the bench.

I say one other thing to my colleagues. I just finished working with a bunch, four of us on each side, on coming up with a compromise so we could work together better. I want to let my colleagues know—I have done it personally with a few—that this vote, the

desire to actually filibuster Caitlin Halligan, is causing a lot of consternation on our side. Clearly, this is a judge who deserves an up-or-down vote. One of the reasons that many of my colleagues—myself included—thought we ought to change the rules was because a judge such as Caitlin Halligan, a nominee such as Caitlin Halligan, should not be filibustered. I have respect for my friends on the other side of the aisle, but when they say—one of my colleagues I heard say this morning—that this one brief she signed with a bunch of others was extraordinary circumstances, that did not ring true. If that is extraordinary circumstances, wearing the wrong color tie or the wrong color blouse would be extraordinary circumstances.

She has a long record. They can hardly find anything. They come up with this one brief. They may not like it. But to say it is extraordinary circumstances? No.

I say to my colleagues, I plead with them—we are trying to start off on a good foot here. We are working together better than we have worked in a long time. Each side has to give. Part of the deal is amendments. They are going to get a lot of amendments on the other side of the aisle. But part of our deal is not to block things for the sake of blocking them or because there is another agenda. That goes not just for blocking legislation but for blocking nominees.

It is true in the deal we made, the agreement we made, it was only for district court judges. That could go *seriatim*. But the spirit of our compromise applies to this court of appeals nominee, and I have not heard a single good reason why she should be filibustered.

People disagree with her. I voted against some of George Bush's nominees because I thought their views were not quite mine, even if they were not extreme. And everyone on the other side of the aisle has the right to do the same. But not filibuster.

This court is a very important court. We know it makes lots of decisions about government. But that does not give license to block a nominee on what seem to be trivial grounds, inconsequential grounds, given her long career.

So again I urge, plead with my colleagues, please reconsider this cloture vote. Please give her the 60 votes she needs so she can come to the floor and get the up-or-down vote she has waited 23 months for. It violates fairness. It violates the comity we are trying to restore in this body. It violates simple justice to vote no on cloture and to filibuster Caitlin Halligan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator for allowing me to

go for 3 minutes here before he has the next turn. I appreciate that.

I come to the floor as some of our colleagues have done already, and we just heard from the great Senator from New York, to discuss the nomination of Caitlin Halligan to the D.C. Circuit Court. Caitlin Halligan is currently the General Counsel at the New York County District Attorney's Office. New York County is just another name for Manhattan, so we are talking about a big county and a big office. In fact, it handles about 100,000 criminal cases each year.

Before that, she was Solicitor General of the State of New York for 6 years and the head of the appellate practice at a major law firm. She also clerked on both the D.C. Circuit and the U.S. Supreme Court and has argued five cases in front of the U.S. Supreme Court. That is a resume.

The nonpartisan American Bar Association committee that reviews every Federal judicial nominee gave Halligan its highest possible rating, and over 100 women law professors and deans wrote a letter saying Halligan is exceptionally qualified to serve on the D.C. Circuit. There is no question that she has the experience, ability, and intellect to sit on the Federal bench.

It is also important to recognize that she is not an ideological or partisan nominee. Well-known lawyer Carter Phillips, who was assistant to the Solicitor General in the Reagan administration, has said that Halligan is "one of those extremely smart, thoughtful, measured and effective advocates" and that she would be a "first-rate judge."

Phillips is not the only conservative lawyer to endorse Halligan. For example, Miguel Estrada signed a letter from 21 prominent attorneys which stated that Halligan "brings reason, insight and judgment to all matters" and "would serve with distinction and fairness."

Given support like that from people such as Miguel Estrada, I don't think it can be said that Halligan is an extreme ideologue or that she is outside the mainstream of legal thought. Her nomination should not and cannot be blocked.

This is a great candidate who will make a great judge. As New York City Police Commissioner Ray Kelly said about her, she "possesses the three qualities important for a nominee: Intelligence, a judicial temperament and personal integrity."

She must be confirmed without delay. Filibusters are about debating issues. This is an individual. We cannot amend her. We simply have to decide whether she is qualified to be on the bench. There is absolutely no doubt. People may not agree with every single thing she said. I don't think anyone in this Chamber agrees with every single thing that judges have said or that people we put on the Supreme Court have

said, but we simply came together and stood up for one principle, that our job is to decide if someone is qualified, if they can do the job, if they can interpret the law. This candidate can do it and she can do it well. If Senators ultimately wish to oppose her nomination, fine, that is their choice. But they should not filibuster an extremely qualified candidate. Let her have an up-or-down vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent for leave to engage in a colloquy with Senator BARRASSO for a period of time not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mr. LEE. Mr. President, the President of the United States has spent the last few weeks campaigning around our great country at taxpayer expense, telling Americans about what he characterizes as the catastrophic impact of the sequester. He said, for example, that the sequester will visit hardship on a whole lot of people. He said it will jeopardize our military readiness, it will eviscerate job-creating investments in education and energy and medical research. He said the ability of emergency responders to help communities respond to and recover from disasters will be disregarded. Border Patrol agents will see their hours reduced. FBI agents will be furloughed. He said Federal prosecutors will have to close cases and simply let criminals go. Air traffic controllers and airport security will see cutbacks, which means more delays at airports across the country. He said thousands of teachers and educators will be laid off and that tens of thousands of parents will have to scramble to find childcare for their kids. And he also continued: Hundreds of thousands of Americans will lose access to primary care and preventive care such as flu vaccinations and cancer screenings.

Today we see the predictions of doom and gloom have not come to pass. We have seen that many of these statements have been severely exaggerated, if not disproven. People in my home State of Utah have found the effects of the sequester to be not quite what the President predicted. One of our local Utah news stations reported that "there were no signs of sequester pain" at the airports. When asked about sequestration, one Utahn responded: "If they can't handle a 2 percent reduction in spending then I guess we need to get better and brighter," meaning we need to get better and brighter people running our government.

Other press reports indicate the administration's doomsday claims have misled the public. The Washington Post reported that the Education Secretary's claims about teacher layoffs

turned out simply not to be true. And Politico recently published a story showing the President's claims about some capital staff getting pay cuts to be false.

I ask Senator BARRASSO, after all these scare tactics over the last 2 weeks, does the President have a credibility problem with the American people when it comes to the sequester?

Mr. BARRASSO. I believe my friend from Utah is absolutely correct. There is a creditability gap here. These modest cuts should prompt Washington to take a closer look at how we spend taxpayers' money. I saw today that the White House is now—they claim because of the sequester—canceling White House tours. It is astonishing when they say they will not cut the personnel there in terms of the security, but they will cancel the tours. I would invite people from all around the country who are planning a trip to Washington to come to the Senate, come to the House, and come to the Capitol. We will make sure they receive tours if they would like.

Talk about a loss of credibility. The Washington Post evaluates statements of folks, and over the last week they have given Pinocchios for those who are not telling the truth. There has been a parade of Pinocchios—a dozen of these Pinocchios that were given. One statement is the President's false claim on Friday during his news conference that Capitol janitors will be receiving a pay cut. They gave him four Pinocchios for that. It is not true.

"The threat to free meals for seniors," there are Pinocchios there. The false claim of pink slips for teachers by the Secretary of Education, another four Pinocchios. There are two Pinocchios for the claim that "up to 70,000 children would lose access to Head Start and early Head Start services."

The Senator from Utah mentioned the concerns about the FAA with furloughs and closed air towers. The verdict is still pending on that. There is a parade of Pinocchios for the administration at a time when the American people know so much of their taxpayer dollars are being wasted.

I traveled around Wyoming this past weekend, and people at home think that at least half of the money they send to Washington is wasted. It is time now to take an opportunity to eliminate wasteful and duplicative spending. We should streamline the Federal bureaucracy. We should make government programs more efficient. We should be more thoughtful in terms of how targeted cuts will work to ensure vital programs continue without interruption.

At the end of the day, we should make sure taxpayers are getting value for their hard-earned dollars. The administration does not see it that way at all. Instead of promoting responsible

spending, the administration is promoting panic.

As Senator LEE pointed out, the administration is threatening the American people with pink slips for teachers, cuts to airport security, cuts to the Coast Guard patrols, cutting border patrol and enforcement, closing national parks, cutting food safety inspections, eliminating Head Start, Meals on Wheels, and the list goes on.

We need to be honest with the American people that we are \$16.5 trillion in debt. That is not a threat; it is the truth. We can no longer afford to ignore the truth. Washington is burying our children and grandchildren under a mountain of debt, and if we don't treat Washington's spending addiction, the problem is just going to get worse. We must not allow the debt to tie the hands of future generations and prevent them from reaching their dreams.

I believe we have to take responsibility for the reality we are facing and we have to take action to change the course we are on. Of course, that means difficult decisions have to be made, but these decisions don't need to be reckless. They don't need to be dangerous. They don't need to imperil our students, teachers, military, senior citizens or our national security. They need to be smart, they need to be targeted, and they need to maximize the value of each dollar spent and minimize the risks and burdens to taxpayers.

I say to my colleague from Utah that instead of hitting taxpayers where they will feel it the most, the administration has an obligation and a responsibility to work hard to cut spending where the need is the least. I know the leadership the Senator from Utah has shown on "Cut this, not that" is something I think Americans would agree with completely.

Mr. LEE. I thank my friend, Senator BARRASSO. I find it interesting that what the Senator has observed on the streets of towns such as Evanston, Cheyenne, and Gillette in Wyoming is backed up by a recent poll conducted by Gallup. That poll shows Americans understand that a lot of money Washington spends is wasted. This Gallup poll shows that the average American believes Washington wastes 51 cents out of every \$1 it spends—51 cents. More than half of every dollar that hard-working Americans earn and send to Washington gets wasted.

Congress and the President should be working together to target, reform, reduce, and eliminate wasteful spending that the American people are noticing. They should be working to get rid of and reform ineffective programs.

Meanwhile, the President is threatening to make cuts to government spending as painful as it can possibly be. Instead of targeting waste, the President is using scare tactics to persuade Americans that cuts have to

come first from important services such as law enforcement, national security, border patrol, first responders, and educators.

Just today, the administration announced it was going to furlough schoolteachers who educate the children of military families on U.S. military bases, recognizing, of course, that most school systems are operated at the State and local level. They are funded primarily at the State and local level. The administration started focusing on educators who teach on base to military families, suggesting that those teachers would have to be furloughed.

Republicans have a better idea. The Senate Budget Committee—and in particular the ranking Republican serving on the Senate Budget Committee—has found that the cost of President Obama's recent golf vacation with Tiger Woods cost Americans an amount of money that, if saved, would have allowed us to prevent the furlough of 341 Federal employees. Can the President cancel a vacation or two in order to avoid some of these furloughs? That is the question that has prompted us to start this information campaign that we refer to as "Cut this, not that," as depicted in this graphic.

This graphic shows under "Cut this," golf vacations by the President, and under the "not that," it shows military base teachers. That is what we should be focusing on. That is where we ought to prioritize. We need to identify those areas where there could be a lower priority attached to something we are already spending money on. "Cut this, not that" sends a message to the President and the American people that Washington should be setting spending priorities rather than wasting their hard-earned tax dollars.

I ask the Senator—through the Chair—how can it be that this administration chooses to cut border law enforcement, first responders, and educators instead of the fraud and waste that is so rampant in the government?

Mr. BARRASSO. I appreciate the question. My friend is absolutely correct. The cuts threatened by the administration simply defy common sense and logic. Despite claims to the contrary, the President actually does have a choice. He can take a thoughtful, reasoned approach to implementing the sequester by cutting wasteful spending that we all know exists or he can continue to threaten and scare the American people with needless cuts to vital programs and services.

I put together a list of a few places where I would encourage the President to look for reasonable cuts because there are so many programs that are inefficient, ineffective or overlap with other programs. There are over 80 economic development programs that operate out of 4 different Cabinet agencies: the Department of Agriculture,

Commerce, Housing and Urban Development, and Small Business.

There are 173 programs promoting science, technology, engineering, and math education across 13 agencies. These are important, but do we need 173 programs when one department of the government doesn't know what the other one is doing?

There are 20 agencies that oversee more than 50 financial literacy programs. There are more than 50 programs supporting entrepreneurs across 4 different departments of government. There are 47 different job training programs. Is job training important? Absolutely. There are 47 different programs, 9 different agencies, and it cost \$18 billion in fiscal year 2009. Out of 47 programs, only 5 of them have had an impact study completed since 2004 to see if they actually work and whether participants in the program actually get a job. These have not been reviewed since 2004. Do we know they work? Do we need 47? Could they be improved upon?

We are looking at this sequester. The President proposed this sequester. The President signed the sequester into law, and now he claims he cannot live with the effects. I am here to say he is wrong. Responsibly implementing the cuts from the sequester is not only possible, I believe it is necessary, as we see here: "Cut this, not that."

This debate is not about—as we read in the Washington Post—the President trying to force it to an election to the House of Representatives in 2014, it is about the economy and the future of our country. It is not just about smaller government, it is about smarter government. People think they are not getting value for their money.

I believe it is past the time for Washington to take the smarter approach to our Nation's spending addiction, and I appreciate the leadership of the Senator from Utah.

Mr. LEE. I thank the Senator. It is important for us to recognize that all these observations draw back to one central conclusion, which is that the sequester and wasteful spending we see so rampant throughout our Federal Government is the natural product of the failure by the majority leadership in the Senate to work with Republicans to pass a budget.

Last year, in the Senate, Republicans proposed 3 different budgets and received as many as 42 votes. That is 42 more votes than the President's budget received in this body last year or the year before or in the House last year or the year before.

The majority party in the Senate—those in charge of this body and elected to lead in this body—have refused even to propose a budget for the country for more than 1,400 days.

We have spending priorities. I am sure my friends across the aisle have spending priorities as well. It is time

we do the right thing for the American people. We need to sit down and have an open and honest dialog with the American people and with each other. We need to hammer out these ideas and come up with a budget that fairly and accurately represents the priorities of the American people. We need to pass a budget, and I urge my colleagues to do so.

I thank the Chair.

I yield the floor.

Mr. BARRASSO. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I ask unanimous consent to speak as in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I also ask unanimous consent to use an oversized poster.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT WASTE AND DUPLICATION

Mr. COBURN. Madam President, there has been a lot made of the sequester and the things that may or may not happen associated with it. Having spent the last 8 years looking at the Federal Government, I wrote the Secretary of Agriculture a letter this week outlining some things they could do that would not put in jeopardy food inspection and other things.

In my 8 years of looking at the Department of Agriculture, there is extensive waste and duplication—the GAO has confirmed that—and those things should be cut first and eliminated and consolidated before staffs that are in critical positions are furloughed.

The USDA currently has 120,000 employees, and they have over 16,000 offices. Just thinking about 16,000 offices ought to give us some pause. Why would any agency, no matter what their requirements, need that number of offices? The agency notes on their Web site that if they were a private company, they would be the sixth largest private company in America. That is how big the USDA is and how diffuse.

Today, there is one USDA employee for every eight farmers—one USDA employee for every eight people employed in the farm area—or, overall, one USDA employee for every 18 farms, primary or otherwise. So weekend farmers have a USDA employee, and for regular farmers—people where it is their primary business—there is an employee for every eight of them.

At the end of 2012, USDA was sitting on \$12 billion in unobligated Federal balances. In other words, that is money that is sitting in an account that has not been obligated to any purpose, sitting there waiting to be spent, where we have borrowed money—\$12 billion—that they have not obligated.

One of the things my staff has discovered is the USDA has upcoming conferences in terms of food tasting and wine tasting on the west coast. Now, in normal times there would not be anything wrong with Federal employees traveling to the west coast to both encourage and assess where we are in terms of some of our agricultural production. But I would think maybe this is one of the things the U.S. Department of Agriculture ought to cancel, given where we are and the threat that has been put out there in terms of food safety that has been announced in terms of layoffs or time off for Agriculture Department employees.

Two USDA agencies—Rural Development and the Agricultural Marketing Service—are sponsoring the 26th annual California Small Farm Conference next week. In addition to speakers from the USDA agency, the gathering will feature field trips and tasting receptions. "The Tasting Reception," according to their Web site, "is the most well attended networking event of the conference and showcases the regional bounty from local farms, chefs, wineries, breweries, bakeries and other food purveyors." And "special guest chefs will turn donated local agriculture products into tasty dishes to sample with exceptional local wines [provided]."

There is nothing wrong with that in normal times. There is plenty wrong with sending multiple employees to these types of conferences when we find ourselves in the position we find ourselves in today. These conferences, I am sure, are fun, interesting, and even educational getaways for USDA employees, but food inspecting rather than food tasting should be the USDA's priority at this time.

Not just to pick on them, but the thing is Americans are not aware of how expansive and duplicative many of these programs are. In the domestic food assistance programs, as shown on this chart, this is what GAO shows us we have running: 18 different Federal programs across three Departments that spend \$60 billion a year.

According to the GAO, the availability of multiple programs with similar benefits helps ensure that those in need have access to nutritious food, but it also does increase the administrative costs of these programs.

So while our goal is great, with the fact that we have this many programs doing essentially similar work with similar overheads, the GAO's recommendation was to do consolidation. Fifteen of these programs are run by

the Department of Agriculture, ranging from SNAP to the Fresh Fruit and Vegetable Program and the Special Milk Program.

According to the GAO, the effectiveness of 11 of these 18 programs is suspect. The reason it is suspect is nobody has done any oversight. No Member of Congress has done oversight on it—not the Budget Committee, not the Appropriations Committee, nor the Agriculture Committee.

We also have inside the USDA research and education activities within the Rural Development programs that duplicate, predominately, existing programs of almost every other agency in the Federal Government. Let me say that again. Almost every one of these programs is duplicated in another agency of the Federal Government. In other words, we are layering. They both have the same goals, the same hope for outcomes. One is run by one agency. Here are the ones that are run just by the USDA.

According to GAO, the Rural Development program administers 40 housing programs, business, community infrastructure and facility programs, as well as energy, health care, telecom programs, most of which duplicate the initiatives of other agencies, yet under the guise of serving exclusively rural citizens. Rural populations are not excluded from the other programs which are run with the same purpose that serve the general population. According to the Congressional Research Service, more than 88 programs administered by 16 different Federal agencies do the exact same thing these programs do. So we have 88 other programs from 16 different Federal agencies that are targeting rural economic development and needs.

It is not hard to see why we are in trouble. The GAO has done the work we have asked them to do. The appropriate committees have not addressed any of these issues. They have not offered any amendments or bills to reduce, consolidate, or at least look at the outcomes and the cost-benefit ratio of having multiple layers of programs doing the same thing.

Let me give you some questionable expenditures of what we have seen in the last year: a \$54 million loan to build a casino; \$1.6 million in loans for an asbestos removal company. It created hundreds of jobs in Guatemala and eventually went out of business and defaulted on the loan. There is \$2.5 million in low-interest loans for the construction of the Smithsonian-style Birthplace of Country Music Cultural Heritage Center; a Tennessee county spent \$10,000 of a Federal Rural Development grant to upgrade its tourism Web site; \$12,500 went to Milk And Honey Soap, LLC for the marketing of soaps and lotions made from goat's milk and beeswax. These are private businesses, and we are taking taxpayer

money, or we are borrowing the money, and we are subsidizing private individual businesses with grants.

We also have within the USDA research and education activities: the National Institute of Food and Agriculture spent \$706 million last year on research and education activities through more than 45 different programs. Meanwhile, their Agricultural Research Service has budgeted \$1.1 billion annually and is home to an additional eight Federal research and educational activity programs.

So what we have is layer after layer after layer—most of them well-intentioned. I am not denying that some of these are significant roles of Federal Government. But Congress is the problem because we have not addressed any of the recommendations the Government Accountability Office has given us in the two reports thus far, and the final report that will come out this year on overlap and duplication.

Finally, I wish to talk about the USDA's Market Access Program. At the request of Congress, the U.S. Department of Agriculture spent more than \$2 billion on the Market Access Program, which has directly subsidized the advertising of some of the most profitable companies and trade associations doing business overseas. So we are subsidizing companies such as Welch's, Sunkist, and Blue Diamond. The combined sales are greater than \$2 billion a year, and we gave them \$6 million last year to advertise their products.

It is one thing to promote exports, but we do not do that with every other business in America. Not every business that has \$2 billion in sales gets \$6 million of the Federal taxpayers' money to promote their products overseas.

So we have this disparity. I do not know if this is good policy or bad policy. What I do know is, it is discriminatory in terms of how we treat one group of businesses versus another group of businesses.

Also receiving money from the taxpayers for private overseas advertising are trade groups such as Tyson Foods, Purina, Georgia Pacific, Jack Daniels, Hershey's, the California wine industry. They have domestic sales of \$18 billion a year. They took in \$7 million to promote their products overseas. The Cotton Council, on behalf of America, received \$20 million from the Market Access Program and another \$4.7 million from the USDA Foreign Market Development Program.

So I come to the floor so the American people can see that we have plenty of ways to save money. What we have is an intransigence in Congress to do the hard work and also an intransigence by the administration to recognize the need to lead on eliminating these areas of duplication.

Last week on the floor, I put a letter into the RECORD from the mayor of

McAlester, OK. The Presiding Officer is a native of Oklahoma. She knows that town. He had a budget shortfall. He outlined the steps he went through with the help of the city manager to meet that. They did it in a way we would all be proud of. He gave us an example.

Today I ask unanimous consent to have printed in the RECORD a letter from the mayor of the Los Angeles County Board of Supervisors in terms of what they have done.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BOARD OF SUPERVISORS,
COUNTY OF LOS ANGELES,
Los Angeles, CA, April 29, 2011.

Hon. TOM COBURN,
Senate Russell Office Building, U.S. Senate,
Washington, DC.

DEAR SENATOR COBURN: I commend you and your colleagues with your bipartisan effort to reduce spending, taxes, debt and forge a more streamlined and "right size" a cost-effective federal government.

While Los Angeles County's \$23.5 billion budget pales in comparison to the United States budget, some of the successful reforms implemented by our County Board of Supervisors could result in similar results for the federal budget.

Since 70-80% of the federal budget consists of personnel compensation, productivity and efficiency can be improved by consolidating and eliminating agencies, programs and personnel with duplicative or overlapping functions. Every federal department and agency should be evaluated, services prioritized, programs streamlined and all waste eliminated.

Many federal agencies and departments have traditionally inflated their budgets with unfilled positions. Those that have been vacant for more than 12 months should be eliminated. Employees who have left their positions due to injury or illness need to be aggressively pursued to ensure that their conditions are legitimate.

It is also vital to reform the civil service process and the public employee pension system. Some states are adopting forward-thinking reforms including reducing pension benefits for new hires and establishing a defined benefits program for current employees.

These common sense solutions have allowed us to consistently balance our County budget and could serve as guidelines in your effort to "right size" the federal government.

Best regards,

MICHAEL D. ANTONOVICH,
Mayor, Los Angeles County.

Mr. COBURN. This was a letter I received in 2011 when we started raising the issue of duplication and making tough choices so that we could continue to provide benefits, we could continue to create and support a safety net for those who were truly dependent on it, but we do not waste money we do not have, spending it on things we do not absolutely need.

I would put forward that when we have a multitude of programs and they overlap, we as Members of Congress do not have an excuse for not fixing that, because the things that are critical in

people's lives eventually are going to suffer. Every dollar we spend on low-priority duplication, every dollar we spend that does not have a metric to say it is doing what it is should be doing is eventually going to be a dollar that is not there to support a food stamp recipient or a Medicaid recipient or housing for the indigent or care for the homeless or implementing Justice grant programs for policing and tribal courts.

So it is not a matter of just solving the duplication problem, it is a matter of the arithmetic that is going to hit our country and that by delaying the time at which we decide we are going to address this multitude, which is now 1,400 programs through the first 2 years of reports from GAO and \$367 billion of expenditures—and that does not count the other \$800 billion that goes out of the Federal Government every year for grants that also address some of these same issues. So the time is now. Sequestration gives us a good time to start looking at priorities.

One of the things I am thankful for is that we have tremendous Federal employees. We are starting to hear them speak up now: What can be cut? What is wasteful? They now feel the freedom to not be criticized because they are going to take a critical eye to the way American taxpayer dollars are being spent in their own agency. We are starting to hear from them: Here are things we are doing that we should not be doing. Here are things that are not a priority. Rather than lay off a meat inspector, maybe we ought to do this: "Cut this, not that." You know, we ought to cut out wine tastings for Federal employees and keep the meat inspectors employed.

There is no reason we need to furlough the first—with the waste in the Department of Agriculture, there is no reason that any significant program in the Department of Agriculture ought to suffer a furlough or layoff. There is no reason for it because there are billions of dollars there that are not wisely spent—well intended, not questioning motive, but poorly spent with poor return.

When there are two programs doing the same thing, let me describe what happens on the beneficiary end of that. People do not know where there is a need. What the requirement is in one program is a different requirement in another program. In terms of duplicative grants, what we have is people who apply for a grant and get it from one arm of the Department of Agriculture and then go over here and make the same application from another arm of the Department of Agriculture, get the same grant, and then go to one of the other agencies that is doing the same thing and get another grant for the same thing—all of them not knowing that each has given a grant for the same purpose. So it is just not good

business practices, it is not good management, and it is not good stewardship for the future of our country.

So I would ask my colleagues to think about the great work the Government Accountability Office has done. They have done great work for us. We have failed to act on it. It is time we start acting. Come April 1, we will see the final report from the GAO where they now—over 4 years—will have looked at every program in the Federal Government. They are going to be able to give us a list. I have come out here with my big charts and shown the list of duplications. We are going to have three or four more charts that say the same thing. Think about how discouraging it is to the people at GAO who do all of this hard work and to the people who are trying to meet the needs in the individual agencies to know that we are actually duplicating things with poor results.

We are not meeting our requirements under our oath. We are not meeting the moral requirements to be prudent with the American taxpayers' money. In the long run, the people who will suffer for it will be the very people we intend to help because if, in fact, we do not respond in a way that creates a positive vision for our country in terms of growth again and a positive vision in terms of responsible behavior by Congress, ultimately the arithmetic swallows us up.

I will close with this: If you take today's budget, when the Federal Reserve starts unwinding the quantitative easing they have done—these very low, artificially low interest rates—or if something were to happen where the world economy would look at us and say: We do not think you are deserving of our AAA-minus rating—the difference in interest costs historically is about 3 to 4 percent. Let's take a conservative estimate; let's say it is 3. Our historical average is 5.83 percent, what we have borrowed money at historically over the last 50 years. We are borrowing at under 2 percent right now. Three percent times \$17 trillion is \$510 billion a year. We all lose when that happens. How do we lose? Because the dollar we are going to be spending on that additional interest cost is a dollar that is not going to help someone who is homeless, it is a dollar that is not going to provide food that needs to be provided for those who are depending upon us, and it is a dollar that is not going to go to match the FMAP for Medicaid. Consequently, the cuts we will make then will be much harsher than the cuts if we decide to do it proactively now.

You do not have to have partisan disagreement about the goal of a program, but certainly we should be able to come together and say: We do not want duplication. We want to have good outcomes. We want to put metrics on it to measure it to see if it is working.

There cannot be any disagreement on that. That is plain, good-old common horse sense. Yet there has been no action in 3½ years on any of these recommendations by the Government Accountability Office. Now, the administration has paid attention. I will give them credit. In a lot of areas where they have seen it, they have done what they can do, but we have not. I do not want the heritage of my time in the Senate to be when we were the Congresses that failed to meet the challenge.

I believe our country can cheat history. If you look at history, it is not great for republics. They have all failed. But we have the opportunity to cheat history, and the way we do it is by getting off our rears and starting to do the job we were sent up here to do, which is oversight and legislate the elimination of waste, abuse, and duplication. We can do that, but it requires leadership. It requires leadership on the part of Senator REID, on the part of Senator MCCONNELL, every committee chair, every ranking member. It requires leadership that we are going to do that.

I am proud to say that TOM CARPER, chairman of Homeland Security—we have a plan to oversight all of homeland security over the next 4 years, the whole thing, and the rest of the government as well because we do not really believe the rest of the committees are going to do it. So we are building our staffs for oversight to grab this information, to make cogent recommendations and legislation, where we can, that will actually address these problems. We are way past the starting point of when we should have begun. It is not too late, but it requires us to make a decision: Are we more interested in the parochial benefits of allowing programs that are not effective or duplicative to continue to run because we will not get any blowback or are we courageous enough to say that we are going to do what is right for the right reasons for the long-term well-being of our country?

I believe that is the feeling of most of the Members of the Senate. I just think we need the leadership to call us back.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, I rise today to speak in opposition to the nomination of Caitlin Halligan to be a circuit judge on the U.S. Court of Appeals for the District of Columbia Circuit.

The D.C. Circuit is arguably the most important Federal appellate court in

our country's judicial system, with primary responsibility to review administrative decisions made by many Federal departments and executive branch agencies. It has also served, in many instances, as a stepping stone of sorts for judges later appointed to the U.S. Supreme Court. As a result, the Senate has a longstanding practice of carefully scrutinizing candidates to the D.C. Circuit.

When evaluating particular nominees, we also carefully consider the need for additional judges on that very court. In July 2006 President Bush nominated an eminently qualified individual named Peter Keisler to fill a seat on the D.C. Circuit. Mr. Keisler, whom I know personally, is among the finest attorneys in the country and is also among the finest individuals I know. Because of his nonideological approach to the law, Mr. Keisler enjoys broad bipartisan support throughout the legal profession. Despite these unassailable qualifications, Democratic Senators blocked Mr. Keisler's nomination. He did not receive any floor consideration whatsoever, not even a cloture vote, and his nomination languished in the Judiciary Committee. At the time a number of Democratic Senators sent a letter to the Judiciary Committee chairman arguing that a nominee to the D.C. Circuit "should under no circumstances be considered—much less confirmed—before we first address the very need for that judgeship." These Senators specifically argued that the D.C. Circuit's comparatively modest caseload in 2006 did not justify the confirmation of an additional judge to that Court, even though this was a position that by law already existed.

More than 6 years have passed, and Ms. Halligan has been nominated once again to that very same seat on the D.C. Circuit—the same seat for which Peter Keisler was nominated—but the court's caseload remains just as minimal as it was then. According to the Administrative Office of the U.S. Courts, the D.C. Circuit caseload is so light that the number of appeals pending per judicial panel is 54 percent less than the average for Federal courts of appeal. With just 359 pending appeals per panel, the D.C. Circuit's average workload is less than half that of other similar appellate courts.

The D.C. Circuit caseload has actually decreased since the time Democrats blocked Mr. Keisler. Indeed, since 2005 the total number of appeals filed is down over 13 percent. The total number of appeals pending is down over 10 percent. Some have sought to make much of the fact that since 2005, two of the court's judges have taken senior status, leaving only seven active judges on the D.C. Circuit today. But the court's caseload has declined so much in recent years that even filings per active judge are only slightly higher than

they were in 2005. Of course, that does not account for the six senior judges on the D.C. Circuit who continue to hear appeals and offer opinions on a regular basis. Their contribution—the contributions of the senior judges on that court—is such that the actual work for each active judge has declined and the caseload burden for D.C. Circuit judges is less than it was when Democrats blocked Mr. Keisler on the basis of a declining, insufficient caseload.

Indeed, the average filings per panel—perhaps the truest measure of the actual workload per judge in the U.S. Court of Appeals—is down almost 6 percent since that time.

In each of the last several years, the D.C. Circuit has cancelled regularly scheduled argument dates due to the lack of pending cases. Those who work at the courts suggest that in reality the workload isn't any different today than it has been in the past.

According to the Democrats' own standards, and particularly when there are judicial emergencies in other courts across the country, now is not the time to confirm another judge to the D.C. Circuit. It is certainly not the time for us to consider confirming a controversial nominee with a record of extreme views with regard to the law and the Constitution.

Make no mistake, Ms. Halligan is not what we would call a consensus nominee. The Senate has already considered and rejected her nomination. Nothing material has changed since that time.

Many of my colleagues have discussed a wide range of Ms. Halligan's views, so I will limit myself to one example. In 2003, while serving as Solicitor General for the State of New York, Ms. Halligan approved and signed a legal brief arguing that handgun manufacturers, wholesalers, and retailers should be held liable for criminal actions that individuals commit with those guns. Three years later, in 2006, Ms. Halligan filed another brief arguing that handgun manufacturers were guilty of creating a public nuisance.

Such arguments amount to an invitation for the courts to engage in sweeping judicial activism. The positions she took are both bewildering and flatly inconsistent with the original understanding of the second amendment rights all Americans enjoy.

In conclusion, as measured by the Democrats' own standards and their own prior actions, now is not the time to confirm another judge to the D.C. Circuit, and it is certainly not the time to consider such a controversial nominee for that very important court. The Senate has already spoken and rejected Ms. Halligan's nomination. I urge my colleagues once again to oppose her confirmation.

Mrs. BOXER. Mr. President, I rise today to vigorously support the confirmation of Caitlin Halligan to the D.C. Circuit Court of Appeals. Ms.

Halligan is an exceptionally qualified nominee, and the D.C. Circuit needs her. I urge all my Senate colleagues to join me in voting for her.

The breadth and depth of Ms. Halligan's legal experience and expertise are very impressive. After law school, she clerked for Supreme Court Justice Stephen Breyer and for Judge Patricia Wald on the D.C. Circuit, the court to which she has been nominated. She continued her public service as the solicitor general of the State of New York for 6 years, spent some time in the private sector, and is currently general counsel at the New York County District attorney's office, an office that investigates and prosecutes 100,000 criminal cases annually in Manhattan. Throughout her career, Ms. Halligan has served as counsel of record in nearly 50 matters before the U.S. Supreme Court, arguing five cases before that court and many cases before Federal and State appellate courts. Her legal and oral advocacy training is as extensive as any nominee that the Senate has confirmed.

One of the reasons I wanted to speak about Ms. Halligan today is because her reputation precedes her. The American Bar Association's nonpartisan standing committee on the Federal Judiciary unanimously rated Ms. Halligan "well-qualified" to serve on the D.C. Circuit, the highest possible rating. Messages of support for her nomination have poured in from hundreds of female law school deans and professors, former U.S. Supreme Court clerks and current judges, preeminent lawyers across the political spectrum from Ronald Reagan's solicitor general to the legendary D.A. Robert Morgenthau, and law enforcement associations. Put simply, this woman has proven herself to be worthy of our vote and the public's trust.

But there is another reason we must confirm Ms. Halligan today: the unacceptable delay in her nomination is causing a growing gap in the D.C. Circuit Court of Appeals. Ms. Halligan was first nominated by President Obama three years ago. Now, this important court in our country—often called "the second most important court in our land" because of the high profile, complex cases it handles—is one-third vacant. The caseload for the existing judges is growing, and justice is being held up.

Finally, if confirmed, Caitlin Halligan would become only the sixth female judge in the D.C. Circuit's 120-year history, a change I would certainly welcome for this important court. We need to continue building on the important legacy of diversity and inclusion that President Obama has established by nominating record numbers of women to the Federal bench. Thanks to his leadership, women today make up roughly 30 percent of the Federal judgeships at every level for the

first time in history: in trial courts, courts of appeal, and the Supreme Court. This diversity bolsters the legitimacy of our court system, and the public's confidence in it. We should continue this progress by confirming Ms. Halligan.

For all these reasons, I look forward to voting for Caitlin Halligan's nomination to the D.C. Circuit Court of Appeals, and I urge my colleagues to do the same. Let's fulfill our constitutional obligation to keep our judicial system working efficiently and fairly for the American people.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate consider the following nominations: Calendar Nos. 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, with the exception of Calendar No. 28 Colonel Scott C. Long, and all nominations placed on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Arnold W. Bunch, Jr.
Brigadier General Theresa C. Carter
Brigadier General Sandra E. Finan
Brigadier General Jeffrey L. Harrigian
Brigadier General Timothy J. Leahy
Brigadier General Gregory J. Lengyel
Brigadier General Lee K. Levy, II
Brigadier General James F. Martin, Jr.
Brigadier General Jerry P. Martinez
Brigadier General Paul H. McGillicuddy
Brigadier General Robert D. McMurry, Jr.
Brigadier General Edward M. Minahan
Brigadier General Mark C. Nowland
Brigadier General Terrence J. O'Shaughnessy
Brigadier General Michael T. Plehn
Brigadier General Margaret B. Poore
Brigadier General James N. Post, III
Brigadier General Steven M. Shepro
Brigadier General David D. Thompson
Brigadier General Scott A. Vander Hamm

Brigadier General Marshall B. Webb
Brigadier General Burke E. Wilson
Brigadier General Scott J. Zobrist

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Nina M. Armagno
Colonel Sam C. Barrett
Colonel Steven L. Basham
Colonel Ronald D. Buckley
Colonel Carl A. Buhler
Colonel John A. Cherrey
Colonel James C. Dawkins, Jr.
Colonel Patrick J. Doherty
Colonel Dawn M. Dunlop
Colonel Thomas L. Gibson
Colonel James B. Hecker
Colonel Patrick C. Higby
Colonel Mark K. Johnson
Colonel Brian M. Killough
Colonel Robert D. LaBrutta
Colonel Russell L. Mack
Colonel Patrick X. Mordente
Colonel Shaun Q. Morris
Colonel Paul D. Nelson
Colonel John M. Pletcher
Colonel Duke Z. Richardson
Colonel Brian S. Robinson
Colonel Barre R. Seguin
Colonel John S. Shapland
Colonel Robert J. Skinner
Colonel James C. Slife
Colonel Dirk D. Smith
Colonel Jeffrey B. Taliaferro
Colonel Jon T. Thomas
Colonel Glen D. VanHerck
Colonel Stephen N. Whiting
Colonel John M. Wood

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robin Rand

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John M. Bednarek

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

General Lloyd J. Austin, III

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lieutenant General Robert L. Caslen, Jr.

The following named officer for appointment as the Vice Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3034:

To be general

Lt. Gen. John F. Campbell

The following named officer for appointment in the United States Army to the grade

indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

to be general

Lt. Gen. Vincent K. Brooks

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. David M. Rodriguez

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Paul W. Brier

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Admiral William H. Hilarides

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Joseph P. Aucoin

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN142 AIR FORCE nominations (2) beginning ALAN S. FINE, and ending PAUL R. NEWBOLD, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

IN THE ARMY

PN146 ARMY nomination of Jasmine T. N. Daniels, which was received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN147 ARMY nomination of Paul W. Roecker, which was received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN148 ARMY nominations (8) beginning JAMES B. BARKLEY, and ending MICHAEL E. SPRAGGINS, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN149 ARMY nomination of Lena M. Fabian, which was received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN150 ARMY nominations (3) beginning YIMING A. CHING, and ending JOSEPH F. GOODMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN151 ARMY nominations (58) beginning WILLIAM C. ALLEY, and ending D010916, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN152 ARMY nominations (2) beginning ALISON R. HUPPMAN, and ending ALLEGRA E. LOBELL, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN153 ARMY nominations (4) beginning THOMAS M. GREGO, and ending GEORGE J. ZECKLER, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

IN THE NAVY

PN154 NAVY nominations (4) beginning ANDREW W. DELEY, and ending GREGORY E. RINGLER, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that we now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO DAWN CLARK NETSCH

Mr. DURBIN. Mr. President, this morning we received news in Chicago that Dawn Clark Netsch has passed away. She died from complications from Lou Gehrig's disease at the age of 86. It was a surprise to lose her this quickly, although all of us knew she was struggling with this terrible disease.

When the history of her contribution to Illinois is written, it will undoubtedly note the obvious: She had worked in Illinois government since the 1950s, under then-Governor Stevenson. She was a law professor at Northwestern University Law School. She was elected State senator in the 1970s. She was elected our State's comptroller after that, and she had an ill-fated run for Governor.

If that is all it says, though, it will miss the most important part of her life because, you see, Dawn Clark Netsch was an iconic, historic force in our State. More than any person in Illinois history, Dawn Clark Netsch created the modern era of women in Illinois political leadership. As always, those who were charged with opening the doors of opportunity have to come to that task extraordinarily gifted, determined, and patient. Dawn Netsch was all of these and more.

Early in my life, fresh out of law school, I was a lawyer working in the Illinois State Senate, and I saw firsthand the talents of this new senator, Dawn Clark Netsch. Her political base was the Lakeshore liberal base in Chicago—the group who was always at war with the Chicago machine and proud of it. She was elected from that base but then surprised most everyone when she came to Springfield and struck up a friendship, a genuine friendship, in the constitutional convention first and then in the State Senate with a young State senator named Richard M. Daley, son of Mayor Daley. Dawn Netsch proved that a politician can be both principled and effective and civil. Her

ill-fated run for Governor lacked the political polish of many winning campaigns, but her thoughtfulness, her candor, and her blunt honesty about the challenges Illinois faced will always be remembered.

The Illinois political scene will not be the same without that pool-shooting Sox fan with a cigarette holder, but generations of Illinois women can thank the indomitable force of Dawn Clark Netsch for blazing their path.

TRIBUTE TO WILLIAM J. RISSEL

Mr. MCCONNELL. Mr. President, I rise today to recognize a Kentuckian who has both faithfully served his community and the men and women of the U.S. Army for more than two decades. I speak of Mr. William J. Rissel, the president and chief executive officer of the Fort Knox Federal Credit Union, a stalwart member of the Fort Knox CORE Committee, and a long-time friend.

Under Bill's leadership, the Fort Knox Federal Credit Union has achieved impressive growth and has done much to help the local community. Bill has worked in the financial services industry for more than 30 years, and he has headed the Fort Knox Federal Credit Union since 1991. In that time, it has expanded from 4 branches primarily serving Hardin County to 14 branches across central Kentucky. Fort Knox Federal Credit Union was recently awarded the Department of the Army's Distinguished Service Award. It won this recognition in competition against all other on-post credit unions in the Nation.

If there is a cause that is near and dear to Bill's heart in addition to Fort Knox Federal, it is that of Fort Knox and the surrounding community. In 2011, under Bill's guidance, Fort Knox Federal sponsored a platoon deployed to Afghanistan. The staff shared messages of support and care packages with the soldiers to remind them of home and let them know that they remained in the thoughts and prayers of the local community. Bill and I have worked together for years trying to ensure that Fort Knox has what it needs to support its mission and the military personnel and their families who call the post home. Bill has been a member of the Fort Knox CORE Committee since 1993 and has served as president of the organization since January 2006.

Bill is also active in the local area, having served as a Radcliff Chamber of Commerce board member; president of the Association of the United States Army, Fort Knox chapter; the United Way Advisory Committee; the Radcliff Industrial Foundation Board; and Rotary International. He also visits Fort Knox Elementary School and reads to Mrs. Trimble's class every year.

Bill and his wife Rosie are completing their dream house in Florida

where they may both enjoy the warm weather, but I know his heart will always remain in central Kentucky.

Mr. President, I ask my U.S. Senate colleagues to join me in congratulating Mr. William J. Rissel for his successful career and thank him for his service to the community and to Fort Knox.

NORTH LAUREL HIGH SCHOOL
CHEERLEADER TEAM

Mr. MCCONNELL. Mr. President, I would like to take a moment to recognize a group of young ladies who have found great success in their athletic endeavors on the national and international level. The North Laurel High School cheerleaders have represented their county and the Commonwealth of Kentucky well with their hard work, skill, and success. On February 10, the North Laurel High School cheerleaders won both the World School and International Cup at UCA Nationals in Orlando, FL.

The cheerleading squad from North Laurel High School not only reclaimed the title of first place in World School at the UCA, Universal Cheerleaders Association, Nationals in Orlando, but they went on to become champions of the International Cup, beating out teams from Canada, Ecuador, and China. They also went on to win first place in the medium 2A Division representing the 13th Region at the 2013 KHSAA, Kentucky High School Athletic Association, Competitive Cheer State Championship held in Bowling Green, KY on February 23. Team members Autumn Asher, Madison Asher, Machenzie Burns, Raye Lynn Campbell, Taylor Crockett, Channing Ely, Emily Evans, Katlyn Helton, Malari Hoskins, Sara Kaminsky, Peyton Lankford, Katie Mays, Tara McClure, Aubree Oakley, Katelyn Sharp, MaKayla Vaughn, Mary Kate Whitfield, and Maddie Wood as well as coaches Kimberly B. Wood, Toni Blake Greer, and Jomo K. Thompson saw their dedication and hours of practice pay off with victory. Truly, their efforts reflect well on their community, and they represent to competitors all over the world the unbridled spirit of Kentuckians.

At this time, I would like to publicly declare Kentucky's appreciation for this team, their coaches, and their parents who have received well-deserved recognition and success for their commitments and practice. The North Laurel High School cheerleaders have represented Kentucky well, and we are both grateful and proud. I would ask my colleagues in the U.S. Senate to join me in acknowledging their achievements, and I ask unanimous consent that an article detailing their success from the Laurel County-area publication the Sentinel Echo be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Sentinel Echo, Feb. 14, 2013]

NLHS, E.B. CHEER TEAMS WIN BIG AT NATIONALS

LAUREL COUNTY, KY.—Laurel County cheer teams received high honors at the UCA Nationals in Orlando, Fla., this weekend.

The North Laurel High School team earned first place in the medium varsity division, as well as being named the first-place winners in world school and international cup competitions.

This was the first time the team has won first place at nationals since 2009.

"We have a very young squad," said Kim Wood, coach. "Our goal going into this was to hit a solid routine. We told the girls to focus just on us, not the other teams, and doing the absolute best we could do."

Although the team won first in world school last year, this was the first year they were named as champions of the international cup against teams from Canada, China, and Ecuador.

The outcome was a wonderful surprise, she said.

"It was our best performance at national level. It was pretty perfect in our eyes," Wood continued. "The awards were the icing on the cake."

It was ninth-grader Taylor Crockett's first high-school nationals. Crockett has competed in cheerleading since the sixth grade.

"It took a lot of hard work. At the beginning of the year, we really didn't know each other," she said. "We just started bonding as a team. That bond helped us."

Senior MaKayla Vaughn said this year was both "amazing" and "bittersweet" because it will be her last.

During competition, Vaughn said the team helped to keep each other calm, encouraging and supporting one another.

"We were the first team to go on," she said. "We told each other to set the bar high."

The East Bernstadt Tumble Cats also took home a big win this weekend at UCA Nationals.

The Tumble Cats won first place in the youth rec, or elementary, division against seven other teams.

In January, the Tumble Cats were named the elementary state champions for the second year in a row at the Kentucky Middle School State competition in Richmond.

The elementary team was formed just three years ago.

"They've gotten progressively better over time," said Coach Cristin Adams. "They worked really hard this year. These kids and their parents are very dedicated."

This was the first year Adams and Coach Darrin Spencer took the team, comprised of first- to fourth-graders, to UCA Nationals.

"We (she and Spencer) saw the potential of this team. Our goal was to make the top 3 (at nationals). We exceeded that and got first place."

Prior to competition, even making the top 3 looked to be a big feat.

"One week before we left (for nationals), we had two girls break their fingers," Adams said. "We had to rework our routine, and that's not easy, especially at this age, but we hit the routine solid."

The team trains at Damar Gymnastics in Lily, who choreographed their routine.

"Gymnastics is where the foundation starts," Adams said. "Technique is very important."

The majority of the 20-member team are third-graders, and most, Adams said, have been on the team for three years.

"Starting young helps feed into the older teams," she said. "And we want to be a good feeder program for North Laurel Middle and North Laurel High schools."

The North Laurel Middle School cheerleading team took second place in their division at UCA nationals.

NLMS team coaches include Katie Sizemore, Paula Crawford, and Susan Tolliver.

NLHS team coaches include Wood, Toni Blake Greer, and Jomo Thompson, who is also the University of Kentucky head cheerleading coach.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT

Ms. MIKULSKI. Mr. President, I am pleased to come to the floor in support of the Pandemic and All Hazards Preparedness Reauthorization Act of 2013, PAHPRA. Last week, the Senate passed this bill by unanimous consent and last night the House passed the bill with overwhelming bipartisan support. I am so pleased PAHPRA is getting sent to the President to be signed into law. Enacting this bill is critical for Marylander's safety, jobs, biotech companies, State and local health departments, and our State's economy. It is also critical that we understand and be responsive to the unique health care needs of children in disasters.

Recent disasters at home and abroad have underscored the importance of preparing our Nation to respond to a range of medical and public health emergencies, whether naturally occurring or the result of a chemical, biological, radiological, or nuclear attack. Over the past decade, multiple Congresses and administrations have worked together to put in place critical medical and public health preparedness and response programs and policies. As a result of the passage of the Pandemic and All-Hazards Preparedness Act, PAHPA of 2006, the Federal Government, in partnership with State and local governments, took significant steps to strengthen our Nation's medical and public health preparedness and response capabilities. This bipartisan reauthorization builds on these efforts by enhancing existing programs and authorities using lessons learned over the past 5 years to maximize our Nation's resilience to threats, whether naturally occurring or deliberate.

I thank Senators HARKIN, ENZI, BURR, ALEXANDER, and CASEY for their dedication and commitment to reauthorizing the programs in this bill and protecting our country from threats. By coming together, passing this bill, and sending it to the President to get signed into law, we will strengthen our Nation's ability to prepare for and respond to all hazards emergencies, and we will ensure that we have looked out for our children. The congenial and bi-

partisan process we followed should be a model for how we do all of our work here in Congress.

PAHPRA includes important provisions that I fought for as Chairwoman of the HELP Subcommittee on Children and Families. I led the effort to create a National Advisory Committee on Children and Disasters to continue the good work started by the National Commission on Children and Disasters. The advisory committee, established by my amendment, will bring together children's advocates and federal agencies to ensure we are well equipped to care for our most vulnerable population when preparing for, responding to and recovering from a disaster. I am committed to getting this advisory committee up and running this year. Doing all that we can to protect our most vulnerable is of the utmost importance.

I would also like to thank the American Academy of Pediatrics for their commitment to children's health and for building a coalition of support for my amendment to establish the Advisory Committee. Save the Children and the Children's Health Fund were also steadfast advocates for this committee and other important pediatric provisions contained in this bill.

This advisory committee will include a variety of pediatric experts, from those who work in Federal agencies, to non-federal health care professionals, to employees of relevant State and local agencies. I made sure that at least four members of this committee would not be federal bureaucrats to ensure that all views and perspectives are considered. Community-based pediatricians, nurses, and State and local public health and emergency management professionals are on the front lines responding to emergencies every day. These folks know what the situation is like on the ground.

The advisory committee will serve an important role in making sure that the Department of Health and Human Services and the Department of Homeland Security swiftly implement the medical and public health recommendations put forth by the National Commission on Children and Disasters. Committee members will also advise federal agencies on the medical and public health policies and procedures that the agencies and their grantees should implement to meet the needs of children when preparing for, responding to, and recovering from all-hazards.

As we all know, children are not little adults. Kids who are battered during a disaster and suffer physical harm or are exposed to an infectious disease, need special medications, devices, and supplies, whether it is a liquid form of a medication, a pediatric ventilator, baby formula, or even diapers.

PAHPRA reauthorizes several provisions that I have fought for over the

years that support the research and development of chemical, biological, radiological, and nuclear countermeasures. Project Bioshield and the Biomedical Advanced Research and Development Authority, BARDA, are economic engines of Maryland's economy supporting both biotech innovation and domestic manufacturing. Project Bioshield is a secure funding source dedicated to the purchase of medical countermeasures. BARDA contracts with companies to support the development and commercialization of medical countermeasures and carries out all Project Bioshield acquisition contracts. Project Bioshield and BARDA together provide drug manufacturers with the incentives they need to enter this market and develop lifesaving therapeutics.

Maryland companies are investing in research and development of medical countermeasures for bioterror threats because they know there is a federal market to buy their drugs, vaccines, needles and masks for the Strategic National Stockpile for use when a disaster strikes. Marylanders are working hard every day to create countermeasures that we hope to never use but will rely on when we are most at need to save our lives and our kids' lives. They are developing the next generation anthrax, influenza, and smallpox vaccines for the Strategic National Stockpile. The drugs we are working so hard to develop also protect our troops deployed around the world so that our soldiers get the right treatments to keep them safe.

PAHPRA also codifies the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan. I worked to ensure that the Department of Health and Human Services would report on what our country needs to protect our kids so that companies will know what countermeasures to develop and HHS and Congress will know how many and which products to buy for the stockpile. I also made sure that FDA would report to Congress annually on the scientific challenges and progress made in developing and licensing countermeasures for pregnant women and children.

I also fought to make sure that State and local health departments would have the workforce and financial resources they need to prepare for infectious disease outbreaks like the H1N1 influenza, earthquakes, and floods, as well as numerous other public health threats that communities face on a day-to-day basis. In that vein, I worked to improve state and local disaster planning for kids. It is important that local education, child care, and other agencies are regularly partnering and consulting with health departments as they develop and revise their preparedness plans. PAHPRA supports the good work that happened in our commu-

nities during H1N1. State education, child care and health agencies were partnering and consulting with each other day in and day out for almost a year to minimize the ill health effects of this novel virus. Our public servants at the federal level were critical to the response and they worked closely with local officials to protect us every hour of every day during the pandemic.

We must prevent and respond to health threats before they are on our doorstep. Making this bipartisan legislation the law of the land will help do just that. And I will fight to make sure we are funding these programs so that we can be prepared for any and all emergencies that we may face here in the United States.

FEDERAL GOVERNMENT VEHICLE FLEET

Mr. COBURN. Mr. President, with a \$16.5 trillion national debt, the Federal Government needs to spend taxpayer dollars more efficiently and reduce costs during these tough fiscal times.

In 2011, the Federal Government owned nearly 660,000 vehicles. Although the size of the fleet decreased slightly from the previous year, it had still increased significantly over the past several years. Between 2006 and 2011, the Federal Government fleet has grown by more than 29,000 vehicles.

A 2012 Government Accountability Office, GAO, report examined the increase in the number of Federal vehicles, excluding postal and nontactical military vehicles. According to the study: "Since fiscal year 2005, the number of federal non-postal civilian and non-tactical military vehicles has increased about 7 percent, from about 420,000 to 449,000 vehicles."

On February 28, 2013, I introduced bipartisan legislation that would save millions in taxpayer dollars by reducing the amount the Federal Government can spend on buying and leasing nonessential vehicles. In its recommendations, the National Commission on Fiscal Responsibility and Reform strongly endorsed trimming the Federal vehicle fleet, and estimated it would save approximately \$500 million.

This bill would reduce by 20 percent the Federal funding available for the acquisition and leasing of new Federal vehicles. It would also require agencies to maintain this funding level through 2017. Like the Fiscal Commission, however, this bill exempts the U.S. Postal Service from the reduction. It also provides an exception for vehicle purchases critical for national security reasons. Similar legislation passed by voice vote in the House of Representatives in September 2012.

This legislation would simply do what most American families are doing on a day-to-day basis. The Federal Government has to learn more with less.

I hope my colleagues on both sides of the aisle will support this common-sense legislation. I want to thank my colleagues for the opportunity to speak on the Senate floor today in support of this bill.

RECOGNIZING WOODY HAYES' 100TH BIRTHDAY

Mr. PORTMAN. Mr. President, today I wish to honor the life and career of Woody Hayes, who touched the lives of many Ohioans through his leadership and coaching legacy. Woody Hayes was born on February 14, 1913, in Clifton, OH. On February 14, 2013, Coach Hayes would have celebrated his 100th birthday. After graduating college, he joined the Navy in 1941 to serve his country during World War II. He later received his master's degree from the Ohio State University in 1948. In 1951 Mr. Hayes started his coaching career at the Ohio State University, where he continued coaching until 1978, when he retired.

Woody Hayes is known for his outstanding winning record. Under his leadership, the Buckeyes won 205 games, 5 postseason bowl games, 13 Big Ten Championships, 3 consensus national championships—1954, 1957 and 1968—and 2 other nonconsensus national titles—1961 and 1970. Hayes was elected College Coach of the Year in 1957 and 1975 and served as president of the National Football Coaches Association. He also coached 3 Heisman Trophy winners and 56 first team All-American players.

Woody Hayes' real legacy was the way he impacted the lives of those around him. He was known to take personal interest in the lives of his players and their academic careers. In 1979 the Ohio State University created a scholarship in his honor, to help college athletes continue their education. Though Woody Hayes is no longer with us, I am pleased to honor his great legacy and all the lives he has touched.

RECOGNIZING THE KING ARTS COMPLEX

Mr. PORTMAN. Mr. President, today I wish to honor the King Arts Complex for 25 years of dedicated service to central Ohio. Named after Dr. Martin Luther King, Jr., the complex's mission is to preserve, celebrate, and teach African-American cultural and historic heritage while developing a greater understanding among all people.

In 1987, when the King Arts Complex opened, it brought new life to a once vibrant area. I have visited the King Arts Complex and attended a celebration in honor of Dr. Martin Luther King, Jr., in the Pythian Theatre in 2010. I have seen firsthand how the King Arts Complex has helped revitalize the community by offering cultural and educational activities for

local youth through programs that include dance, theatre, music, and literary arts.

The King Arts Complex is an asset to central Ohio and I congratulate everyone who was involved in making its first 25 years a success.

TRIBUTE TO ROBERT RICH

Mr. BLUMENTHAL. Mr. President, today I wish to pay tribute to my dear friend and lifelong Connecticut resident and business owner, Bob Rich, who passed away this past November.

Born in Stamford, Mr. Rich graduated from Stamford High School in 1944 and from Princeton in 1948. He returned to Connecticut to eventually take over his father's business, the F.D. Rich Company, which had been founded in 1920. For more than 60 years, he and his brother, Frank D. Rich, Jr., grew their father's construction company into one of our Nation's foremost real estate development firms. Their family history in construction and real estate development became an important part of our national history of economic growth.

Under Mr. Rich's leadership, the F.D. Rich Company built innovative buildings where there was a great need both in Stamford, CT, and across the Nation—from shopping centers and office buildings to schools, hospitals, and hotels. In 1958 the F.D. Rich Company made its mark on our Nation's Capital when it completed the aircraft hangars for Air Force One at Andrews Air Force Base. To this day, F.D. Rich continues to create interesting and functional urban and suburban buildings that add to our country's landscape.

Since his death, Mr. Rich has been deservedly memorialized for playing a significant role in revitalizing the city of Stamford between 1970 and 2000. The New York Times wrote that he "transform[ed] Stamford from a fading industrial town suffering from severe urban blight to a thriving city which has emerged as an important center for commerce, culture, education and recreation." Mr. Rich led the creation of countless buildings, including an addition to the Stamford Hospital in 1967, One Landmark Square in 1973, and the Rich Forum in 1992, which continues to house the city's center for the arts.

The University of Connecticut and the Rich family are also closely connected. In 1934 Mr. Rich's father oversaw the construction of the Wilbur Cross Library at UConn's Storrs campus. When UConn opened its downtown Stamford campus, the Riches helped build the Rich Concourse, which to this day serves as a central meeting place on campus.

In addition to Bob Rich's community involvement through the F.D. Rich Company and at UConn, he was involved in numerous national and local organizations including the Boys and

Girls Club of Stamford, the Regional Plan Association, and Stamford's State Street Debating Society. He and his family founded the Rich Foundation, which continues to serve nonprofit organizations, primarily in Fairfield County, enriching Connecticut's arts, education, health care, and social services.

Bob was beloved by family and friends throughout his life, and he will be remembered by countless residents who live and make memories in the spaces he built. I invite my colleagues to pay tribute to a man who forever changed the Stamford skyline and improved the community.

ADDITIONAL STATEMENTS

REMEMBERING LAVONE PAIRE DAVIS

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring Lavone "Pepper" Paire Davis, the baseball star and pioneer in women's professional sports who died in Los Angeles last month at age 88. Ms. Paire Davis was one of the models for Dottie Hinson, the immortal Geena Davis character in the hit film "A League of Their Own," and she was a role model for millions of women and girls across the country.

Lavone Paire was born in Los Angeles and grew up playing baseball with her older brother Joe on the streets of West L.A. By age 9, she was playing for an amateur team in Santa Monica and later she and her good friend Faye Dancer played together on a girls softball team known as the Dr. Peppers.

In 1944, Lavone was working as a shipyard welder and taking classes at UCLA when she and Faye were recruited to join the All-American Girls Professional Baseball League, AAGPBL, which recently had been launched by Chicago Cubs owner Philip K. Wrigley and other major league owners to help maintain fan interest while many major league players were away at war.

Pepper Paire quickly distinguished herself as an outstanding defensive catcher who could also play shortstop and third base, pitch when needed, and drive in runs in clutch situations. She also cowrote "Victory Song," the AAGPBL's anthem, which was later featured in "A League of Their Own." She helped the Racine Belles win the league championship in 1946 and was named to the AAGPBL all-star team in 1948.

In 1953, Pepper left baseball to marry Robert Davis, start a family, and establish an electronics business with her friend Faye Dancer. But "A League of Their Own" brought Ms. Paire Davis back in the public eye. A popular speaker, she used her renewed fame to promote women's professional sports

and urge girls to fulfill their athletic dreams. In 2009 she published "Dirt in the Skirt," a book about her adventures in the AAGPBL.

Lavone Paire Davis was a true inspiration both on and off the baseball diamond. On behalf of the people of California, I send my gratitude and condolences to her brother Joe, sons William and Rob, daughter Susan Gardner, four grandchildren, and great-grandson.●

MESSAGES FROM THE HOUSE

At 11 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agree to the amendment of the Senate to the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly: Mr. POE of Texas, Vice Chair, Mr. SHIMKUS of Illinois, Mr. JEFF MILLER of Florida, Mr. GUTHRIE of Kentucky, Mr. MARINO of Pennsylvania, and Mr. COTTON of Arkansas.

The message also announced that pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), the Minority Leader appoints the following individual on the part of the House of Representatives to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ellen Tauscher of Washington, DC.

The message further announced that pursuant to 44 U.S.C. 2702, the Minority Leader appoints the following member on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Mr. John A. Lawrence of Washington, DC.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) announced that on March 4, 2013, he had signed the following enrolled bill, previously signed by the Speaker of the House:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

ENROLLED BILL SIGNED

At 3:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 307. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-597. A communication from the Acting Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Carter F. Ham, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-598. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a notification of a completion date of May 2013 for a report relative to the Department of Defense purchases from foreign entities for fiscal year 2012; to the Committee on Armed Services.

EC-599. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the report of a meeting of the Economic Adjustment Committee (EAC) relative to considering additional funding sources for the Defense Access Roads (DAR) program; to the Committee on Armed Services.

EC-600. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-601. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-602. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Adjustments to Civil Monetary Penalty Amounts" received in the Office of the President of the Senate on February 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-603. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC-604. A communication from the Administrator of the U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran"; to the Committee on Energy and Natural Resources.

EC-605. A communication from the Wildlife Biologist, Fish and Wildlife Service, De-

partment of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2013 Season" (RIN1018-AY70) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC-606. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear Under Section 4(d) of the Endangered Species Act" (RIN1018-AY40) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC-607. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Astragalus lentiginosus* var. *Coachellae* (Coachella Valley milk-vetch)" (RIN1018-AX40) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC-608. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Tidewater Goby" (RIN1018-AX39) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC-609. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Postponement of Deadline for Making an Election to Deduct for the Preceding Taxable Year Losses Attributable to Hurricane Sandy" (Announcement 2013-21) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Finance.

EC-610. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reduced 2009 Estimated Income Tax Payments for Individuals with Small Business Income" ((RIN1545-BI67) (TD 9613)) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Finance.

EC-611. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2013 Trade Policy Agenda and 2012 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC-612. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-018, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-613. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-003, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-614. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Report to Congress on United States Participation in the United Nations in 2011; to the Committee on Foreign Relations.

EC-615. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "2012 DHS Data Mining Report to Congress"; to the Committee on the Judiciary.

EC-616. A communication from the President, Chief Scout Executive, and the National Commissioner, Boy Scouts of America, transmitting, pursuant to law, the organization's 2012 annual report; to the Committee on the Judiciary.

EC-617. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of Fiscal Year 2013"; to the Committee on Veterans' Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mrs. FEINSTEIN for the Select Committee on Intelligence.

* John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

* Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE:

S. 446. A bill to amend the Federal Crop Insurance Act to reduce Federal crop insurance subsidies, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THUNE (for himself and Mr. JOHNSON of South Dakota):

S. 447. A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. NELSON, Mr. LEE, and Mr. CARPER):

S. 448. A bill to allow seniors to file their Federal income tax on a new Form 1040SR; to the Committee on Finance.

By Mr. LEVIN:

S. 449. A bill for the relief of Anton Dodaj, Gjyljana Dodaj, Franc Dodaj, and Kristjan Dodaj; to the Committee on the Judiciary.

By Mr. SHELBY (for himself, Mr. CHAMBLISS, Mr. CRAPO, and Mr. JOHANNIS):

S. 450. A bill to require enhanced economic analysis and justification of regulations proposed by certain Federal banking, housing, securities, and commodity regulators, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SHELBY:

S. 451. A bill to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRANKEN (for himself, Ms. COLLINS, Mr. ROCKEFELLER, Mrs. SHAHEEN, Mr. BROWN, Mr. WYDEN, Ms. WARREN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. CARDIN, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 452. A bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries; to the Committee on Finance.

By Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY):

S. 453. A bill to require that certain Federal job training and career education programs give priority to programs that lead to an industry-recognized and nationally portable credential; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. BLUNT):

S. 454. A bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of 1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. CHAMBLISS, Mr. BEGICH, and Mr. MORAN):

S. 455. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Mrs. BOXER, Ms. STABENOW, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. GRASSLEY):

S. 456. A bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. COLLINS, Mrs. BOXER, and Ms. STABENOW):

S. 457. A bill to posthumously award a Congressional Gold Medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNIS):

S. 458. A bill to improve and extend certain nutrition programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JOHNSON of South Dakota (for himself and Mr. THUNE):

S. 459. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, Ms. WARREN, Mr. LEAHY, Mr. LEVIN, Mr. ROCKEFELLER, Mrs. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. REED, Mr. SCHUMER, Ms. STABENOW, Mr. LAUTENBERG, Mr. BROWN, Ms. KLOBUCHAR, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. COWAN):

S. 460. A bill to provide for an increase in the Federal minimum wage; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. REID, Mrs. BOXER, Mr. MENENDEZ, Mr. SCHATZ, and Mr. BEGICH):

S. 461. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself, Mr. BLUNT, Mr. MANCHIN, Mr. CORNYN, Mr. CARDIN, and Ms. COLLINS):

S. 462. A bill to enhance the strategic partnership between the United States and Israel; to the Committee on Foreign Relations.

By Mr. PRYOR (for himself, Mr. BLUNT, Mr. BOOZMAN, Mr. KING, Ms. COLLINS, Mr. CRAPO, Mr. HATCH, and Mr. CHAMBLISS):

S. 463. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product"; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. INHOFE (for himself, Mr. COBURN, and Mr. CHAMBLISS):

S. 464. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself and Mr. UDALL of Colorado):

S. 465. A bill to permit flexibility in the application of the budget sequester by Federal agencies; to the Committee on the Budget.

By Mr. MENENDEZ:

S. 466. A bill to assist low-income individuals in obtaining recommended dental care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 467. A bill to allow consumers to unlock mobile wireless devices for interoperability purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Mr. LAUTENBERG, Mr. HARKIN, Ms. HIRONO, Mr. LEVIN, Ms. STABENOW, and Ms. WARREN):

S.J. Res. 10. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself and Mr. SANDERS):

S. Res. 67. A resolution designating April 5, 2013, as "Gold Star Wives Day"; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. REID, and Mr. COWAN):

S. Con. Res. 5. A concurrent resolution expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 17, a bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

S. 20

At the request of Mr. VITTER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 20, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 33

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 33, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 34

At the request of Mr. LAUTENBERG, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 34, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 44

At the request of Mr. PORTMAN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 44, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

S. 77

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 77, a bill to amend part D of title XVIII of the Social Security Act to authorize

the Secretary of Health and Human Services to negotiate for lower prices for Medicare prescription drugs.

S. 168

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 168, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 183

At the request of Mrs. McCASKILL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 210

At the request of Mr. HELLER, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

S. 226

At the request of Mr. TESTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 273

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 273, a bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

S. 294

At the request of Mr. TESTER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United

States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 333

At the request of Mr. LAUTENBERG, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 333, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

S. 336

At the request of Mr. ENZI, the names of the Senator from Massachusetts (Mr. COWAN), the Senator from Massachusetts (Ms. WARREN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 344

At the request of Mr. WICKER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 344, a bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes.

S. 346

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 370

At the request of Mr. COCHRAN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Alaska

(Mr. BEGICH), the Senator from Colorado (Mr. BENNET) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 370, *supra*.

S. 372

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 372, a bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

S. 375

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 380

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 380, a bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress.

S. 392

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 399

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 399, a bill to protect American job creation by striking the Federal mandate on employers to offer health insurance.

S. 411

At the request of Mr. ROCKEFELLER, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 427

At the request of Mr. HOEVEN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Louisiana (Ms. LANDRIEU) were

added as cosponsors of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 443

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 443, a bill to increase public safety by punishing and deterring firearms trafficking.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 60

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Georgia (Mr. ISAKSON), the Senator from Nevada (Mr. HELLER), the Senator from Kansas (Mr. ROBERTS), the Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Ms. STABENOW), the Senator from Nebraska (Mrs. FISCHER), the Senator from Texas (Mr. CRUZ), the Senator from Indiana (Mr. DONNELLY), the Senator from Montana (Mr. TESTER), the Senator from Maryland (Ms. MIKULSKI), the Senator from North Carolina (Mr. BURR), the Senator from Hawaii (Ms. HIRONO), the Senator from Colorado (Mr. BENNET), the Senator from Georgia (Mr. CHAMBLISS), the Senator from North Carolina (Mrs. HAGAN), the Senator from Kansas (Mr. MORAN), the Senator from Missouri (Mrs. McCASKILL), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. JOHANNES) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. BLUNT):

S. 454. A bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of

1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am reintroducing the Family Self-Sufficiency Act, and I am pleased this Congress to be joined in this effort by my colleague, Senator BLUNT of Missouri.

The Family Self-Sufficiency, FSS, program is an existing Department of Housing and Urban Development, HUD, employment and savings incentive initiative for families that have section 8 vouchers or live in public housing. The FSS program provides two key tools for its participants: first, it provides access to the resources and training that help participants pursue employment opportunities and meet financial goals, and second, it encourages FSS families to save by establishing an interest-bearing escrow account for them. Upon graduation from the FSS program, the family can use these savings to pay for job-related expenses, such as additional workforce training or the purchase or maintenance of a car needed for commuting purposes.

Our bipartisan legislation seeks to enhance the FSS program by streamlining the administration of this program, by broadening the supportive services that can be provided to a participant, and by extending the FSS program to tenants who live in privately-owned properties with project-based assistance. In short, we seek to make the FSS program easier to administer and more effective.

First, to streamline the FSS program, our bill would combine two separate FSS programs into one. Today, HUD operates one FSS program for those families served by the Housing Choice Voucher Program and another for those families served by the Public Housing program. This is the case even though the core purpose of each FSS program, to increase economic independence and self-sufficiency, is the same. Unfortunately, Public Housing Agencies, PHA, have to operate essentially two programs to achieve the same goal. With our bill, PHAs would be relieved of this unnecessary burden.

Second, our legislation broadens the scope of the supportive services that may be offered to include attainment of a GED, education in pursuit of a post-secondary degree or certification, and training in financial literacy. Providing families in need with affordable rental housing is critical, but coupling it with the support and services to help families get ahead increases the effectiveness of this federal investment. Our legislation makes it easier for FSS participants to obtain the training necessary to secure employment and the education to make prudent financial decisions to better safeguard their earnings.

Lastly, our bill opens up the FSS program to families who live in privately-owned properties subsidized with project-based rental assistance. It shouldn't matter what kind of housing assistance a family gets, and families seeking to achieve self-sufficiency shouldn't be held back by this sort of technicality.

I thank Senator BLUNT for his partnership, and I urge my colleagues to support this bipartisan bill, which will help give those receiving housing assistance a better chance to build their skills and achieve economic independence.

By Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNES):

S. 458. A bill to improve and extend certain nutrition programs; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. ROBERTS. Mr. President, my colleagues, I rise today to introduce a bill that has a long title: Improve Nutrition Program Integrity and Deficit Reduction Act of 2013. Big title, but it is a good bill.

Last June, I stood in this body, along with Chairperson STABENOW of the Agriculture Committee, to encourage my colleagues to pass bipartisan reform legislation known as the farm bill.

The legislation we put together in the Senate Agriculture Committee would have strengthened and preserved the safety net for our farmers and ranchers while also being responsible to taxpayers by providing billions of dollars for deficit reduction. At the time we were told by the Congressional Budget Office, the CBO, that the farm bill passed by the Agriculture Committee, one of the first bills, by the way, that we were able to pass under regular order and in record amount of time, 2½ days—the CBO estimated at that time the farm bill that was passed by the Agriculture Committee in the Senate would save \$24 billion over 10 years, including \$4 billion from the nutrition title.

However, according to the latest CBO projections, a projection that has reverberated in farm country, released just last Friday, the farm bill we passed last year would now only save \$13 billion and no longer represents savings in the nutrition title. We could have done more last year, and we must do more this year to rein in the largest expenditure within the Department of Agriculture budget.

No, it does not go to farmers. We are talking about specifically the Supplemental Nutrition Assistance Program, called SNAP, more commonly known as food stamps.

In the context of sequestration, SNAP was exempted from any across-the-board cuts, along with Medicare, Medicaid, and Social Security. It was in that pasture. A lot of other things were in different pastures, especially national security.

However, it is clear there are several areas within the program that could provide significant savings that were, unfortunately, left untouched. The legislation I introduce today, along with Senator JOHANNIS and Senator THUNE, builds off of several amendments previously offered in a piecemeal fashion. We have wrapped them all together. Each should be enacted, but combined in this bill they represent over \$36 billion in savings.

By eliminating loopholes, duplicative programs, unnecessary bonuses, inflation adjustments, and restricting lottery winners from receiving benefits, this legislation will instill and restore integrity to SNAP while still providing benefits to those truly in need. I ought to repeat that this restores integrity to SNAP while still providing benefits to those truly in need.

I am not proposing a dramatic change in the policy of nutrition programs. Instead, this legislation enforces the principles of good government and returns SNAP spending to much more responsible levels. While saving over \$36 billion, our legislation also makes commonsense and comprehensive reforms to SNAP, the Food Stamp Program, that can and should be enacted immediately.

Over one-half of the SNAP food benefits in our country are utilized by households with children, and SNAP can play, and does play, a critical role in helping people put food on the table in times of need. However, at least 17 States, I am sorry to report, 17 States are gaming the system by designing their Low-Income Home Energy Assistance Program—the acronym for that is LIHEAP, a very commonly used term with regards to nutrition programs and the energy programs. But these 17 States designed their programs to exploit the Food Stamp Program. This is not right. It is not right.

The LIHEAP loophole works like this: A participating State agency annually issues extremely low LIHEAP benefits to qualify otherwise ineligible households for standard utility allowances, which then result in increased monthly food stamp benefits. For example, today a State agency can issue only \$1 annually in LIHEAP benefits to increase monthly food stamp benefits on an average of \$90 a month. That is \$1,080 per year for households that do not otherwise pay out-of-pocket utility bills.

That is not right. Last year the Senate farm bill included a provision to tighten the LIHEAP loophole. Even though it would only reduce the loophole, it set the minimum qualifying LIHEAP benefit at \$10 annually—not \$1, \$10. At the time it would have saved taxpayers nearly \$450 million every year for a total of \$4 billion over a 10-year period.

Completely eliminating the LIHEAP loophole, as my legislation does, will

save taxpayers \$12 billion. Let me be very clear about it. Eliminating the LIHEAP loophole does not affect SNAP eligibility for anyone using the Food Stamp Program. Eliminating the LIHEAP loophole would only decrease SNAP benefits for those who would not otherwise qualify for the higher SNAP benefits, the food stamp benefits.

Let me point out another area that must be reformed: States using categorical eligibility for automatic eligibility to provide food stamp benefits. Categorical eligibility is simply known as Cat-El. It was designed to help streamline the administration of SNAP by allowing households to be certified as eligible for the food stamp benefits and be certified without evaluating household assets or gross income, a previous requirement.

Now, 42 States, unfortunately—I do not like to report these kinds of things. However, 42 States are exploiting an unintended loophole of the Temporary Assistance to Needy Families Program and simply provided informational brochures and informational 1-800 numbers to maximize the food stamp enrollment and the corresponding increase in Federal food benefits.

These States are gaming the system to bring otherwise ineligible SNAP participants into the program. My legislation ties categorical eligibility to cash assistance, thereby eliminating this loophole. That saves taxpayers \$11.5 billion, a lot of money. To be clear, this represents a cut to SNAP food benefits. However, this amount represents the amount of benefits to people who would not otherwise be eligible for these benefits were it not for States gaming the system.

In an ongoing effort to streamline government programs and reduce redundancy and taxpayer spending, we should also look at the unnecessary spending in Federal employment and training programs. According to a GAO report last year, there are currently 47 such programs that annually cost \$18 billion. Let me repeat that. There are 47 programs annually costing \$18 billion—Federal employment and training programs.

Nobody would object to a Federal employment and training program given the problems we have with our country. But 47, according to a GAO report, \$18 billion. Eliminating the duplicative SNAP employment and training programs would save more than \$4 billion and would not affect SNAP food benefits. I repeat. This provision of this legislation would not cut the buying power of any food stamp household to put food in their refrigerators and also their kitchen cupboards.

What am I talking about? In addition to the base program funding that we are talking about with employment and training help, States have the option of providing their own funding to their State education and training pro-

gram. Then the Department of Agriculture is required to match that.

Currently, four States receive over 80 percent of the total 50-50 match funding. Four States, 80 percent? What about the rest of the States? They include New York, California, Pennsylvania, and New Jersey. New York, 36, 37, percent; California, 21 percent; Pennsylvania, about 13 percent; New Jersey, about 10.

This optional 50-50 Federal match is uncapped. It can be used by States to provide reimbursement for participant expenses in regard to education and training that are deemed reasonable and necessary. But somebody has to define "reasonable and necessary." The following items have come under "reasonable and necessary," especially in these four States: union dues, test fees, clothing and tools required for the job, relocation expenses, licensing, bonding fees, transportation, childcare, tennis lessons. I made that up. I thought it would catch your attention, Mr. President. No, there are no tennis lessons. There might be, could be. But at least in regards to this reform, let's go to another provision of my legislation.

It ends the USDA practice of giving \$48 million in awards every year to State agencies for basically doing their job to ensure proper use of the American tax dollar. Currently, bonuses are given to States for "best program access," signing up as many people for food stamps as possible. "Most improved program access." How many more people signed up for SNAP compared to the previous year? So if you sign up more people then you signed up last year, well, you get an award. "Best application timeliness." That is handling applications within the required guidelines, and we are getting a benefit from that.

State agencies are rewarded for performing the minimum expectations for stewardship of the Food Stamp Program and also of the American tax dollar. The bonuses are not even required to be used for food stamp administration. A recipient State may choose the funding for any State priority. So we are talking about \$48 million.

That goes to State agencies of these four Oscar Awards in regard to food stamps, but they can use the funding for anything, for any State priority. Eliminating these unnecessary State bonuses will save taxpayers, over 10 years, \$480 million.

Another area where my legislation streamlines government programs is through the elimination of the SNAP Nutrition Education Grant Program. A number of existing nutrition education programs are delivered more equitably with a cost-benefit ratio that makes more sense, at least six Federal programs administered by the Department of Agriculture and the National Institutes of Health and Land Grant University Extension Programs.

In practice, the SNAP Nutrition Education Program is inequitably distributed with the top four States—here we go again—receiving over 54 percent of the funding. The bottom 33 State agencies receive less than 1 percent of the total funding. That is not right.

Additionally our bill ends inflation adjustments for countable resources and for emergency food assistance, saving over \$600 million.

The legislation also terminates the ongoing stimulus of several years ago enacted by the American Recovery and Reinvestment Act of 2009, which provided extra funding to increase monthly SNAP food benefits.

Finally, the legislation does prohibit lottery winners—Senator STABENOW insisted on this in the last farm bill and it makes a lot of sense—from receiving SNAP benefits and keeps them from receiving new benefits if they do not meet the financial requirements of SNAP.

Overall, by eliminating several duplicative programs, closing loopholes, and ending unnecessary spending, the Improve Nutrition Program Integrity and Deficit Reduction Act will save taxpayers over \$36 billion, the latest score by the CBO.

I understand the importance of domestic food assistance programs for many hard-working Americans, including many Kansans. I know that. In 1996, when I was chairman of the House Agriculture Committee, there was an effort to send the Food Stamp Program back to the States—and the Governors wanted it. They wanted the money, they didn't want the food stamps. We made an effort under a very historic farm bill at that time not only to save and reform but restore integrity to the Food Stamp Program. We have another opportunity right now. I do understand the importance of domestic food assistance programs for many hard-working Americans and Kansans.

My goal is very simple, again restoring integrity to the Supplemental Nutrition Assistance Program in a commonsense and comprehensive manner. Enacting this package of reforms will allow the Federal Government to continue to help those who truly need SNAP food benefits and assistance.

Again, I thank Senators THUNE and JOHANNIS for their assistance in this effort. I look forward to working with my colleagues to enact these reforms for the benefit of all Americans.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, Ms. WARREN, Mr. LEAHY, Mr. LEVIN, Mr. ROCKEFELLER, Mrs. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. REED, Mr. SCHUMER, Ms. STABENOW, Mr. LAUTENBERG, Mr. BROWN, Ms. KLOBUCHAR, Mr.

MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. COWAN):

S. 460. A bill to provide for an increase in the Federal minimum wage; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, for several years now I have come to the floor to talk about the need to bolster the middle class in this country and restore the American Dream. The American Dream is supposed to be about building a better life. If you work hard and play by the rules, you should be able to support your family, join the middle class, and provide a bright future for your children.

But tens of millions of hardworking Americans who are earning at or near the minimum wage are not only struggling to reach the middle class and achieve the American Dream, they are falling behind. We need to do more to support these workers as they try to build opportunity for their families and their futures. A critical first step is to ensure that they earn a fair day's pay for a hard day's work. That is why today I am joining with Congressman GEORGE MILLER to introduce the Fair Minimum Wage Act of 2013 to raise the minimum wage.

Our bill will do three things: first, it will gradually increase the minimum wage to \$10.10 an hour in three annual steps. Second, our bill will link future increases in the minimum wage to the cost of living, through the Consumer Price Index, so that people who are trying to get ahead don't fall behind as our economy grows. Finally, our bill will—for the first time in more than 20 years—raise the minimum wage for workers who earn tips, from a paltry \$2.13 per hour to a level that is 70 percent of the regular minimum wage. This will be gradually phased in over the course of 6 years, which will give businesses time to adjust while providing more fairness for hardworking people in tipped industries.

These raises are long overdue. Over the past several decades, average wages in this country have stagnated, but the minimum wage has actually declined in real terms. It has not kept up with costs, average wages, or rapid growth in productivity.

Since its peak in 1968, the minimum wage has lost 31 percent of its purchasing power. That means minimum-wage workers are effectively earning almost a third less than they did four decades ago. In fact, if the minimum wage had kept up with rising prices for food, rent, utilities, clothing, and other goods, then the wage would be \$10.56 today. But instead it's \$7.25. My bill will restore much of the buying power of the minimum wage.

The minimum wage also used to be a meaningful standard compared with what most people earned and compared with what workers in the economy produced. In 1968, it was just over half of

average production wages. But today the minimum wage has fallen to 37 percent of the average production wage.

While Americans are working longer and harder than ever, their paychecks don't reflect their contribution. Workers are much more productive now than in the past. Productivity has risen more than 130 percent since 1968. But average wages have not budged in real terms and the minimum wage has lost ground. So while companies have reaped the benefits of all this productivity growth, the people who actually do the work have seen none of these gains.

As Congress has allowed the minimum wage to languish, working families have fallen below the poverty line. In the 1960s and 1970s, the minimum wage kept a family of three above the poverty line—20 percent above it in 1968. But today, a family of three with one minimum wage earner working full-time, year-round, will bring home a paycheck that is 18 percent below the poverty line.

The Fair Minimum Wage Act will restore the value of the minimum wage, bringing families back above the poverty line, to 106 percent of the poverty line for a family of three. With its provision to index the minimum wage to the cost of living in the future, the minimum wage will no longer lose value. It will rise as the economy grows, which will allow working families to keep up with rising costs.

I think it is very important that we talk about the people who will benefit from the Fair Minimum Wage Act. There are 30 million Americans who will get a fair wage because of this bill, either directly by the legislation or indirectly through the "trickle up" effects of a higher wage floor. That's one out of five workers in our country that will be impacted.

They do the hard, important jobs to keep our economy running. They are cashiers and sales help in stores; waiters, waitresses, bussers, runners and hostesses in restaurants. They care for our children, elders, and other loved ones. They help us at the gas station or in the parking garage. They clean offices and homes, and maintain buildings and grounds. They provide administrative support in offices. They work in the fields to bring food to our tables. They all deserve a fair wage.

The families of these 30 million workers will also benefit. Eighteen million children have parents who will get a raise. This will be so meaningful for these families, who are working to build a better life. For a full-time, year-round worker earning right at the minimum wage, it will mean gradually moving from \$15,000 a year to \$21,000 a year. Think about that. Most of us in this Chamber would not take too much notice of a \$6,000 raise. But for minimum wage workers, that's nearly 40 percent more, and that will go a long

way to buying groceries and school supplies, paying rent, and saving for college or retirement.

Everyone in our country who works hard and plays by the rules deserves these opportunities: and not just to survive, but to aspire to the middle class.

Raising the minimum wage will benefit our economy as well. With an increase in the minimum wage, workers will have more money to spend. This is just basic economics: increased demand means increased economic activity. They will spend their money in their local economies, giving a boost to Main Street. In fact, economists estimate that the Fair Minimum Wage Act will boost our GDP by \$33 billion as it is implemented over the course of three years, generating 140,000 jobs in that time.

We know we can afford this. Wages aren't stuck at rock-bottom levels because our economy isn't growing. Our economy is growing. The problem is that growth is going to profits, to shareholders and executives. Inequality is at the highest level we have seen since the eve of the Great Depression. CEOs are raking in millions, while the people who do the real work in this country are struggling just to get by. In 2011, S&P 500 CEOs earned an average of \$13 million. The average CEO earns more before lunchtime on his first day of work than a minimum wage worker earns all year. That is simply appalling.

Now some people, specially the big corporations with these lavish salaries, will criticize my bill, saying it will force businesses to lay off workers or cut back their hours. They say workers will be hurt if the minimum wage goes up. But history proves that these assertions are just plain wrong. We know from decades of rigorous research analyzing the real-life effects of minimum wage increases that minimum wage raises along the lines what I am proposing do not result in job losses or reduced hours. Second, these raises do, in fact, boost workers' earnings. This research applies to teenagers, too. I will say it again: minimum wage increases do not cause teenage unemployment.

So we will not see negative effects from raising the minimum wage. But we will see positive effects for businesses and our economy. We know that increased wages boosts productivity and morale. Turnover falls significantly, which saves businesses thousands of dollars in recruitment, hiring, and training costs. Moreover, all businesses would have the same minimum wage, meaning businesses that are doing the right thing by paying fair wages will not be undercut by competitors who pay rock-bottom wages.

The American public knows that opponents' outlandish claims about raising the minimum wage don't hold water. That is why raising the min-

imum wage is incredibly popular among the American public. A national poll last year showed that 73 percent of Americans support raising the minimum wage to \$10 an hour and linking it in the future to the cost of living. Even 50 percent of Republicans support raising and indexing the minimum wage. A 2011 poll showed that more than seventy percent of Americans believe that indexing the minimum wage to keep up with inflation will be good for the country.

The Fair Minimum Wage Act has been endorsed by nearly 200 national and local organizations around the country, and the support is only growing. They represent a wide cross-section of the American community. They are working to end poverty, hunger, and homelessness; to increase community involvement; and to ensure fairness for women and people of color. They are organizations of people of faith and organizations of workers. They are retirees and moms and members of the LGBT community. They are social workers, direct care workers, and steelworkers. And they are small businesses. The bill has been endorsed by the US Women's Chamber of Commerce, representing 500,000 small businesses around the country; by the Main Street Alliance, with chapters in a dozen states and 12,000 small business members; by the American Sustainable Business Council, which along with its member organizations represents more than 150,000 businesses nationwide, as well as more than 300,000 entrepreneurs, managers and investors; and by Business for a Fair Minimum Wage and Business for Shared Prosperity.

Because raising the minimum wage is so popular, and so necessary, many States have moved ahead of the Federal Government to do so. Nineteen states and the District of Columbia have raised their minimum wage above the federal level, all across the country. Ten states have already implemented annual indexing of the minimum wage to keep up with the rising cost of living. Thirty States have increased their minimum wage for tipped workers above the Federal level.

I am proud to introduce the Fair Minimum Wage Act of 2013. It is long past time to give Americans a raise. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fair Minimum Wage Act of 2013".

SEC. 2. MINIMUM WAGE INCREASES.

(a) MINIMUM WAGE.—

(1) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) except as otherwise provided in this section, not less than—

"(A) \$8.20 an hour, beginning on the first day of the third month that begins after the date of enactment of the Fair Minimum Wage Act of 2013 Act;

"(B) \$9.15 an hour, beginning 1 year after that first day;

"(C) \$10.10 an hour, beginning 2 years after that first day; and

"(D) beginning on the date that is 3 years after that first day, and annually thereafter, the amount determined by the Secretary pursuant to subsection (h);".

(2) DETERMINATION BASED ON INCREASE IN THE CONSUMER PRICE INDEX.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

"(h)(1) Each year, by not later than the date that is 90 days before a new minimum wage determined under subsection (a)(1)(D) is to take effect, the Secretary shall determine the minimum wage to be in effect pursuant to this subsection for the subsequent 1-year period. The wage determined pursuant to this subsection for a year shall be—

"(A) not less than the amount in effect under subsection (a)(1) on the date of such determination;

"(B) increased from such amount by the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (United States city average, all items, not seasonally adjusted), or its successor publication, as determined by the Bureau of Labor Statistics; and

"(C) rounded to the nearest multiple of \$0.05.

"(2) In calculating the annual percentage increase in the Consumer Price Index for purposes of paragraph (1)(B), the Secretary shall compare such Consumer Price Index for the most recent month, quarter, or year available (as selected by the Secretary prior to the first year for which a minimum wage is in effect pursuant to this subsection) with the Consumer Price Index for the same month in the preceding year, the same quarter in the preceding year, or the preceding year, respectively."

(b) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES.—Section 3(m)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(1)) is amended to read as follows:

"(1) the cash wage paid such employee, which for purposes of such determination shall be not less than—

"(A) for the 1-year period beginning on the first day of the third month that begins after the date of enactment of the Fair Minimum Wage Act of 2013, \$3.00 an hour;

"(B) for each succeeding 1-year period until the hourly wage under this paragraph equals 70 percent of the wage in effect under section 6(a)(1) for such period, an hourly wage equal to the amount determined under this paragraph for the preceding year, increased by the lesser of—

"(i) \$0.95; or

"(ii) the amount necessary for the wage in effect under this paragraph to equal 70 percent of the wage in effect under section 6(a)(1) for such period, rounded to the nearest multiple of \$0.05; and

"(C) for each succeeding 1-year period after the year in which the hourly wage under this paragraph first equals 70 percent of the wage in effect under section 6(a)(1) for the same period, the amount necessary to ensure that the wage in effect under this paragraph remains equal to 70 percent of the wage in effect under section 6(a)(1), rounded to the nearest multiple of \$0.05; and".

(c) PUBLICATION OF NOTICE.—Section 6 of the Fair Labor Standards Act of 1938 (as amended by subsection (a)) (29 U.S.C. 206) is further amended by adding at the end the following:

“(i) Not later than 60 days prior to the effective date of any increase in the minimum wage determined under subsection (h) or required for tipped employees in accordance with subparagraph (B) or (C) of section 3(m)(1), as amended by the Fair Minimum Wage Act of 2013, the Secretary shall publish in the Federal Register and on the website of the Department of Labor a notice announcing the adjusted required wage.”.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the first day of the third month that begins after the date of enactment of this Act.

By Mr. INHOFE (for himself, Mr. COBURN, and Mr. CHAMBLISS):

S. 464. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

Mr. INHOFE. Mr. President, today I would like to introduce a piece of legislation that I believe is of great importance to the unity of the American people—the English Language Unity Act of 2013.

That English Language Unity Act of 2013 recognizes the practical reality of the role of English as our national language and makes English the official language of the United States government, a status in law it has not had before, and calls on government to preserve and enhance the role of English as the official language.

Let me be clear, nothing in the bill prohibits the use of a language other than English. The bill specifically exempts certain actions from requiring English, such as actions necessary for national security, trade, and protecting the public health and safety. The English Language Unity Act is an attempt to legislate a common sense language policy that a nation of immigrants needs one national language. Our Nation was settled by a group of people with a common vision. As our population has grown, our cultural diversity has grown as well. This diversity is part of what makes our nation great.

However, we must be able to communicate with one another so that we can appreciate our differences. When members of our society cannot speak a common language, misunderstandings arise. Furthermore, the individuals who do not speak the language of the majority miss out on many opportunities to advance in society and achieve the American Dream.

The English Language Unity Act of 2013 requires the establishment of a uniform language requirement for naturalization and requires that all naturalization ceremonies be conducted in English. I want to empower new immigrants coming to our nation by helping them understand and become successful in their new home. I believe that one of the most important ways immigrants can achieve success is by learning English.

There is enormous popular support for English as the official language according to polling that has taken place over the last few years. A large majority of Americans support making English the official language of the United States. There is also widespread and bipartisan support for this legislation, and I hope that you will join me this Congress in supporting the English Language Unity Act of 2013.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “English Language Unity Act of 2013”.

SEC. 2. FINDINGS.

Congress finds and declares the following:

(1) The United States is comprised of individuals from diverse ethnic, cultural, and linguistic backgrounds, and continues to benefit from this rich diversity.

(2) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been the English language.

(3) Among the powers reserved to the States respectively is the power to establish the English language as the official language of the respective States, and otherwise to promote the English language within the respective States, subject to the prohibitions enumerated in the Constitution of the United States and in laws of the respective States.

SEC. 3. ENGLISH AS OFFICIAL LANGUAGE OF THE UNITED STATES.

(a) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 6—OFFICIAL LANGUAGE

“§ 161. Official language of the United States

“The official language of the United States is English.

“§ 162. Preserving and enhancing the role of the official language

“Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

“§ 163. Official functions of Government to be conducted in English

“(a) OFFICIAL FUNCTIONS.—The official functions of the Government of the United States shall be conducted in English.

“(b) SCOPE.—For the purposes of this section—

“(1) the term ‘United States’ means the several States and the District of Columbia; and

“(2) the term ‘official’ refers to any function that—

“(A) binds the Government;

“(B) is required by law; or

“(C) is otherwise subject to scrutiny by either the press or the public.

“(c) PRACTICAL EFFECT.—This section shall apply to all laws, public proceedings, regulations, publications, orders, actions, programs, and policies, but does not apply to—

“(1) teaching of languages;

“(2) requirements under the Individuals with Disabilities Education Act;

“(3) actions, documents, or policies necessary for national security, international relations, trade, tourism, or commerce;

“(4) actions or documents that protect the public health and safety;

“(5) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;

“(6) actions that protect the rights of victims of crimes or criminal defendants; or

“(7) using terms of art or phrases from languages other than English.

“§ 164. Uniform English language rule for naturalization

“(a) UNIFORM LANGUAGE TESTING STANDARD.—All citizens should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution, and the laws of the United States made in pursuance of the Constitution.

“(b) CEREMONIES.—All naturalization ceremonies shall be conducted in English.

“§ 165. Rules of construction

“Nothing in this chapter shall be construed—

“(1) to prohibit a Member of Congress or any officer or agent of the Federal Government, while performing official functions, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English);

“(2) to limit the preservation or use of Native Alaskan or Native American languages (as defined in the Native American Languages Act);

“(3) to disparage any language or to discourage any person from learning or using a language; or

“(4) to be inconsistent with the Constitution of the United States.

“§ 166. Standing

“A person injured by a violation of this chapter may in a civil action (including an action under chapter 151 of title 28) obtain appropriate relief.”.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 4, United States Code, is amended by inserting after the item relating to chapter 5 the following new item:

“CHAPTER 6. OFFICIAL LANGUAGE”.

SEC. 4. GENERAL RULES OF CONSTRUCTION FOR ENGLISH LANGUAGE TEXTS OF THE LAWS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following new section:

“§ 8. General rules of construction for laws of the United States

“(a) English language requirements and workplace policies, whether in the public or private sector, shall be presumptively consistent with the Laws of the United States.

“(b) Any ambiguity in the English language text of the Laws of the United States shall be resolved, in accordance with the last two articles of the Bill of Rights, not to deny or disparage rights retained by the people, and to reserve powers to the States respectively, or to the people.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, is amended by inserting after the item relating to section 7 the following new item:

“8. General Rules of Construction for Laws of the United States.”.

SEC. 5. IMPLEMENTING REGULATIONS.

The Secretary of Homeland Security shall, within 180 days after the date of enactment of this Act, issue for public notice and comment a proposed rule for uniform testing English language ability of candidates for naturalization, based upon the principles that—

(1) all citizens should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution, and the laws of the United States which are made in pursuance thereof; and

(2) any exceptions to this standard should be limited to extraordinary circumstances, such as asylum.

SEC. 6. EFFECTIVE DATE.

The amendments made by sections 3 and 4 shall take effect on the date that is 180 days after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 67—DESIGNATING APRIL 5, 2013, AS “GOLD STAR WIVES DAY”

Mr. BURR (for himself and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 67

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas, in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2013, marks the 68th anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2013, as “Gold Star Wives Day”;

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

SENATE CONCURRENT RESOLUTION 5—EXPRESSING THE SENSE OF CONGRESS THAT JOHN ARTHUR “JACK” JOHNSON SHOULD RECEIVE A POSTHUMOUS PARDON FOR THE RACIALLY MOTIVATED CONVICTION IN 1913 THAT DIMINISHED THE ATHLETIC, CULTURAL, AND HISTORIC SIGNIFICANCE OF JACK JOHNSON AND UNDULY TARNISHED HIS REPUTATION

Mr. MCCAIN (for himself, Mr. REID, and Mr. COWAN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 5

Whereas John Arthur “Jack” Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights;

Whereas, after being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White titleholder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World;

Whereas the victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the “great white hope”;

Whereas, in 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the “Battle of the Century”;

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially motivated murder of African-Americans nationwide;

Whereas the relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites;

Whereas, between 1901 and 1910, 754 African-Americans were lynched, some simply for being “too familiar” with White women;

Whereas, in 1910, Congress passed the Act of June 25, 1910 (commonly known as the “White Slave Traffic Act” or the “Mann Act”) (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce “for the purpose of prostitution or debauchery, or for any other immoral purpose”;

Whereas, in October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an “immoral purpose” in violation of the Mann Act;

Whereas the Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson;

Whereas Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of “prostitution and debauchery”;

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and various European and South American countries;

Whereas Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title;

Whereas Jack Johnson served his country during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

Whereas Jack Johnson died in an automobile accident in 1946;

Whereas, in 1954, Jack Johnson was inducted into the Boxing Hall of Fame; and

Whereas, on July 29, 2009, the 111th Congress agreed to Senate Concurrent Resolution 29, which expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially motivated 1913 conviction: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

Mr. MCCAIN. Mr. President, I come to the floor to speak about a resolution I have submitted which calls on the President of the United States to posthumously pardon the world’s first African-American heavyweight champion, John Arthur “Jack” Johnson. I am

proud to be joined in this effort by my friend, the majority leader, HARRY REID and the Senator from Massachusetts Mr. COWAN.

I would point out that the majority leader of the Senate was once an excellent fighter himself, of great skill and agility, which he continues to display here as majority leader of the Senate. I would also like to thank him for his commitment to the sport of boxing and for joining me again in attempting to do justice for a man who was done a great injustice.

For my colleagues who may not be familiar with the story of the late Jack Johnson, he is considered by many to be the most dominant athlete in boxing history. Arthur John Johnson was born in Galveston, TX, in 1878 to parents who were former slaves. At an early age, he realized his talent for the sweet science. In order to make a living, Johnson traveled across the country fighting anyone willing to face him. But he was denied repeatedly, on purely racial grounds, a chance to fight for the world heavyweight title. For too long African-American fighters were not seen as legitimate contenders for the championship. Fortunately, after years of perseverance, Johnson was finally granted an opportunity in 1908 to fight the then-reigning title holder, Tommy Burns, in Sydney, Australia. Even though the fight lasted 14 rounds, Johnson handily defeated Burns to become the first African-American heavyweight champion of the world.

Jack Johnson's success in the ring, and sometimes indulgent lifestyle outside of it, fostered resentment among many and raised concerns that his continued dominance in the ring would somehow disrupt what was then perceived by many as a racial order. So as history tells us, a search for a Caucasian boxer who could defeat Johnson began. This recruitment effort became known as the search for the "Great White Hope." The so-called hope arrived in the person of former champion Jim Jeffries, who returned from retirement to fight Johnson in 1910. Johnson went on to defeat Jeffries, and as a shameful consequence race riots broke out in several cities as many sought to avenge Jeffries' defeat.

Following the loss of the "Great White Hope," the Federal Government launched an investigation into the legality of Johnson's relationships with Caucasian women. At that time the Mann Act, which was enacted in 1910, outlawed the transport of Caucasian women across State lines for the purpose of prostitution or debauchery or for "any other immoral purpose." Using the "any other immoral purpose" clause as a pretext, Federal law enforcement officials set out to get Jack Johnson.

On October 18, 1912, the Federal Government got their man. On that day, Johnson was arrested for transporting

his Caucasian girlfriend across State lines in violation of the Mann Act. However, the charges were subsequently dropped when the Caucasian female, whose mother had originally tipped off Federal officials, refused to cooperate with authorities. She later married Jack Johnson.

Not to be outdone, the Federal authorities remained persistent in their determination to persecute Johnson, persuading a former scorned Caucasian girlfriend of Johnson's to testify that he had transported her across State lines. Her testimony resulted in Johnson's conviction in 1913, when he was sentenced to 1 year and a day in Federal prison. During Johnson's appeal, one prosecutor admitted:

Mr. Johnson was perhaps persecuted as an individual, but that it was his misfortune to be the foremost example of the evil in permitting the intermarriage of whites and blacks.

After the trial, Johnson fled the country to Canada and then traveled to various European and South American countries before losing his heavyweight champion title in Cuba in 1915. Ultimately overcome by homesickness, Jack Johnson returned to the United States in 1920, surrendering to Federal authorities, and served nearly 1 year in Federal prison. Despite this obvious and clear injustice, Johnson refused to turn his back on the country that betrayed him. Mr. Johnson died in an automobile accident in 1946 at the age of 68 years.

Today, as we look back on our Nation's history, the Jack Johnson case is a shameful stain apparent to all. Rectifying this injustice is long overdue. The resolution we submit today calls on the President to pardon Mr. Johnson posthumously. It recognizes the unjustness of what transpired and sheds light on the achievements of an athlete who was forced into the shadows of bigotry and prejudice. Jack Johnson may have been a flawed individual, and he was certainly controversial during his day, but he was also a historic American figure whose life and accomplishments played an instrumental role in our Nation's development and progress toward true equality under the law.

There is no doubt Jack Johnson deserved much better than a racially motivated conviction which denied him his liberty and served to diminish his athletic, cultural, and historic significance. As a body we should adopt this resolution and continue to fight for a posthumous pardon for Jack Johnson to afford future generations the opportunity to grasp fully what Jack Johnson accomplished—against great odds—and appreciate his contributions to society unencumbered by the taint of an unjust, racially motivated criminal conviction.

Sadly, there is no way for us to possibly right the wrong that was done to

Jack Johnson during his lifetime, but what we can do is take this small step toward acknowledging his mistreatment and remove the cloud that casts a shadow on his legacy. After all, that cloud over Jack Johnson's legacy says more about our past wrongs than it could honestly ever say about Johnson's own. As such, I urge my colleagues to support and swiftly adopt the resolution which requests the President of the United States grant Jack Johnson a posthumous pardon.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 5, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 5, 2013, at 10:00 a.m. in room SD-G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 5, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, as amended by Public Law 110-315, appoints the following individual to the Advisory Committee on Student Financial Assistance: Roberta Johnson of Iowa vice Norm Bedford of Nevada.

ORDERS FOR WEDNESDAY, MARCH 6, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 6, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume executive session to consider the nomination of Caitlin Halligan to be a U.S. circuit judge for the DC Circuit, with the time until 10:30 a.m. equally divided and controlled in the

usual form; further, that at 10:30 a.m. the cloture vote on the Halligan nomination occur.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be a cloture vote, then, Mr. President, on the Halligan nomination at 10:30 a.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Wednesday, March 6, 2013, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 5, 2013:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL ARNOLD W. BUNCH, JR.
BRIGADIER GENERAL THERESA C. CARTER
BRIGADIER GENERAL SANDRA E. FINAN
BRIGADIER GENERAL JEFFREY L. HARRIGIAN
BRIGADIER GENERAL TIMOTHY J. LEAHY
BRIGADIER GENERAL GREGORY J. LENGUEL
BRIGADIER GENERAL LEE K. LEVY II
BRIGADIER GENERAL JAMES F. MARTIN, JR.
BRIGADIER GENERAL JERRY P. MARTINEZ
BRIGADIER GENERAL PAUL H. MCGILLICUDDY
BRIGADIER GENERAL ROBERT D. MCMURRY, JR.
BRIGADIER GENERAL EDWARD M. MINAHAN
BRIGADIER GENERAL MARK C. NOWLAND
BRIGADIER GENERAL TERENCE J. O'SHAUGHNESSY
BRIGADIER GENERAL MICHAEL T. PLEHN
BRIGADIER GENERAL MARGARET B. POORE
BRIGADIER GENERAL JAMES N. POST III
BRIGADIER GENERAL STEVEN M. SHEPRO
BRIGADIER GENERAL DAVID D. THOMPSON
BRIGADIER GENERAL SCOTT A. VANDER HAMM
BRIGADIER GENERAL MARSHALL B. WEBB
BRIGADIER GENERAL BURKE E. WILSON
BRIGADIER GENERAL SCOTT J. ZOBRIST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL NINA M. ARMAGNO
COLONEL SAM C. BARRETT

COLONEL STEVEN L. BASHAM
COLONEL RONALD D. BUCKLEY
COLONEL CARL A. BUHLER
COLONEL JOHN A. CHERREY
COLONEL JAMES C. DAWKINS, JR.
COLONEL PATRICK J. DOHERTY
COLONEL DAWN M. DUNLOP
COLONEL THOMAS L. GIBSON
COLONEL JAMES B. HECKER
COLONEL PATRICK C. HIGBY
COLONEL MARK K. JOHNSON
COLONEL BRIAN M. KILLOUGH
COLONEL ROBERT D. LABRUTTA
COLONEL RUSSELL L. MACK
COLONEL PATRICK X. MORDENTE
COLONEL SHAUN Q. MORRIS
COLONEL PAUL D. NELSON
COLONEL JOHN M. PLETCHER
COLONEL DUKE Z. RICHARDSON
COLONEL BRIAN S. ROBINSON
COLONEL BARRE R. SEGUIN
COLONEL JOHN S. SHAPLAND
COLONEL ROBERT J. SKINNER
COLONEL JAMES C. SLIFE
COLONEL DIRK D. SMITH
COLONEL JEFFREY B. TALIAFERRO
COLONEL JON T. THOMAS
COLONEL GLEN D. VANHERCK
COLONEL STEPHEN N. WHITING
COLONEL JOHN M. WOOD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBIN RAND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN M. BEDNAREK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GENERAL LLOYD J. AUSTIN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LIEUTENANT GENERAL ROBERT L. CASLEN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3034:

To be general

LT. GEN. JOHN F. CAMPBELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. VINCENT K. BROOKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID M. RODRIGUEZ

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PAUL W. BRIER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADMIRAL WILLIAM H. HILARIDES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. AUCCINO

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH ALAN S. FINE AND ENDING WITH PAUL R. NEWBOLD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

IN THE ARMY

ARMY NOMINATION OF JASMINE T. N. DANIELS, TO BE COLONEL.
ARMY NOMINATION OF PAUL W. ROECKER, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JAMES B. BARKLEY AND ENDING WITH MICHAEL E. SPRAGGINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATION OF LENA M. FABIAN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH YIMING A. CHING AND ENDING WITH JOSEPH F. GOODMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATIONS BEGINNING WITH WILLIAM C. ALLEY AND ENDING WITH D010916, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATIONS BEGINNING WITH ALISON R. HUPPMAN AND ENDING WITH ALLEGRA E. LOBEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATIONS BEGINNING WITH THOMAS M. GREGO AND ENDING WITH GEORGE J. ZECKLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH ANDREW W. DELEY AND ENDING WITH GREGORY E. RINGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

EXTENSIONS OF REMARKS

TRIBUTE TO MATTHEW CONNOLLY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Matthew Connolly for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Matthew Connolly is the president of his own green builder company, Generation Green Builders Company, and resides in the Beavertdale neighborhood of Des Moines with his wife Jodi and their two children, Malaya Rose and Lane Matthew. Mr. Connolly's path to being a successful businessman and family man was anything but easy and required overcoming a serious mental illness, schizophrenia. Matt credits his ability to maintain his recovery since 2004 on five pillars of recovery—medication, therapy, social worker support, family and friends, and support groups. Today, Mr. Connolly is running his own company and serving as an advocate for mental illness awareness. Matt's ability to not only survive, but thrive, amidst his mental illness is a testament to his unwavering work ethic and commitment to bettering himself and those around him.

Mr. Speaker, it is a profound honor to represent leaders like Matthew in the United States Congress and it is with great pride that I recognize and applaud Mr. Connolly for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Matthew on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING CASIMIR PULASKI DAY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the life of Polish and American freedom

fighter Casimir Pulaski. In my home state of Illinois, we celebrate Casimir Pulaski Day, which is observed on the first Monday of March.

Born in Warsaw, Poland, on March 6, 1745, Casimir Pulaski was a skilled commander who fought against Russian forces in Poland. Based upon his work fighting for freedom in Poland, Pulaski was recruited by Benjamin Franklin to join in the American Revolution. In his first correspondence to George Washington, Pulaski famously wrote, "I came here, where freedom is being defended, to serve it, and to live or die for it." In his first battle of the Revolution, the Battle of Brandywine on September 11, 1777, Pulaski helped alter the course of history by rallying a counterattack against advancing British forces that afforded Washington and countless American troops the time needed to successfully retreat. As a result, Washington promoted Pulaski to brigadier general of the American cavalry.

His influence on American independence did not end there. Pulaski introduced some modern military tactics to the American revolutionaries and led troops in numerous battles and sieges up and down the eastern seaboard. He organized the Continental Army's first successful cavalry unit, often using his own money to finance equipment for his men.

On October 9, 1779, during the Battle of Savannah, Pulaski was struck by grapeshot while attempting to lead a secondary charge against the entrenched British. He was taken aboard the USS *Wasp* and died from his wounds two days later. On October 15, he was buried at sea. Today Pulaski is remembered as the father of the American cavalry and one of the heroes of the American Revolution. He has been memorialized across America, through the naming of towns, counties, roads, and other landmarks.

In 2009, on the 230th anniversary of his death, Congress honored Pulaski posthumously as an honorary citizen of the United States, marking only the seventh time in American history that an individual has been granted such an honor.

This past Saturday, I joined the Polish Highlanders Alliance at their headquarters in Chicago's Archer Heights community to celebrate Pulaski Day. In my address to the group gathered to remember Casimir Pulaski, I praised the long friendship between the United States and Poland, and pledged my continued support for bringing Poland into the Visa Waiver Program.

Today, I ask all Americans to remember a true Polish and American hero who devoted and ultimately sacrificed his life to the pursuit of freedom.

HONORING NANCY ANN DANIEL

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. VALADAO. Mr. Speaker, I rise today, along with my colleague Mr. COSTA, to honor Nancy Ann Daniel, of Mendota, California. For years, she served as a tireless advocate and leader in California's San Joaquin Valley. Mrs. Daniel passed away on February 4, 2013 after decades of service to our Valley's most vulnerable citizens. She will be sorely missed.

Nancy and her husband, David, were labor contractors who specialized in cantaloupe harvesting. Using their own resources, they founded the Westside Youth Center in 1977 as a local boxing club for Mendota's at-risk youth. Over the years, the center added computers to help students with homework, a football team, and provided a safe place where children could spend afternoons and weekends with positive role models.

Through her leadership and financial stewardship, Nancy was able to ensure that the services at the Westside Youth Center remained free of charge. Due to the economic downturn impacting many in the community, the Westside Youth Center has become an absolutely integral part of our Valley.

The many lives that have been impacted by the Westside Youth Center will ensure that Nancy's legacy lives on for years to come. Her passion and dedication to her community provided an excellent example to the Mendota community. She will be remembered for her smile and her constant positive and upbeat attitude.

Mrs. Daniel was humble in her commitment and dedication to the City of Mendota. She once reflected, "You can't help them all, but it makes a big difference when you help a couple." Mr. Speaker, I ask my colleagues to join me and Mr. COSTA in remembering Mrs. Nancy Ann Daniel for her invaluable service to the San Joaquin Valley.

TRIBUTE TO MATTHEW HARRIS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Matthew Harris for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Matthew Harris is an Iowa native and alumnus of the University of Northern Iowa. In March of 2011, Matthew was appointed Administrator of the Iowa Arts Council, a division of the Iowa Department of Cultural Affairs. Professionally, Harris is charged with leading the state arts agency's staff, grant-making initiatives and programming while helping advance the agency's mission of enriching the quality of life in Iowa through support of the arts. Outside of work, Matthew is heavily involved with the Character Counts in Iowa program and the Les Hale Endowment Fund. In both facets of his life, Matt is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Matthew in the United States Congress and it is with great pride that I recognize and applaud Mr. Harris for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Matthew on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING THE PEOPLE OF
NAGORNO KARABAKH

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. NUNES. Mr. Speaker, I rise today alongside my colleague, Representative DAVID VALADAO, to pay tribute to the people of Nagorno Karabakh.

Armenians have suffered some of the worst savagery of recent history, from the massacre of more than a million people in the Armenian Genocide, to the cruel repression of Soviet rule, to Azerbaijan's war against Nagorno Karabakh and the ongoing siege of that region. Through these trials and tribulations, the Armenian people have paid a steep price for their freedom. The hero's welcome Azerbaijan recently afforded to Ramil Safarov, an Azerbaijani military officer who murdered a sleeping Armenian officer during a NATO-sponsored program in Hungary, is a stark reminder of the unrelenting hostility Armenians face today.

In this year, which marks the twenty-fifth anniversary of another anti-Armenian atrocity—the Sumgait pogroms—we pay homage to the Armenian people and particularly the people of Nagorno Karabakh, who bravely struggle to maintain their right to self-determination.

COMMEMORATING THE EPILEPSY
FOUNDATION

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. GIBSON. Mr. Speaker, I rise today to commemorate the Epilepsy Foundation and two remarkable constituents of New York's 19th Congressional District. Recently, Fiona Carroll of Averill Park and Angelina Dutcher of Glasco had the distinction of being named Northeastern New York's Winning Kids of 2013. This is a noteworthy accomplishment and shows their dedication to fighting epilepsy.

Every year, the Epilepsy Foundation of Northeastern New York names two individuals to represent all of the children throughout our region who suffer from epilepsy. Through this designation, Fiona and Angelina will attend special events and fundraisers to raise awareness of and to fight this terrible disorder. Additionally, both will receive a scholarship to the summer camp of their choosing.

These two young ladies are incredible individuals and should serve as role models for us all. Fiona is an avid recreationalist and nature enthusiast. She also participates in the Girl Scouts of America, the Averill Park Youth Soccer League travel team, and uses her spare time to try to help others who are less fortunate, including recently cutting and donating her hair to the charity Locks of Love. Angelina is also an unbelievably driven and hard-working individual. She plays various sports and trains in martial arts while attending the 4th grade at the Windham-Ashland-Jewitt School.

I am very proud to have such extraordinary individuals as constituents of the 19th Congressional District. Congratulations Angelina and Fiona. I look forward to working with you both and the Epilepsy Foundation of Northeastern New York to combat epilepsy.

TRIBUTE TO CURTIS BROWN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Curtis Brown for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Curtis Brown lives in Ankeny, Iowa with his wife Rachel and sons Maximilian, Adrian

Benet, and Jude, and serves as Economic Development Director for the city. Professionally, Curtis serves the people of Ankeny by building relationships with business leaders and economic development leaders. Privately, Mr. Brown is an active member of Our Lady's Immaculate Conception Church and volunteers as a Spanish interpreter for the Make-A-Wish Foundation of Iowa. Both personally and professionally, Curtis is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Curtis in the United States Congress and it is with great pride that I recognize and applaud Mr. Brown for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Curtis on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING LARRY DOBKIN AND
"TUNED IN: THE LARRY DOBKIN
MUSIC SHOWCASE"

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor my friend Larry Dobkin. The world sometimes has a cruel way of taking the best among us, and Larry was one of the best. In September, he succumbed after a noble battle with cancer. He left behind a wife, Nanci and three kids, Alex, Carlie and Sydnie. But Larry's loss was felt far beyond his immediate family. That was Larry's gift—we all felt like family.

Perhaps never have I met another person so fiercely loyal, devoted and loving. If you were a friend—and Larry considered pretty much everyone a friend—then Larry would work himself to exhaustion for you. He made a recruiting visit to his beloved University of Illinois law school even as he was battling late-stage cancer. From his hospital bed, Larry still advocated on behalf of young lawyers in his firm and the children of friends.

I had the privilege of knowing Larry through many lenses, from Aitz Hayam, to the Jewish Federation, to Response Center and Nachshon. His passion for Israel was second to none. On countless trips to Israel, Larry touched countless more people overseas. The Jewish community lost a giant. We all did.

He thought deeply about the world and religion and family and community. Conversations with Larry always sought the highest ground, and they always focused on making the world safer, making it better for the next generation.

One of Larry's greatest endeavors was his support for Response Center, which provides outreach, counseling and sexual health services to teens and their families. For those of us who knew Larry, this isn't a surprise: it's helping kids. In recognition of his peerless efforts, Response Center has created an endowment in his honor and—perhaps even more to Larry's liking—they renamed their annual teen music showcase in his memory. From this year forward, it will be "Tuned In: The Larry Dobkin Music Showcase."

Now, Larry will be responsible for helping support young people and their families. I can't think of anything he'd want more, and I know that somewhere Larry is bear-hugging everyone in sight, not because he's proud of a personal achievement, but because his mission continues.

Though we miss him with all our hearts, our lives are immeasurably better for having shared a lot of his life together. We have to dedicate ourselves to working tirelessly, every single day, working ourselves to exhaustion and beyond because there's a void that Larry left. As we continue to grieve, we continue to work. Larry never stopped and neither can we.

Larry, I miss you. We all miss you.

TRIBUTE TO DESMUND ADAMS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Desmond Adams for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Desmund Adams is the epitome of an "American success story." Once a high school dropout and later a graduate of Drake University Law School, Desmond has gone on to live his life as an example of what is possible through hard work and dedication. In 2005, he started his own executive search firm, AdamsDouglas, and today is accountable for more than half of gross revenues for the company. Desmond resides in Clive, Iowa with his wife Dr. Shondalette Adams and their two sons, Khalil Desmond Adams and Solomon Douglas Adams. Desmond's selection as a Forty Under 40 honoree by Business Record reflects what is possible when Iowa work ethic intersects with leadership and character.

Mr. Speaker, it is a profound honor to represent leaders like Desmond in the United States Congress and it is with great pride that I recognize and applaud Mr. Adams for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Desmond on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN HONOR OF K9 VETERANS DAY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. MEEHAN. Mr. Speaker, I rise in honor of K9 Veteran's Day. March 13, 1942 is the official birthday of the United States K9 Corps and many states across the country, including Pennsylvania, have officially recognized this date as K9 Veterans Day. For decades, military and police working dogs have served alongside our brave troops and law enforcement officers. They have sacrificed and lost their lives in the line of duty, and they deserve our respect and gratitude. It is important that we take a moment to remember those canines that have served diligently to protect lives.

HONORING SHEN YUN PERFORMING ARTS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Shen Yun Performing Arts' upcoming visit to the tri-state area and the company's significant contributions to the advancement of the arts in the Philadelphia area.

Reviving the essence of 5000 years of Chinese culture, Shen Yun is a world-class dance company that has performed in cities across the United States and abroad. The company's performers practice the Falun Dafa spiritual discipline and are hosted by local Falun Dafa Associations around the world. Founded in 2006, Shen Yun has graced many of the world's greatest stages in its short tenure, including Lincoln Center in New York City, The Kennedy Center in D.C., Royal Festival Hall in London, and Le Palais de Congrès in Paris.

Philadelphia has been blessed with a vibrant and active Chinese community, one that has been bettered through the contributions of Shen Yun. I ask that you and my other distinguished colleagues help me in honoring Shen Yun and their upcoming trip to the Philadelphia area. I am thrilled that my community will be able to enjoy the beauty of this dance company in the upcoming months.

TRIBUTE TO LAWRENCE CUNNINGHAM

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Lawrence Cunningham for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an

impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Lawrence Cunningham is the Director of Business Development at Catchfire Media, where he is responsible for adding \$2 million a year in new business. Outside of his career, Mr. Cunningham is heavily involved with a number of young professional organizations across the state. Lawrence resides in Urbandale with his wife Brandy and their two-year-old son Asher. In both facets of his life, Lawrence is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Lawrence in the United States Congress and it is with great pride that I recognize and applaud Mr. Cunningham for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Lawrence on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

THE STANDARD DATA ACT OF 2013

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. REED. Mr. Speaker, today I join my colleague Mr. DOGGETT of Texas, to introduce the Standard Data and Technology Advancement Act of 2013, or the "Standard DATA Act." This legislation follows legislation previously introduced and championed by former Congressman Geoff Davis during his time as the Committee on Ways and Means Human Resources Subcommittee Chairman.

The Standard DATA Act builds on the progress that has been made to establish consistent requirements for the electronic content and format of data used in the administration of key human services programs authorized by the Social Security Act.

Human services programs serve overlapping populations and should, from an information technology standpoint, operate consistently within and across programs. By continuing the process of data standardization and the use of common reporting mechanisms, this bill will help achieve three goals: better prevent and identify fraud and abuse; increase the efficiency of administrative resources to serve eligible beneficiaries; and produce program savings for U.S. taxpayers.

This bill continues the efforts begun in the bipartisan, bicameral Child and Family Services Extension and Enhancement Act of 2011, which was the first effort at requiring a human services program to implement standard data elements and reporting. President Obama signed that bill into law on September 30, 2011.

The Middle Class Tax Relief and Job Creation Act of 2012, signed by the President in February 2012, applied similar data standards provisions to unemployment insurance and the Temporary Assistance for Needy Families program.

This program-by-program approach has been useful, but the ultimate goal is to work across programs. The legislation being introduced today provides a path forward to cover additional programs under the jurisdiction of the Human Resources subcommittee, with the intention of moving to create a complete system of program information exchange.

As a member of the Human Resources subcommittee I commend these efforts and recognize the data provisions enacted in P.L. 112-96 are designed to be a catalyst for continued action.

Consistent with the bipartisan approach developed and maintained by former Subcommittee Chairman Geoff Davis and Ranking Member LLOYD DOGGETT, today I introduce this bill with the full support of the Human Resources Subcommittee, from both sides of the aisle.

Improved data standards will help increase the efficiency of data exchanges to use and reuse data within and across programs. That will allow States to automate the exchange of claimant data on work and benefit receipt, reducing delays and minimizing improper payments. It will also help to automate application forms by pre-populating them with reliable and verified data, which can reduce the manual burden on staff and allow them more time to engage beneficiaries, all while reducing error. This efficiency will better serve program beneficiaries and taxpayers at the same time.

I thank my colleagues for co-sponsoring this important legislation, starting with Mr. DOGGETT, the Ranking Member on the Human Resources Subcommittee, Mr. REICHERT, Chairman of the Human Resources Subcommittee, as well as Mr. LEWIS of Georgia, Dr. BOUSTANY, Mr. YOUNG of Indiana, Mr. GRIFFIN, Mr. RENACCI, Mr. TIBERI, Mr. PAULSEN and Mr. DANNY DAVIS of Illinois.

I invite all Members to join us in supporting this important legislation designed to improve the integrity of the benefit programs millions of Americans access today, and ensure that taxpayer funds are properly spent.

TRIBUTE TO ERICA AXIOTIS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Erica Axiotis for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction,

which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Erica Axiotis resides in Des Moines, Iowa with her husband Christopher and is currently serving as the Director of Development for the Mercy Foundation, where she works with businesses interested in providing donations to assist the healthcare work done by Mercy Medical Center. Also a board member of the Junior League of Des Moines, the Iowa Shakespeare Experience, and Young Variety, Mrs. Axiotis' commitment and passion for assisting her community and beyond are outstanding.

Mr. Speaker, it is a profound honor to represent leaders like Erica in the United States Congress and it is with great pride that I recognize and applaud Mrs. Axiotis for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Erica on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

COMMEMORATING THE 25TH ANNIVERSARY OF THE BEGINNING OF THE NAGORNO KARABAKH INDEPENDENCE MOVEMENT

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. GRIMM. Mr. Speaker, last month marked 25 years since the people of the Nagorno Karabakh region took a brave and bold first step in asserting their right to political freedom and national independence. Since the early 20th century the Nagorno Karabakh region and its people have been subject to the territorial squabbling and political gamesmanship of a number of foreign powers. In spite of this fact, the proud people of the Nagorno Karabakh have steadfastly asserted their desire for political autonomy, overwhelmingly approving a popular referendum declaring independence from Azerbaijan in 1991 and thereby affirming a distinct national identity driven by deep ethnic, cultural, and religious bonds. The Nagorno Karabakh Republic's steady advances in the industries of banking, agriculture, and telecommunications, provide further testament to their promise as a viable independent partner in the international community. Coupling this with the United States' longstanding and unambiguous role as a defender of free people's right to self-determination across the globe, I hope that my colleagues will join me in commemorating the 25th anniversary of the Nagorno Karabakh liberation movement as part of the promotion of peace, stability, and prosperity in the South Caucasus.

OPPOSITION TO BUDGET SEQUESTRATION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. WAXMAN. Mr. Speaker, today we find ourselves in the midst of yet another manufactured crisis that threatens our economic recovery. Last Friday marked the beginning of \$85 billion in arbitrary, across-the-board cuts to key domestic priorities and defense programs.

How did we get here? The Budget Control Act of 2011 created an automatic sequestration plan that was designed to be so senseless and so painful that Democrats and Republicans would be left with no choice but to come together to craft an alternative. Yet, the sequestration that was never supposed to happen has begun.

The impact of these cuts will be real. The Congressional Budget Office estimates that sequestration will reduce GDP by .6% and cost about 750,000 jobs by the fourth quarter of this year. These alarming figures don't even take into account the impact cuts will have on federal protections and services for American families.

They include:

Reductions in FDA funding that will result in fewer scheduled food safety inspections and delays in new drug approvals.

Reductions in substance abuse and mental health programs that will result in nearly 400,000 adults and children with serious mental illnesses going without treatment.

Reductions in funding for the National Institutes of Health (NIH) and National Science Foundation (NSF), resulting in delayed or halted scientific and medical research. Reductions in funding for the Aids Drug Assistance Program, resulting in thousands fewer patients having access to HIV medications, and reductions in funding for Centers for Disease Control (CDC), resulting in over 400,000 fewer AIDS tests being conducted this year.

Reductions in the Environmental Protection Agency (EPA), resulting in cuts in public health and environmental protections, including reductions in safe drinking water and wastewater treatment projects, water quality permitting, air quality monitoring, and hazardous waste cleanups.

Nearly 4 million individuals receiving federally funded unemployment benefits will face an 11% cut in their weekly payments. The WIC nutrition program for low-income pregnant women, infants, and young children could be forced to turn away over 700,000 women and children by the end of the year and 100,000 families could lose their housing vouchers.

California will be particularly hard hit by the deep cuts to defense spending. Billions of dollars and an estimated 225,464 jobs related to aerospace and defense are at risk.

We have an obligation to put partisanship aside and make budget decisions that reflect the priorities of the American people. President Obama has offered to work with Congress on a comprehensive plan to reduce the debt, create a fairer tax system, and rebuild the middle class, all of which are necessary to strengthen the economy and maintain our ability to compete. Democrats have introduced

legislation that takes such a balanced approach, and I urge the Republican leadership to allow it to come to the floor for a vote.

TRIBUTE TO JONATHAN
BRENDemuEHL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Jonathan Brendemuehl for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Originally from Illinois, Jonathan Brens Moines home with his partner Christopher Diebel. Mr. Brendemuehl, 26, serves as the Marketing Events Coordinator for Bankers Trust Co. In this role, Jonathan manages Bankers Trust's involvement in more than 125 annual events. Outside of his career, Mr. Brendemuehl serves as president of the Downtown Neighborhood Association and is actively involved in the Des Moines Symphony and Des Moines Community Playhouse. Jonathan's passion for his career and his community sets an example that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Jonathan in the United States Congress and it is with great pride that I recognize and applaud Mr. Brendemuehl for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Jonathan on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING THE LIFE OF
CLARENCE ATWELL, JR.

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. VALADAO. Mr. Speaker, I rise today, along with my colleague Mr. COSTA, to pay tribute to the life of Clarence Atwell, Jr., who passed away on February 28, 2013 at the age of 67. Clarence served as Chief of the Tachi Yokut Tribe for 42 years. His leadership, guidance, and compassion will be greatly missed.

Born in the early morning hours under a lone tree on the Rice Ranch, Clarence Atwell would grow to lead an extraordinary life. Raised by his grandmother on the reservation, Clarence spoke his native language of Tachi. It was only when he started grade school that he learned English. During his adolescent years, Clarence developed a strong passion for caring for the tribal elders. He would spend days hunting for food, sometimes walking several miles to bring home rabbit, deer, and fish for the elders. His love of the land grew as he became a young man, and Clarence worked in the fields from sunup to well beyond sundown each day.

Strongly connected to his tribe, Chief Atwell was first elected Tribal Chairman in his early 20s and would go on to hold the position for over 40 years. The Tachi Yokut Tribe prospered under the powerful and wise Tribal Leadership of Chief Atwell. For many years, the members worked hard to achieve self-sufficiency by expanding Tachi Palace in Lemoore from a small gaming facility into one of the San Joaquin Valley's top destinations. Partially due to his efforts, tribal members now have access to secure housing, the elders receive lunch each day, and the members have dental and medical care.

Acknowledged by Kings County, California as an official Spiritual Leader, Chief Atwell was renowned for his spiritual guidance and performed countless life-changing ceremonies, including weddings, baptisms, and funerals. Chief Atwell was a Bear Clan Leader for California, one of the highest native spiritual honors afforded to individuals. The Bears were part of the official inauguration ceremony of then-California Lt. Governor Cruz Bustamante where they performed in full regalia at the State's Capitol.

Chief Atwell advised many political leaders, having had the distinction of meeting Vice President Al Gore and President Bill Clinton. Chief Atwell was known for his candor and forthrightness, though always in a quiet and polite manner. Tribes across the country could count on Chief Atwell for his political savvy, keen knowledge, and intense wisdom.

Clarence leaves behind his wife, Jeanette, and children: Kimberly, Cheryl, Curtis, Aubrey, and Rufus; as well as many grandchildren, great grandchildren, nieces and nephews.

Mr. Speaker, it is with great respect that Mr. COSTA and I ask our colleagues in the House of Representatives to pay tribute to the life and service of Clarence Atwell, Jr. His advice and leadership will be missed by many, but his spirit will surely live on in the Tachi Yokut Tribe.

TRIBUTE TO JOHN MICKELSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize John Mickelson for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify

a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

John Mickelson is the Associate Managing Director at the PrivateBank and Trust Co. and also serves as a City Councilman for the City of West Des Moines. He has previously started, owned, and operated three small businesses. John received three degrees from the University of Iowa, where he was also a letter-winner on the football team. Outside of work, John serves as Vice-Chair for the State Historical Society of Iowa and a Board Member for the John Pappajohn Entrepreneurial Center. Mr. Mickelson resides in West Des Moines with his wife Brooke and their three sons. In both facets of his life, John is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like John in the United States Congress and it is with great pride that I recognize and applaud Mr. Mickelson for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating John on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

NATIONAL INVASIVE SPECIES
AWARENESS WEEK

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Ms. McCOLLUM. Mr. Speaker, today I rise to recognize this week as National Invasive Species Awareness Week.

The National Invasive Species Awareness Week is an opportunity to learn about invasive species in our communities and the risk they pose to our environments, economy, and native wildlife. These non-native plants, animals, and other microorganisms are costing our local communities, states, and the federal government millions of dollars each year. One species of concern for my district is Asian Carp.

If left unchecked, Asian Carp will destroy local ecosystems and potentially risk thousands of jobs in my home state of Minnesota. Since the 1970s, this environmental-invader has overwhelmed the Mississippi watershed. Asian Carp now threatens an estimated 10,000 lakes and 92,000 miles of rivers and streams in Minnesota. Jumping almost ten feet in the air, they pose a real hazard to boaters and fishermen. Our state is not alone in the devastating effects of this invasive species. Communities in Illinois, Indiana, Kentucky, Tennessee, Iowa, Kentucky, Ohio, and Wisconsin have all been affected by Asian Carp.

Earlier this year, I re-introduced the Strategic Response to Asian Carp Invasion Act (H.R. 358) along with Congressman Mike KELLY (R-PA). Effectively combatting this serious problem requires the federal government to be an equal partner, engaged with our states and local communities. Senators SHERROD BROWN (D-OH) and PAT TOOMEY (R-PA) have introduced an identical version—S. 125.

Our legislation will hold federal agencies accountable and improve their coordination with local authorities to slow the spread of Asian Carp. The bill would require the U.S. Fish and Wildlife Service to lead a new multi-agency effort that includes the Army Corps of Engineers, the National Park Service and the U.S. Geological Survey to develop a coordinated strategy that supports on-going state and regional efforts as well as provide high-level technical assistance, best practices, and other resources.

Ongoing work by the Asian Carp Regional Coordinating Commission, the Great Lakes Restoration Initiative, non-governmental organizations, our Canadian partners, and regional efforts demonstrate a broad recognition of the scope of this threat. However, no federal strategy currently exists to protect the Upper Mississippi and Ohio River basins and tributaries from this destructive, invasive species.

The Strategic Response to Asian Carp Invasion Act has the endorsement of several national wide organizations such as Trout Unlimited, National Wildlife Federation, National Parks Conservation Association, and B.A.S.S.

Last year, taxpayers paid an estimated \$100 million for the control of Asian Carp. We will continue to waste taxpayer dollars without a national strategy that targets our resources, invests in new solutions, and coordinates ongoing, effective efforts to slow the spread of Asian Carp.

TRIBUTE TO TINA GRAY
CARSTENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 05, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Tina Gray Carstensen for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers.

Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Tina Gray Carstensen is a lifelong Iowa native who grew up in Newton and received her Bachelor of Arts from Central College in Pella. Since 2002, Tina has been a marketing coordinator for Shive-Hattery Architecture and Engineering in West Des Moines, a full service design firm. In this role Tina has built the marketing team and hired and trained other marketing coordinators in the firm's offices across Iowa and Illinois. Her passion for helping others has led her to become extremely involved with community organizations, including providing graphic design services for various animal rescue groups and serving as Chair of the West Des Moines Leadership Academy Board. Tina resides in the Beaverdale neighborhood in Des Moines with her husband Jay, her stepson Finn and their two cats Mo and Hershey. Her proud parents, James and Sandra Gray, continue to reside in Newton.

Mr. Speaker, it is a profound honor to represent leaders like Tina in the United States Congress and it is with great pride that I recognize and applaud Mrs. Carstensen for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Tina on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

ANNABELLE GLAZER

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. FITZPATRICK. Mr. Speaker, in light of Women's History Month, I would like to take this time to acknowledge an extremely special occasion: the 100th birthday of Mrs. Annabelle Glazer. Annabelle was born in Philadelphia, Pennsylvania on March 6, 1913. Throughout her life, Annabelle has fulfilled the important roles of loving wife, dedicated mother, and valued community member. She worked as a book keeper until her retirement, upon which she diligently served her community through MANNA and Hadassah, volunteer organizations in Philadelphia.

Not only is it important to acknowledge the personal successes and triumphs of Annabelle

on her birthday, but it is also fitting to reflect on the momentous occasions that she has witnessed in her lifetime, such as women achieving the right to vote. As we celebrate the accomplishments of Annabelle, let us commemorate all women throughout history who paved the way for progress.

TRIBUTE TO HEATHER STARR

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Heather Starr for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Heather Starr is currently in the second year of her real estate career as a Real Estate Agent for RE/MAX Innovations. Prior to her current role, Heather owned her own communications firm, North Starr Communications, and was the director of development and communications for the Animal Rescue League of Iowa, tasked with raising nearly \$4 million to meet the capital campaign goal. Mrs. Starr is an Iowa native with degrees from Iowa State University and Drake University. She currently resides in rural Winterset with her husband Jason and their two sons, Drake and Brody. Heather has lived her life as an example of the famous Iowan work ethic and dedication to service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Heather in the United States Congress and it is with great pride that I recognize and applaud Mrs. Starr for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Heather on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

SENATE—Wednesday, March 6, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, today, as the snow gently caresses the Earth, we are reminded of Your sovereignty over the seasons of our sojourn. You are our provider and protector. You are king of our lives. Lord, we are grateful that each day when we pray to You, You listen to our prayers. A thousand years means nothing to You. They are merely a day gone by or a few hours in the night.

Inspire our Senators this day to use wisely the fragile time they have. As You help them to do Your will, may they celebrate the movements of Your powerful providence. Show them Your mighty power in these challenging times.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume consideration of the nomination of Caitlin Halligan to be U.S. circuit judge for the D.C. Circuit. At 10:30 there will be a vote on that nomination. We all know the weather is inclement. It is getting worse, as I saw coming in.

I have talked to Senator MCCONNELL today. We are going to vote on the judge at 10:30. We have the Brennan nomination that we are going to finish this week. I have explained to the Republican leader that if they are going to filibuster that—and I understand that is what they are going to do—we could set up a 60-vote threshold filibuster, and then we can go ahead and have a vote on that today, allowing people to make proper travel arrangements. It is strictly up to the minority. We are ready to make that arrangement, if they so agree, because of the weather.

SYRIA

Mr. REID. Mr. President, each day the world watches in horror at what is going on in Syria. Seventy thousand people have been killed as President Bashar al-Assad carries out a campaign of wanton violence against his own people.

These atrocities have gone on for far too long—seventy thousand dead Syrians. It is time for this awful dictator-tyrant to step down and allow his people to pursue a peaceful transition to the democracy which they crave. Assad grows increasingly desperate as rebels continue to gain ground despite the full force of Assad's military arsenal of planes, bombs, and rockets. President Assad should understand the world is watching his every action and will not tolerate his unforgivable slaughter of innocent citizens, including the potential future use of chemical weapons.

President Obama has made clear—and I support him 100 percent—the use of such chemical weapons would constitute a red line for the United States and for the national community. Rather than continue to kill his own people, Assad should end the bloodshed and relinquish power to Syria's citizens.

BRENNAN NOMINATION

Mr. REID. Mr. President, as America closely observes the unfolding of events in Syria and deals with varying threats around the world, it is crucial that President Obama has a seasoned national security team in place.

It is often said there is no substitute for experience, so it is natural that a 25-year CIA veteran, John Brennan, was reported out of the Senate Intelligence Committee by a wide margin on a bipartisan vote.

Mr. Brennan is a highly qualified nominee and should be confirmed immediately. As Deputy National Security Adviser since 2009, John Brennan has been President Obama's chief homeland security and counterterrorism adviser. He has been at the forefront of every major national security decision made during the Obama administration. He is responsible for the White House response to pandemics, cyber threats, natural disasters, and terrorism attacks. He has played an instrumental role in finding Osama bin Laden, killing bin Laden, and, in effect, decimating al-Qaida.

His distinguished intelligence career began more than 30 years ago when he joined the CIA as a career trainee straight out of graduate school. Mr. Brennan worked his way up through the agency to serve in senior management roles in the CIA, including as Deputy Executive Director under George Tenet. Years spent working on covert and analytical missions and as chief of station in Saudi Arabia give him a comprehensive understanding of the CIA's capabilities and inner workings. His knowledge of the Middle East will be essential as we continue to work to defeat al-Qaida and other terrorist threats.

Mr. Brennan has distinguished himself outside of government as well. He spent 4 years in the private sector as president and CEO of the Analysis Corporation. His extensive intelligence background and executive experience uniquely qualify him to lead the Central Intelligence Agency.

Just as CIA faces the challenges abroad, it also faces significant decisions about its future. John Brennan must guide the CIA through a series of considerations dealing with the Agency's relationship with our military, how the Agency should respond to the conclusions of a recent Senate Intelligence Committee report on interrogation techniques and practices, and, finally, the Agency's response to demands for transparency. These considerations must not be made lightly, and John Brennan will give them the attention they deserve in his role as Director.

The Senate must also approach its duty to advise and consent with the solemnity it deserves. Unfortunately, the confirmation process has focused too

much this year and the last two Congresses on partisan political considerations and not enough on the quality of the nominees.

I am very disappointed that I am forced to file cloture on John Brennan's nomination. What does that accomplish? If someone doesn't like him, come here and give a big speech, wave your arms, scream and shout, and vote against him. But why hold up the entire Senate over a meaningless vote?

My Republican colleagues have already obstructed several critical nominations this year. I hope that pattern of obstructionist behavior will not persist. I do hope for the sake of the country the obstruction of the last two Congresses will vanish. I feel very certain that in Mr. Brennan's case concerns for national security will outweigh the desire to grandstand for the weakened tea party.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, the issue before us is Caitlin Halligan's nomination for the D.C. Circuit Court. I spoke yesterday in support of her nomination. It is unfortunate she is going to be forced to face a filibuster; in other words, that the Republicans are going to insist on a 60-vote margin for her approval. That is unfortunate because we have tried in the beginning of this Senate session to avoid this kind of filibuster confrontation.

In the last several years, we have had over 400 filibusters, a recordbreaking number of filibusters in the Senate. What that means is the ordinary business of the Senate has been stopped 400 times, when those who were trying to bring up a nomination or bill or amendment faced a filibuster which required literally stretching the vote out over days and sometimes even over 1 week. That is unnecessary. It is frustrating as well.

There are a lot of things we need to do and a lot of issues we need to face. I am not afraid of taking on controversial votes on the floor. I think that was part of the job assignment coming here. I quoted many times my late friend, my colleague in the House, Mike Synar of Oklahoma, who used to get right in the face of his colleagues at the Democratic caucus when they complained about controversial votes on the floor and he said: If you don't want to fight fires, don't be a firefighter. If you don't want to vote on controversial issues, don't run for Congress. That is what this job is about.

I agree with that. As painful as some of these votes have been for me and others, we should never use that as an excuse for not tackling the important issues of our time. But this has become routine now—routine filibusters, trying to stop the Senate time and time again. What is particularly insidious about this strategy on this nominee is she is an extraordinarily well-qualified person. "Unanimously well qualified," that is the rating she received from the American Bar Association. When we look at her resume and the things she has done, she stands out as not only an excellent candidate for D.C. Circuit but one of the best we have had for any judicial position. She is being stopped by the Republicans.

What is their argument? She was the solicitor general for the State of New York. The solicitor general is the hired attorney for a client known as the State of New York. So many times she was sent into court to argue a position that had been taken by the State or by the Governor, and she did her job as their counsel, to argue their position as convincingly as possible. That is what lawyers do every day in courtrooms all across America.

Back in the day when I practiced law, I didn't measure every client who came through the door to ask: Do I agree with every position my client has taken? Of course not. The belief is in our system of justice both sides deserve a voice in the courtroom and both sides, doing their best, give justice an opportunity. That is what Caitlin Halligan did as the solicitor general for the State of New York.

Listen to this. One of the arguments being made against her was that while she was solicitor general she served on a bar committee that issued a report that favored using article III courts for the prosecution of terrorists. Article III courts are the ordinary criminal courts of the land under our Constitution. The report argued that position. Many Republicans take an opposite position, that anyone accused of terrorism should be tried in a military tribunal, not an ordinary criminal court. They have held that position. They argue that position. They get red in the face saying that is the only way to take care of terrorists and they ignore reality.

The reality is, since 9/11, President Bush, as well as President Obama, had a choice between prosecuting terrorists in article III courts, the criminal courts or in military tribunals. In over 400 cases, they successfully, both Presidents, chose to prosecute accused terrorists in the article III courts—successfully. In only five cases—I believe it is five—have they used military tribunals. The overwhelming evidence is that the article III criminal courts have worked well. Prosecutions have been successful. This argument: Oh, if you have to read Miranda rights to an

accused terrorist, we will never be able to prosecute them, they will lawyer up in a hurry. It doesn't quite work that way. In fact, we found the opposite to be true. When many of these folks with connections through terrorism are taken through the ordinary criminal process, they end up being more cooperative than through a military tribunal. That is a fact. A President and the Attorney General have to make that decision. So here is Caitlin Halligan, solicitor general for the State of New York, whose name is on a bar committee report favoring the use of article III courts, which overwhelmingly President Bush and President Obama decided to do, and now the Republicans say that disqualifies her, that disqualifies her from serving on the D.C. Circuit Court.

It also is ridiculous position to argue that because an attorney argues a point of view in a case, that is her own point of view. I refer my colleagues to the testimony of Justice Roberts when he was up before the Senate Judiciary Committee, when he was asked point blank: You have represented some pretty unsavory clients, some people we might disagree with, does this reflect your point of view? He reminded us what jurisprudence and justice are about in this country, that you will have attorneys arguing their clients' point of view, doing their best for their client, whether they happen to agree with that client's philosophy or not.

Every attorney is bound to stand by the truth when it comes to testimony. You can never ever allow a client to misstate the truth knowingly in a courtroom. That is hard and fast. But when it comes to a point of view, for goodness' sake, good attorneys argue the best case they can for the people they represent, as Caitlin Halligan did. As Justice Roberts reminded us, it is central to the issue of American justice. One of our most famous Presidents, John Adams, you would think ruined his political career because when the Boston Massacre occurred, John Adams, the attorney in Boston, stood and said I will defend the British soldiers. He was defending the British soldiers who had killed American soldiers. He did it. That was his responsibility as an attorney. He went on to be elected President.

This argument against Caitlin Halligan, from this point of view, is as empty as any argument I have heard on the floor of the Senate and the Republicans insist on filibustering again her nomination over such a weak reed of an argument. It is embarrassing. It is troubling. It calls into question whether the agreement earlier this year on rules changes in the Senate, a bipartisan effort to try to get this Chamber back on track to solving problems on a bipartisan basis, did the job.

We had the first filibuster in history of a Secretary of Defense—the first.

Chuck Hagel was held up for 10 days because of a Republican filibuster, the first time that has ever occurred. Now we follow it with this filibuster of this D.C. Circuit nominee? I don't think we have achieved much in our rules reform. I don't think our spirit of bipartisanship has shown much in terms of results.

I hate to suggest this, but if this is an indication of where we are headed, we need to revisit the rules again. We need to go back to them again. I am sorry to say it because I was hopeful a bipartisan approach to dealing with these issues would work. It is the best thing for this Chamber—for the people serving and for the history of this institution. But if this Caitlin Halligan nomination is an indication of things to come, we have to revisit the rules. If we are now going to filibuster based on such weak arguments, then I think we need to revisit the rules.

They said in politics when I was growing up—one of the great politicians I worked for, a man named Cecil Partee, used to say for every political position you take there is a good reason—and a real reason. So the good reason, at least in their eyes, on the Republican side, is that Caitlin Halligan argued in court for positions they do not agree with. As I said earlier, I think that is an empty accusation. What is the real reason? There is a real reason why they are opposing Caitlin Halligan time and again. It is because the D.C. Circuit Court is one of the most important courts in America, some argue as important as the U.S. Supreme Court, because the D.C. Circuit Court, time and again, considers the rules and regulations and laws which are promulgated in Washington. It is the first court of review and if that bench on the D.C. Circuit is tipped one way or the other, too conservative or too liberal, it shows.

Right now it has been tipped toward the conservative side. Republicans engineered a deal when we were, years ago, embroiled in controversy over this issue of filibustering judicial nominees. They engineered and brokered a deal to make several appointments to the D.C. Circuit that tipped the balance toward the conservative side.

Now, out of the 11 positions in the D.C. Circuit, only 7 are filled. We are trying to fill the 8th, and they are worried that if Caitlin Halligan comes in—and she is not as conservative as they wish—it may be closer to balance. Isn't that what we want, a more balanced court? It is what we should want. It is the real reason the Republicans oppose her nomination.

I am sorry for her that she has to be a victim of this political strategy. It doesn't have much to do with her personally, and I hope a few Republicans who are necessary will step up and give us a chance to vote on her nomination; otherwise, we are back into the dol-

drums again in terms of the Senate embroiled in controversy, stuck on filibusters.

Since no one else is seeking the floor at this moment, I ask unanimous consent that the time consumed during quorum calls be charged equally to both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Republican leader.

Mr. MCCONNELL. Mr. President, today the Senate will vote on cloture on the nomination of Caitlin Halligan to the U.S. Court of Appeals for the D.C. Circuit. I will again oppose invoking cloture on the nomination, and I will explain why.

In short, Ms. Halligan's record of advocacy and her activist view of the judiciary lead me to conclude she would bring that activism right to the court. As I have said many times before, the role of a judge in our system is to determine what the law says, not what they or anybody else wants it to be. That is not Ms. Halligan's view of the courts. She views them as a means to "enable enviable social progress and mobility"—to "enable enviable social progress and mobility" with the judges, not the American people, using their office to determine what "progress" is "enviable." That is the view of Ms. Halligan.

When she was in a position of authority, she put that activist view into practice time and time again. On the subject of second amendment rights, Ms. Halligan, as solicitor general of New York, advanced the dubious legal theory that those who make firearms should be liable for the criminal acts of third parties who misuse them.

Imposing potentially massive tort liability against the makers of a lawful product because of the criminal acts of someone else did not seem much like "enviable social progress" to Randall Casseday, who is with Kahr Arms, which sells firearms to the New York City Police Department. Here is what he said:

I can't see how Kahr Arms can be responsible for misuse of its product. I don't see how you can do that. One lawsuit would put us out of business.

Fortunately, the State court in New York followed the law and rejected Ms. Halligan's entreaty that it make up new law in order to achieve the so-called social progress she envisioned. The court observed that it had never recognized the novel claim pursued by Ms. Halligan, nor had other courts, for that matter. Moreover, the State court called what she wanted it to do to manufacturers of a legal product "legally inappropriate" and said the power she wanted the courts to assert was the responsibility of "the Legislative and the Executive branches."

So out of bounds were the types of frivolous lawsuits pursued by Ms.

Halligan that Congress did something rare: It actually passed tort reform to stop them, and it passed by a wide bipartisan majority. In her zeal for these frivolous lawsuits, Ms. Halligan then chose to criticize the Congress for having the temerity to exercise its policymaking responsibility to protect a lawful industry. However, she didn't just criticize the Congress for trying to stop the frivolous lawsuits she was pursuing, she chose to exaggerate the scope of the bill by claiming that it would stop State legislatures by "cutting off at the pass any attempt to find solutions that might reduce gun crime." This assertion was false. It strains credulity that nearly half the Senate Democratic Conference who supported the legislation would vote not only for tort reform but would vote for Federal legislation that would block States from passing anything at all related to gun crime. Her mischaracterization of the legislation underscores her zeal for the frivolous lawsuits she was pursuing.

True to the adage "frequently wrong but never in doubt," Ms. Halligan was undeterred. Having had both her State court and the Congress repudiate her novel legal theories, Ms. Halligan then filed an amicus brief in the Second Circuit Court of Appeals in another frivolous case against firearms manufacturers. This time she claimed the new law Congress passed was unconstitutional. Not surprisingly, she lost that case too.

Ms. Halligan's stubborn pursuit of frivolous claims against gun manufacturers is a textbook example of judicial activism—using the courts to achieve a political agenda no matter what the law says.

Her pursuit of losing legal theories in the service of her own personal views doesn't stop there. On enemy combatants, Ms. Halligan signed a report as a bar association member that asserted that the authorization for use of military force did not authorize long-term detention of enemy combatants. In 2005 the U.S. Supreme Court ruled in *Hamdi v. Rumsfeld* that the President did, in fact, have this authority. Yet despite this precedent, Ms. Halligan chose to file an amicus brief years later arguing that the President did not possess this legal authority that the Supreme Court had already upheld.

On immigration, Ms. Halligan filed an amicus brief in the Supreme Court arguing that the National Labor Relations Board should have the legal authority to grant back pay to illegal aliens. However, Federal law prohibits illegal aliens from working in the United States in the first place. Fortunately, the Court sided with the law and disagreed with Ms. Halligan on that novel legal theory as well.

The point here is that even in cases where the law is clear or the courts have already spoken—including the Supreme Court—Ms. Halligan chose to get

involved anyway by using arguments that had already been rejected either by the courts, the legislature, or, in the case of frivolous claims against the gun manufacturers, by both.

In other words, Ms. Halligan has time and again sought to push her views over and above those of the courts or those of the people as reflected in the law. Ms. Halligan's record strongly suggests she would not view a seat on the U.S. appeals court as an opportunity to adjudicate, evenhandedly, disputes between parties based on the law but instead as an opportunity to put her thumb on the scale in favor of whatever individual or group or cause she happened to believe in.

I have nothing against this nominee personally. I just believe, as I think most other Americans do, that we should be putting people on the bench who are committed to an evenhanded interpretation of the law so that everyone who walks into the courtroom knows he or she will have a fair shake. In my view, Ms. Halligan is not such a nominee.

I will be voting against cloture on this nomination, and I urge my colleagues to do the same.

Our decision to do so is not unprecedented—far from it. Many of our Democratic colleagues who are expressing shock and utter amazement that we denied cloture on Ms. Halligan's nomination for a second time felt no compunction about denying cloture on Miguel Estrada's nomination to the very same court. They denied nomination for him seven times, in fact, even though—unlike Ms. Halligan's record—Mr. Estrada's background did not evidence a penchant for judicial activism.

We have begun this Congress by making progress on filling judicial vacancies. I am happy to resume working with the majority on doing so, but because of her record of activism, giving Ms. Halligan a lifetime appointment to the D.C. Circuit is a bridge too far.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, I rise in full support of Caitlin Halligan and must strongly disagree with my friend from Kentucky, the Republican leader. The bottom line is very simple: She is a well-qualified nominee, and we know that.

The Republican leader acts as if Ms. Halligan were acting on her own. Whether the Senator from Kentucky agrees or disagrees, the Republican leader cannot cite a single instance where Ms. Halligan was not acting as an attorney representing the views of someone else. The same was true with what John Roberts did, and the same was true for what Sam Alito did. When those issues were brought up, our colleagues on the other side justifiably said we cannot attribute those views to them when they are representing some-

body as an attorney. We all know that the obligation of an attorney is to represent his or her client, whether we agree or disagree with those views.

When one works as solicitor general, they represent the State of New York. The State of New York's views on guns were clear, and Ms. Halligan ably represented those views. But nothing she has said about guns that was cited by my good friend the Republican leader was her own view. Similarly on the terrorism cases, she was representing an office that was prosecuting, not her views, so the comparison to Miguel Estrada is like night and day. Miguel Estrada had his own very, very clear views on the law, and he stated them in speeches, in articles, and in other ways. That is not so with Ms. Halligan. In fact, I challenge the other side to give me one instance where they disagree with something Ms. Halligan stated as her own views as opposed to representing someone as a lawyer should.

What is really going on here? What is going on is that our colleagues want to keep the second most important court in the land, the D.C. Circuit, vacant because right now there are four vacancies and the majority of those on the court have been appointees of Republican Presidents and, in fact, are very conservative. That is what is going on. Let's call it what it is. This has nothing to do with Ms. Halligan. This has to do with keeping a court they care about from having someone who doesn't have those same very conservative views. Ms. Halligan is a moderate, and that bothers people on the other side. It bothers the hard right who use the D.C. Circuit in their court cases to try to constrict government.

I say this to my good colleagues: We have come to an agreement on district court judges and on other nominees. We have come to a general agreement that there ought to be more comity. The Republican leader, my friend from Tennessee, and so many others have said we should do that. The filibustering of Caitlin Halligan is not, I will admit, against the letter of our agreement because it simply applies to district court judges, but it sure is against the spirit.

All those on our side who said we should change the rules because issues such as the filibuster of Ms. Halligan would occur are being vindicated even though my colleagues on the other side of the aisle would not want that type of option to be on the table.

I say this to my colleagues because I believe and I think most of us believe that this is nothing about Ms. Halligan, but it is about keeping the D.C. Circuit vacant and not allowing our President to rightfully fill those vacancies. We are going to bring nominee after nominee after nominee up to fill that D.C. Circuit. Are they going to continue to filibuster every nominee

and find some trivial excuse to filibuster him or her? Because that is what is going to happen.

The obstructionist views that some on the other side have held and implemented—which served them so poorly in the election of 2012, in the polls, and in what the American people want, which is for us to come together—will be exposed.

I would urge my colleagues to forgo this charade. Don't vote for Halligan if you don't like her, but don't filibuster her, because we are going to come back time after time after time with nominees to this circuit who are qualified, who are moderate, and who have fine personal ethics. Are they going to ObamaCare each one of them? Because that is the challenge they will face.

I urge and plead with my colleagues, based on the new comity we are desperately seeking in this Chamber, to avoid this filibuster, allow Caitlin Halligan to have an up-or-down vote. She is extremely worthy of the position for which she was nominated. It is only ideology, only a view that this important circuit should not be filled with nominees whom our Democratic President nominates that is motivating, in my judgment, this action.

I think my time has expired, and I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Vermont.

Mr. LEAHY. Mr. President, will the Senator yield?

Mr. GRASSLEY. Yes.

Mr. LEAHY. Mr. President, I realize we have not gone in the regular order with the manager of the nomination speaking first. We are having a hearing right now with the Attorney General. So I ask unanimous consent, when the distinguished Senator finishes his speech, whatever length it is, and all time will have then been used up so there would not be any time reserved for the manager of this nomination, to speak for 2 minutes at the conclusion of Senator GRASSLEY's remarks.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask to speak for 15 minutes on this nomination that is before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I rise in opposition to the nomination of Caitlin Halligan, the President's nominee for the United States Circuit Court for the District of Columbia. I wish to

take a few minutes to explain to my colleagues why we should not change our prior position regarding this nomination. It was previously rejected and should be rejected again.

Before I talk about Ms. Halligan's record, I want to comment on the process. While I recognize the majority leader's right to bring up this nomination, I question why we are spending time on a politically charged and divisive nomination. I wish the Senate instead would focus on the critical fiscal, national security, and domestic issues we face.

The Senate determined more than a year ago that this nomination should not be confirmed. Rather than accepting the Senate's decision, the President has renominated Ms. Halligan. It is time for the President and Senate Democrats to accept the fact that this nomination is not going to be confirmed by the Senate. We need to move on.

It is well understood and accepted that nominations to the D.C. Circuit deserve special scrutiny. The Court of Appeals for the D.C. Circuit hears cases affecting all Americans. It is frequently the last stop for cases involving Federal statutes and regulations. Many view this court as second in importance only to the Supreme Court. And as we all know, judges who sit on the D.C. Circuit are frequently considered for the Supreme Court. So there is a lot at stake with nominations to this court. This is a court where we can least afford to confirm an activist judge.

I have a number of concerns regarding Ms. Halligan's views that indicate she will be an activist judge. There are concerns regarding her judicial philosophy and her approach to interpreting the Constitution. Her stated view that courts seek "to solve problems and not just to adjudicate them" indicates a willingness to abuse the role of a judge should she be confirmed. She has advocated for an "evolving standard" of the Constitution, indicating a judicial philosophy that embraces the notion of a living Constitution. In adopting the "living Constitution" theory of interpretation, judges routinely substitute their own personal views in place of what the Constitution demands.

I wish to share with my colleagues why I have concluded that Ms. Halligan would approach judging with an activist bent. Let me give just a couple examples, beginning with her record on the second amendment.

In 2003, Congress was debating the Protection of Lawful Commerce in Arms Act or, as most of us called it, the Gun Liability bill. At the time, gun manufacturers were facing lawsuits based on meritless legal theories. This frivolous litigation was specifically designed to drive gun manufacturers out of business.

As it turns out, while many of us—both Republicans and Democrats—were

fighting here in Congress to stop these lawsuits, Ms. Halligan was pursuing this precise type of litigation in the State of New York.

In *New York v. Sturm & Ruger*, Ms. Halligan advanced the novel legal theory that gun manufacturers, wholesalers, and retailers contributed to a "public nuisance" of illegal handguns in the State. Therefore, she argued, gun manufacturers should be liable for the criminal conduct of third parties.

Some of my colleagues have argued that we should not consider this aspect of Ms. Halligan's record because at the time she was working as the solicitor general of New York. But no one forced Ms. Halligan to approve and sign this brief. No one compelled her to advance a completely frivolous legal theory.

I believe a close examination of Ms. Halligan's record indicates she was more than just an advocate. She was using the full weight of her office to advance and promote a political agenda masked by a legal doctrine that is well outside of the legal mainstream.

In the case I just mentioned, which was the first of two cases Ms. Halligan was involved in regarding gun manufacturers, the New York State appellate court found her argument to be completely meritless and explicitly rejected her theory.

The court went so far as to say that it had "never recognized [the] common-law public nuisance cause of action" that Ms. Halligan advanced, and that it would be "legally inappropriate" to permit the lawsuit to proceed. Moreover, far from accepting Ms. Halligan's invitation to legislate from the bench, the court properly concluded that "the Legislative and Executive branches are better suited to address the societal problems concerning the already heavily regulated commercial activity at issue."

I will remind my colleagues that Ms. Halligan was pursuing this legal theory at the same time we were debating the gun liability bill here in Congress. There is no question that the dubious legal theories she was advancing in court reflected her own personal views, not just a position she was advocating on behalf of a client.

In a speech Ms. Halligan delivered on the subject in May of 2003, she said she opposed the legislation being considered by Congress because, "[i]f enacted, this legislation would nullify lawsuits brought by nearly 30 cities and counties—including one filed by my office—as well as scores of lawsuits brought by individual victims or groups harmed by gun violence. . . . Such an action would likely cut off at the pass any attempt by States to find solutions—through the legal system or their own legislatures—that might reduce gun crime or promote greater responsibility among gun dealers."

Later in that same speech, Ms. Halligan expressed her view of the law

and legal system. She said, "Courts are the special friend of liberty. Time and time again we have seen how the dynamics of our rule of law enables enviable social progress and mobility."

I find this statement troubling, especially as it relates to the nuisance lawsuits against gun manufacturers. Those lawsuits are a prime example of how activists on the far left try to use the courts to affect social policy changes that they are unable to achieve through the ballot box. That is why I believe those lawsuits represented not only bad policy but, more broadly, an activist approach to the law.

Now, as I said, the State appellate court rejected her legal theory, and Congress subsequently passed legislation—by a wide bipartisan margin—to stop those lawsuits. But Ms. Halligan still forged ahead. In 2006, notwithstanding the fact the Congress had passed tort reform in this area, she attempted once again to revive the ability of States to pursue gun manufacturers. Only this time, she advanced her claims in Federal court, arguing the legislation Congress passed was unconstitutional. Fortunately, the Federal appellate court rejected her legal theory as well.

Ms. Halligan's record of taking far left and legally untenable positions is not limited to her legal briefs in gun cases. Another example of how she crossed the line from advocate to activist is *Scheidler v. National Organization for Women*. In that case she argued for an expansive definition of extortion under the Hobbs Act. Her support of NOW's claim that pro-life groups had engaged in extortion was rejected by eight Justices of the Supreme Court, including Justice Ginsburg—one of the most liberal justices on the Court.

There are a number of other aspects of her record that I find problematic. For instance, Ms. Halligan's views on the war on terror and the detention of enemy combatants are especially troublesome because Ms. Halligan is a nominee for the D.C. Circuit, where many of these issues are heard.

In 2004, Ms. Halligan was a member of a New York City bar association that published a report entitled: "The Indefinite Detention of 'Enemy Combatants' and National Security in the Context of the War on Terror."

That report argued there were constitutional concerns with the detention of terrorists in military custody. It also argued vigorously against trying enemy combatants in military tribunals. Instead, it argued in favor of trying terrorists in civilian, article III courts.

Ms. Halligan is listed as one of the authors of that report. But when it came time to testify at her hearing, Ms. Halligan tried to distance herself from the report. She testified that she did not become aware of the report

until 2010. In a followup letter after her hearing, Ms. Halligan did concede that “it is quite possible that [a draft of the report] was sent to me,” but that she could not recall reading the report.

I recognize that memories fade over time. But, as I assess her testimony, I think it is noteworthy that at least four other members of that bar association committee abstained from the final report. Ms. Halligan did not.

I would also point out that several years later she co-authored an amicus brief before the Supreme Court in the 2009 case of *Al-Marri v. Spagone*. Ms. Halligan’s brief in that case took a position similar to the 2004 report with respect to military detention of terrorists. In that case, she argued that the Authorization for Use of Military Force did not authorize the seizure and indefinite military detention of a lawful permanent resident alien who conspired with al-Qaida to execute terror attacks on the United States.

The fact that Ms. Halligan coauthored this brief, *pro bono*, suggests to me that she supported the conclusions reached by the 2004 report. And again, this issue is particularly troublesome for a nominee to the D.C. Circuit, where many of these questions are heard.

There are additional aspects of Ms. Halligan’s record that concern me.

As New York’s Solicitor General, Ms. Halligan was responsible for recommending to Attorney General Spitzer that the State intervene in several high-profile Supreme Court cases. She filed amicus briefs that consistently took activist positions on controversial issues such as abortion, affirmative action, immigration, and federalism.

These are just some of my concerns regarding the nominee’s judicial philosophy and her approach to interpreting the Constitution. These are neither trivial nor inconsequential grounds on which to oppose her nomination.

Based on her record, I simply do not believe she will be able to put aside her long record of liberal advocacy and be a fair and impartial jurist.

Supporters argue that out of a sense of “fairness” we should confirm Ms. Halligan. They note that her nomination has been pending for over 2 years.

Let me remind my colleagues that while this seat has been vacant for over 7 years, it has not been without a nominee for all of that time.

Following the elevation of then-Circuit Judge John Roberts in 2005, President George W. Bush nominated an eminently qualified individual for this seat, Peter Keisler. Mr. Keisler was widely lauded as a consensus, bipartisan nominee. His distinguished record of public service included service as Acting Attorney General. Despite his broad bipartisan support and qualifications, Mr. Keisler waited 918 days for a committee vote that never came.

There was no clamor from the other side that we needed to fill the vacancy. There was no demand that Mr. Keisler be afforded an up-or-down vote. So it seems to me that too often, with my Democratic colleagues, “fairness” is a one-way street.

When the Democrats refused to consider Mr. Keisler’s nomination—or even to give him a committee vote—the other side justified their actions based on the D.C. Circuit caseload. So I would like to make a few comments about how the current caseload of the D.C. Circuit stacks up against the caseload that existed when Mr. Keisler’s nomination was subjected to a pocket filibuster.

Before doing so, I would again emphasize that given Ms. Halligan’s record on a host of controversial issues, the case for rejecting her nomination would remain, regardless of the number of vacancies or the court’s workload. However, since some of my colleagues are declaring a “judicial emergency” on the D.C. Circuit Court, let me set the record straight. Contrary to assertions we have recently heard regarding the court’s workload, since 2005, the DC caseload has actually continued to decline. The total number of appeals filed is down over 13 percent. The total number of appeals pending is down over 10 percent; filings per panel are down almost 6 percent.

Compared to other courts of appeals, the D.C. Circuit caseload measured by number of appeals pending per panel is 54 percent less than the national average. Filings per judge are also significantly lower than for the rest of the courts. While the national average of filings per active judge is 361, the D.C. Circuit is less than half, at 170 filings per active judge. And if you take into consideration the fact that the D.C. Circuit now has six senior judges, all of whom continue to hear cases and write opinions, there is a 26-percent decrease in case filings per judge on the court since 2005. So by any meaningful measure, the D.C. Circuit’s workload pales in comparison to the other circuit courts.

Given the concerns I have about Ms. Halligan’s record on the second amendment, the war on terror, and other issues, my concerns regarding her activist judicial philosophy, and the court’s low workload, I oppose this nomination. I urge my colleagues to do the same.

Finally, I would note a number of organizations have expressed their opposition to this nomination. They are the American Conservative Union, 9/11 Families for a Safe & Strong America, the National Rifle Association, Gun Owners of America, Citizens Committee for the Right to Keep and Bear Arms, Committee for Justice, Concerned Women for America, the American Center for Law and Justice, Heritage Action, Liberty Counsel Action,

Family Research Council, Eagle Forum, Center for Judicial Accountability, Republican National Lawyers Association, Judicial Action Group, Susan B. Anthony List, Americans United for Life Action, and the Faith and Freedom Coalition.

Mr. WHITEHOUSE. Mr. President, I rise today in support of the nomination of Caitlin Halligan to the U.S. Court of Appeals for the District of Columbia Circuit.

Ms. Halligan is an outstanding nominee with sterling credentials and broad support among the legal community. By the accounts of everyone who has worked with her or observed her work, she is a first-rate legal mind and a tireless worker, with great personal integrity and a thoughtful temperament that is perfectly suited to the Federal bench. Her nomination deserves prompt confirmation.

Ms. Halligan has spent much of her career as a dedicated and distinguished public servant. She has a strong record in law enforcement, including in her current role as general counsel at the Manhattan District Attorney’s Office, an office that investigates and prosecutes 100,000 criminal cases annually.

She is highly esteemed by the New York and national law enforcement communities. Her nomination has been endorsed by New York City police commissioner Raymond Kelly, former Manhattan district attorney Robert Morgenthau, the National District Attorneys Association, several Republican district attorneys from New York, the New York Association of Chiefs of Police, and the New York State Sheriff’s Association, among many others.

Ms. Halligan is also widely recognized as one of the finest appellate litigators in the country. As solicitor general for the State of New York, she supervised 45 appellate lawyers and represented the State of New York, then-Governor George Pataki, a Republican, and other State officials in both State and Federal courts. She has been counsel of record on nearly 50 cases before the Supreme Court and has argued before that court 5 times. Twenty-one of the top lawyers from across the political spectrum who have worked with Ms. Halligan, including conservatives Miguel Estrada and Carter Phillips, have endorsed her nomination. She was rated unanimously “well qualified” by the American Bar Association.

President Obama first nominated Ms. Halligan in 2010. Despite Ms. Halligan’s outstanding qualifications and broad support, our Republican colleagues have refused to grant her an up-or-down vote for over 2 years.

Some have argued, because of positions that she took in litigation at the behest of a client, that she does not have adequate respect for the second amendment. Yet both at her hearing and in response to written questions, she stated unequivocally that she

would faithfully follow and apply the Supreme Court's decision in *District of Columbia v. Heller*, which held that the second amendment protects an individual right to keep and bear arms for self-defense. When asked whether the rights conferred under the second amendment are fundamental, Ms. Halligan answered, "That is clearly what the Supreme Court held and I would follow that precedent." It doesn't get much clearer than that.

In 2011 Republicans filibustering her nomination claimed that the caseload of the D.C. Circuit did not warrant filling that seat because the other judges serving on the court had too few cases. At that time, Ms. Halligan was nominated to fill the ninth seat out of 11 on the D.C. Circuit.

Even at the time, that argument was questionable. Senate Republicans confirmed President Bush's nominees for the 9th, 10th, and 11th seats on the D.C. Circuit without concerns about caseload. That court's caseload has only gone up in since then. Also, the D.C. Circuit's caseload is uniquely challenging, as the former chief judge of the D.C. Circuit, Patricia Wald, has explained:

The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health-care reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

Even if we accept the argument that the D.C. Circuit did not need another judge when Ms. Halligan was nominated for the ninth seat, the circumstances have changed. Because an additional vacancy has opened, Ms. Halligan is currently nominated for the eighth seat, meaning there are now four vacant seats on the court. To put it another way, the court is now understaffed by over one-third. At the same time, the Administrative Office of U.S. Courts reports that the caseload per active judge has increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the D.C. Circuit.

Thus, there is no basis for debate now about whether an additional judge is needed on the D.C. Circuit. With an extra vacancy and a growing caseload, the court considered by many to be second only to the Supreme Court in its importance in our Federal judiciary desperately needs help.

Luckily, we have the opportunity to send the court an outstanding legal talent in Caitlin Halligan. I urge my colleagues to support her confirmation.

More broadly, I hope that we can come together and return the Senate to its best traditions of holding up-or-

down votes on judicial nominations. We have an opportunity this Congress to move past this obstruction and get back to the proper manner of handling judicial nominations. Doing so will bring much needed assistance to the Federal judiciary, which has been forced to contend with unmanageable judicial vacancy rates. It also will do credit to this institution, which is failing in its duty to confirm Federal judges. We do not deserve the moniker of the "world's greatest deliberative body" if we cannot do something as simple as confirming judicial nominations.

There have been some encouraging signs that we are making real progress in this regard. For instance, the rules reforms that we voted on in a bipartisan manner earlier this year included a provision to shorten the postcloture debate window on district court nominees from 30 hours to a more reasonable 2. This change could dramatically streamline the nominations process without limiting the minority's ability to filibuster a nominee they do not like. It will expire at the end of this Congress, however. I hope that we can come together in bipartisan agreement to extend it permanently and perhaps even expand it to include circuit court nominees like Ms. Halligan.

Even with this change, there is still much to be done. The nonpartisan Congressional Research Service recently reported that the confirmation percentage for President Obama's nominees is the lowest of any President in the last 36 years. The effects are obvious. The judicial vacancy crisis in this country is real, and it is growing. As Supreme Court Chief Justice John Roberts has said, "a persistent problem has developed in the process of filling judicial vacancies. . . . This has created acute difficulties for some judicial districts. Sitting judges in those districts have been burdened with extraordinary caseloads." As he explained, there is "an urgent need for the political branches to find a long-term solution to this recurring problem."

So let's return to the principle that barring "extraordinary circumstances" a nominee should receive a prompt up-or-down vote on the floor, and let's confirm the nomination of the outstanding nominee before us today, Caitlin Halligan.

Mr. MCCAIN. Mr. President, I regret that I must oppose cloture on the nomination of Caitlin Halligan to the U.S. Circuit Court of Appeals for the District of Columbia. During the 109th Congress, I joined 13 of my Senate colleagues to negotiate a compromise as part of an effort to avoid use of the so-called nuclear option to break an organized filibuster on judicial nominations. A tenet of that agreement was the right of "signatories to exercise their responsibilities under the Advice and Consent Clause of the United

States Constitution in good faith." Further, the agreement went on to state that "nominees should be filibustered only under extraordinary circumstances, and each signatory must use his or her own discretion and judgment in determining whether such circumstances exist."

In keeping with the 2005 agreement, I have decided to oppose the President's nomination of Caitlin Halligan to the U.S. Circuit Court of Appeals for the District of Columbia. Ms. Halligan's demonstrated record of judicial activism on issues ranging from holding firearm manufacturers liable for the crimes of third parties, to arguments regarding National Labor Relations Board authorities, to her record on the detention of enemy combatants, indicates to me that her activist record would only continue if granted the privilege of sitting on the U.S. Circuit Court of Appeals for the District of Columbia.

It is for these reasons and others that I believe Ms. Halligan meets the "extraordinary circumstances" requirement expressed in the agreement. An important constitutional responsibility of the executive branch and the U.S. Senate is to ensure that the Federal bench is able to handle its caseload expeditiously. In my view, we should only oppose cloture in extraordinary circumstances. Unfortunately, I believe this nominee meets that requirement, and my vote to oppose is consistent with the agreement made in 2005.

Mrs. FEINSTEIN. Mr. President, I rise in strong support of the nomination of Caitlin Halligan to the D.C. Circuit Court of Appeals. As a 20-year veteran of the Judiciary Committee and the first woman to serve on that committee it is my great pleasure to support Ms. Halligan's nomination.

Ms. Halligan has excelled at every turn in her career. She graduated cum laude from Princeton University in 1988. She received her law degree, magna cum laude, from Georgetown, where she was managing editor of the *Georgetown Law Journal* and inducted into the Order of the Coif.

She began her legal career with a clerkship with Judge Patricia Wald on the U.S. Court of Appeals for the D.C. Circuit, the first woman to serve on the D.C. Circuit.

She then spent a year in private practice at the Washington, DC firm Wiley, Rein, and Fielding, after which she clerked for Justice Stephen Breyer on the U.S. Supreme Court. After another year in private practice, Ms. Halligan entered public service. She went to the Attorney General's Office in the State of New York, first as Chief of the Internet Bureau.

She rose to become First Deputy Solicitor General and ultimately Solicitor General of the State of New York, the State's top appellate lawyer. During nearly all of Ms. Halligan's time as

Solicitor General, George Pataki—a Republican—was Governor. Her job was to represent the State of New York zealously, and by all accounts she did so with skill and dignity.

Judith Kaye, the former Chief Judge of New York's highest court, writes on behalf of the court's entire bench that "it was invariably a treat" to have Ms. Halligan argue before the court.

In fact, the National Association of Attorneys General awarded her the "Best Brief Award" on numerous occasions, including consecutive awards in 2001, 2002, 2003, 2004, and 2005.

In 2007, she went into private practice to lead the appellate practice at the prestigious New York firm Weil, Gotshal, and Manges.

She returned to public service in 2010 as the General Counsel of the New York County District Attorney's Office, where she has served for the past 3 years. This office is one of the most distinguished prosecutorial offices in the Nation, and it handles more than 100,000 criminal prosecutions each year.

Because of her strong background in law enforcement in the State of New York, her nomination enjoys the support of major law enforcement groups, including the National District Attorney's Association, the National Center for Women and Policing, the New York Association of Chiefs of Police, the New York State Sheriff's Association, and New York Women in Law Enforcement.

She also enjoys the support of many law enforcement officials from New York, including New York City Police Commissioner Ray Kelly, New York County District Attorney Cyrus Vance, and numerous other County District Attorneys across the State.

Over the course of her distinguished career, she has served as counsel for a party or amicus in the Supreme Court more than 45 times. She has argued in the Supreme Court herself in five cases, most recently in March 2011. She also has argued or participated in dozens of other appeals in State and Federal courts.

In short, Ms. Halligan is an accomplished woman whose sterling qualifications are unassailable. She clearly deserves the "well qualified" rating from the American Bar Association she has received—the ABA's highest rating.

Unfortunately, Ms. Halligan's nomination has been pending for a very long time. She was first nominated to the D.C. Circuit in September 2010, 29 months ago. The seat to which she has been nominated has been vacant since 2005, when Chief Justice Roberts was elevated.

Last Congress, my Republican colleagues filibustered her nomination, something that I found to be without cause or rationale. I am very hopeful that, in this Congress, reasonable minds will prevail, and we will invoke cloture and confirm Ms. Halligan.

I understand that the National Rifle Association is opposed to Ms. Halligan's confirmation. Behind the NRA's opposition is the fact that—while Halligan was New York's Solicitor General, acting at the direction of her superiors—the State pursued public nuisance litigation against gun manufacturers.

Think about that: if this standard prevails, any time a person represents a State or local government, or the Federal Government, and represents that government on a controversial issue at the direction of its duly-elected leaders, that may jeopardize a later confirmation vote.

That is not fair. A government lawyer's job is to pursue the government's interest vigorously and to do justice, and that is what Caitlin Halligan has done. She was appointed by the Attorney General to represent the State of New York, while the State had a Republican Governor, George Pataki. Her job was to advance New York's interest, and she did so with vigor at the direction of her superiors. She should not be penalized for it.

Senator SESSIONS made this point when the Senate was considering the nomination of now-Judge Brett Kavanaugh to the D.C. Circuit. Senator SESSIONS said that "[s]uggesting that service in an elective branch of Government somehow tarnishes a lawyer's reputation would be a terrible message for this body to send to the legal community and to all citizens."

My colleagues will recall that Judge Kavanaugh had quite an activist record from our side's perspective: he had worked on the Starr Report, which recommended grounds of impeachment of President Clinton; he had worked for George W. Bush during the Florida recount; he then worked in the White House Counsel's office under President George W. Bush.

In short, while Kavanaugh may have been a fine lawyer, he had an undoubted Republican political pedigree. Yet I carefully considered his background, and I voted to invoke cloture on his nomination, as did many of my Democratic colleagues. Now it is time for our Republican colleagues to do the same on this nomination.

Last Congress, some of my Republican colleagues argued that the D.C. Circuit's caseload does not justify confirming another judge to the Court.

The D.C. Circuit has 11 judgeships. Four of them are vacant now—more than a third of the court—and three other judges are currently eligible to go senior, so the D.C. Circuit could soon have only four of its 11 seats filled.

When my colleagues raised caseload-based objections to Halligan's nomination last Congress, I reminded them that, during the George W. Bush Administration, they voted to fill the 10th seat on the D.C. Circuit twice and the

11th seat once. If confirmed, Halligan would only fill the eighth seat.

In addition, the D.C. Circuit's caseload per judge has grown substantially just in the last few years. The total number of cases terminated per active judge has grown to 280 up from 184 in 2010. That's more than a 50 percent increase. Similarly, the number of appeals at the Court pending per active judge has also spiked. It was 157 in 2008. Today, it is 203 so it is up by a third.

This hurts ordinary Americans. Most of the time, the cases heard by the D.C. Circuit are not partisan or ideological. But they are critical to making sure that Federal regulation in almost every area operates predictably and rationally.

As Former Judge Patricia Wald recently wrote in the Washington Post:

The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health-care reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

Moreover, President Obama has been the only President in nearly four decades not to have a confirmed appointment to the D.C. Circuit. President Ford was the last such President, but there were no vacancies during his Administration, and every other President since Warren Harding, over 90 years ago, had an appointment to this court. I fear my Republican colleagues are treating President Obama differently from other Presidents in this regard.

I will conclude by simply saying that Ms. Halligan is a woman with sterling credentials, an exemplary record, and a wealth of experience. She has been nominated to a vital court that badly needs her service. I believe she should be confirmed, and I urge my colleagues to vote for cloture and for confirmation.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator's time has expired.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent for 2 minutes of debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Madam President, I understand the Senator from New York will speak following my comments.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, today the Senate has an opportunity to act in a

bipartisan manner to end a filibuster against an outstanding nominee to the D.C. Circuit. Caitlin Halligan is an exceptional attorney with the kind of impeccable credentials in both public service and private practice that make her unquestionably qualified to serve on the D.C. Circuit. No one can seriously question her legal ability, her judgment, her character, her integrity, her ethics or her temperament. Those who seek to misrepresent her as a partisan or ideological crusader are wrong and unfair.

Some have mischaracterized her record and distorted her views on executive authority and terrorism. Here is what she said about the 2004 New York City Bar report that some are using to inflame the debate:

I was, frankly, taken aback by [this Report], for a couple of reasons. First of all, the Supreme Court has clearly said that indefinite detention is authorized by the AUMF statute. And so the notion that the President lacks that authority, I think, is clearly incorrect. I was also a little bit taken aback by the tone of the report. I think that the issues of indefinite detention and any issues in the national security realm are very serious ones, and I think that approaching those issues as respectfully as possible is the most productive way to proceed. But the bottom line is that the report does not represent my work. It does not reflect my views.

I hope Senators who intend to make this a basis for filibustering this outstanding nominee are listening and understand. Again, she testified: "[T]he bottom line is that the report does not represent my work. It does not reflect my views." This is no basis for opposing the nominee, let alone filibustering her consideration. The report does not represent her views; she flat out rejected them as a statement of law.

During her hearing she testified that she only became aware of the 2004 New York Bar report in 2010 while preparing for her confirmation hearing. She even provided minutes from the City Bar Committee's meetings to show that she was not present and not part of the subcommittee that drafted the report. She rejected the views in the report, saying that it was "clearly incorrect." So while she was one of 37 members of a larger Committee, she was not a member of the subcommittee that drafted the report. She did not participate in the drafting. To filibuster her nomination because of a report she did not write, has not endorsed and has, in fact, rejected, would be a great injustice to this outstanding woman.

New York City's Police Commissioner Ray Kelly wrote in strong support of Caitlin Halligan again this week, saying:

I want to reiterate [my] support, and to stress my confidence in her commitment to the vigorous prosecution of our ongoing fight against the threat of terrorism here in New York City.

Any suggestion that Ms. Halligan would thwart efforts to protect our nation, and our city, against terrorist threats is absurd. For

over three years, Ms. Halligan has served as Counsel to the New York County District Attorney. During that time, she has worked extensively on key anti-terrorism cases, including most recently the successful prosecution of Ahmed Ferhani, who pled guilty to very serious charges under New York State's anti-terrorism statute for a 2011 plot to blow up Manhattan synagogues and churches.

I ask unanimous consent that the full letter be printed in the RECORD at the conclusion of my statement. This is not someone soft on terrorism. She has helped bring terrorists to justice. Police Commissioner Kelly is not endorsing someone soft on terrorism. Cyrus Vance, Jr., the New York County District Attorney, is not endorsing someone soft on terrorism.

This is a woman and mother who lives in downtown New York. She was literally blocks away from the twin towers on September 11, 2001. She saw and experienced the devastation of the 9/11 terrorist attack on New York.

By any traditional standard, Caitlin Halligan is the kind of superbly qualified nominee who should be considered and confirmed by the Senate. The Republican leadership's filibuster of this nomination threatens to set a new standard that could not be met by anyone. That is wrong, it is unjustified, and it is dangerous.

It takes only a handful of sensible Senate Republicans to do the right thing. This is not a time to victimize Caitlin Halligan for some sort of political payback or to appeal to narrow special interests. I ask those Republican Senators who care about the judiciary and fairness to come forward, end this filibuster, and ratchet down the partisanship that threatens this institution, our courts and the country.

A Republican Senator, who was a member of the "Gang of 14" in 2005, described his view of what comprises the "extraordinary circumstances" justifying a filibuster. He said: "Ideological attacks are not an 'extraordinary circumstance.' To me, it would have to be a character problem, an ethics problem, so allegations about the qualifications of a person, not an ideological bent." Caitlin Halligan has no "character problem," no "ethics problem," and there is no justification for this filibuster. I trust that Senator will apply the standard he articulated and vote to end this filibuster.

Another Republican Senator said just last year in voting to end a filibuster against another circuit court nominee:

[W]hen I became a Senator, Democrats were blocking an up-or-down vote on President Bush's judicial nominees. I said then that I would not do that and did not like doing that. I have held to that in almost every case since then. I believe nominees for circuit judges, in all but extraordinary cases, and district judges in every case ought to have an up-or-down vote by the Senate.

If that Senator remains true to his principles, he will vote to end this filibuster.

Republican Senators who signed that 2005 memorandum of understanding

continue to serve here in the Senate. If they follow the standard set in that agreement, they will vote to end this filibuster. They demonstrated what they thought that agreement entailed when they proceeded to invoke cloture on a number of controversial nominations of President Bush to the D.C. Circuit. If that agreement and standard had any meaning, they should all be voting to end this filibuster.

I urge all those who have said that filibusters of judicial nominations are unconstitutional to end this filibuster. I urge those who said they would never support a filibuster of a judicial nomination to end this filibuster. I urge those who said that they would only filibuster in "extraordinary circumstances" to end this filibuster. I urge all those who care about the judiciary, the administration of justice, the Senate and the American people to come forward and end this filibuster.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CITY OF NEW YORK,
New York, NY, March 5, 2013.

Hon. CHARLES E. SCHUMER,
Hart Senate Office Building,
Washington, DC.

Hon. KIRSTEN GILLIBRAND,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR SCHUMER AND SENATOR GILLIBRAND: In May 2011, I wrote to the Senate Judiciary Committee in strong support of Caitlin Halligan's nomination to the United States Court of Appeals for the District of Columbia Circuit. I want to reiterate that support, and to stress my confidence in her commitment to the vigorous prosecution of our ongoing fight against the threat of terrorism here in New York City.

Any suggestion that Ms. Halligan would thwart efforts to protect our nation, and our city, against terrorist threats is absurd. For over three years, Ms. Halligan has served as Counsel to the New York County District Attorney. During that time, she has worked extensively on key anti-terrorism cases, including most recently the successful prosecution of Ahmed Ferhani, who pled guilty to very serious charges under New York State's anti-terrorism statute for a 2011 plot to blow up Manhattan synagogues and churches.

As I informed the Senate in 2011, I strongly recommend Ms. Halligan for the position to which she has been nominated.

Sincerely,

RAYMOND W. KELLY,
Police Commissioner.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, so many good things about Caitlin Halligan have already been said. She is a woman of great intellect, has a history of laudable achievements, a record of outstanding public service, and she deserves the full support of the Senate today.

Caitlin has had an exceptional career as an attorney, and I am confident she will make an excellent judge. She is currently the general counsel at the

New York City District Attorney's Office, an office that investigates and prosecutes 100,000 criminal cases annually in Manhattan.

She served as our Solicitor General. She was awarded "Best United States Supreme Court Brief" while she served there.

She has overwhelming support from law enforcement, from the New York Association of Chiefs of Police, the New York State Sheriffs Association, the National District Attorneys Association, the New York Women in Law Enforcement, along with the support of community leaders, such as the Women's Bar Association of the District of Columbia, the National Conference of Women's Bar Associations, and the U.S. Women's Chamber of Commerce.

The bottom line is, she is a well-qualified judge who would do great service for the United States. Even New York City police commissioner Ray Kelly said Caitlin has the "three qualities important for a judicial nominee: intelligence, a judicial temperament, and personal integrity." She has a strong record.

As to the debate we have heard on national security, Caitlin lives in the heart of New York City. She saw the Twin Towers fall. In the years that followed, she worked as pro bono counsel to the board of directors of the Lower Manhattan Development Corporation that oversees the rebuilding of Lower Manhattan—helping our city to grow stronger every single day.

Lastly, today, women make up roughly 30 percent of the Federal bench. For the first time in history, that holds true in trial courts, courts of appeals, and the highest court in the land, the Supreme Court.

It is true we have come a long way, but we still have a long way to go on this journey for full equality. I think she is a superbly qualified nominee, and I urge my colleagues to vote in support of her.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Barbara Boxer, Benjamin L. Cardin, Robert P. Casey, Jr., Bill Nelson, Barbara A. Mikulski, Amy Klobuchar, Al Franken, Jack Reed, Sheldon Whitehouse, Robert Menendez, Kirsten E. Gillibrand, Richard Blumenthal, Max Baucus, Sherrod Brown, Dianne Feinstein.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mr. JOHANNES), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 41, as follows:

[Rollcall Vote No. 30 Ex.]

YEAS—51

Baldwin	Gillibrand	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Hirono	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Cowan	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murkowski	Wyden

NAYS—41

Alexander	Enzi	Moran
Ayotte	Fischer	Paul
Barrasso	Flake	Portman
Blunt	Graham	Reid
Boozman	Grassley	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kirk	Thune
Corker	Lee	Toomey
Cornyn	McCain	Wicker
Cruz	McConnell	

NOT VOTING—8

Crapo	Johnson (SD)	Udall (CO)
Hatch	Lautenberg	Vitter
Johannes	Mikulski	

The PRESIDING OFFICER. On this vote the yeas are 51 and the nays are 41. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. I enter a motion to reconsider the vote by which cloture was not invoked on the Halligan nomination.

The PRESIDING OFFICER. The motion is entered.

VOTE EXPLANATION

• Mr. VITTER. Madam President, I could not participate in the vote on the

motion to invoke cloture on the nomination of Calendar No. 13, Caitlin Joan Halligan, of New York, to be U.S. circuit judge for the District of Columbia Circuit. Had I voted, I would have voted nay.

Ms. Halligan has consistently espoused extremist positions on well-settled areas of the law including second amendment rights, abortion, and terrorist detention. I believe that Ms. Halligan's demonstrated propensity for judicial activism disqualifies her for the Federal bench where a judge must impartially apply the law. •

ORDER OF BUSINESS

Mr. REID. Madam President, we are now going to move to the Brennan matter. The Republican leader and I are trying to work something out. I have had numerous contacts from everybody about the problems with the weather. We are going to try to reach an agreement to move forward on Brennan and finish it today. I don't know if we can do that, but this is what we are trying to do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes, and Senator INHOFE, the senior Senator from Oklahoma, be given 20 minutes after I speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

DOOLITTLE "TOKYO RAIDERS"

Mr. BROWN. Madam President, I rise to recognize the lasting contributions of 80 courageous Americans who participated in the Doolittle raid, our Nation's first offensive action on Japan's soil during the Second World War. I am pleased to have Senator BOOZMAN as the lead Republican of an effort to ensure these men have the recognition they deserve. Together, we introduced S. 381, which will award the surviving airmen, known as the Doolittle Raiders, with the Congressional Gold Medal. Senator BOOZMAN's collaboration reiterates that bipartisan support for our veterans endures in this body. Joining us as original cosponsors are Senators MURRAY, TESTER, BAUCUS, NELSON, CANTWELL, and SCHATZ.

As chairman of the Senate Veterans' Affairs Committee during the last session, Senator MURRAY also cosponsored

last year's resolution. We are grateful for her leadership. Our colleague Senator LAUTENBERG, the sole World War II veteran serving in the Senate, is also a cosponsor.

Some 16 million Americans served this country during World War II. Today their average age is 92. These survivors have earned the respect of a grateful Nation. Now is the time for us to act to honor them.

On April 18, 1942, 80 American airmen volunteered for an unknown assignment. These sons, fathers, and brothers accepted what they only knew to be "an extremely hazardous mission." They were led by Lt. Col. James "Jimmy" Doolittle, a one-time flight instructor at Wright Field in Dayton, OH, in my home State. He also studied at Kelly Field and McCook Field in Ohio.

The Doolittle Raid was the first time the Army Air Corps and the Navy collaborated on a tactical mission. These pilots flew 16 U.S. Army Air Corps B-25 Mitchell bombers from the deck of the USS *Hornet* into combat, a feat that had never been before attempted.

On the morning of the raid, the USS *Hornet* was discovered by Japanese picket ships. Fearing the mission might be compromised, the Raiders launched 170 miles earlier than planned. The earlier launch meant these men now had to travel over 650 miles to their intended targets, leaving them with the possibility of running out of enough fuel to land beyond the Japanese lines in occupied China.

Accepting this choice meant the Raiders would almost certainly have to crash land or bail out either above Japanese-occupied China or over the home islands of Japan. Any survivor would certainly be subjected to imprisonment, torture or death.

After reaching their targets, 15 of the bombers continued to China, while the 16th—whose plane was dangerously low on fuel—headed to Russia.

The total distance traveled by the Raiders was about 2,250 nautical miles over a period of 13 hours, making it the longest combat mission ever flown in a B-25 during the war.

Of the 80 Raiders who launched that day, 8 were captured—3 of them were executed, 1 died of disease, and 4 of these prisoners survived and returned home after the war. Of the original 80, 4 are still with us today. They are residents of Montana, Texas, Tennessee, and Washington State.

There was a fifth, MAJ Tom Griffin of Cincinnati, OH. On the evening of February 26, just 1 week ago—the date I introduced this legislation—Major Griffin of Cincinnati passed away surrounded by family and friends. His family lost a loved one, our Nation lost a hero.

The remaining four Raiders will be commemorating the 71st anniversary of this raid this coming April in Fort

Walton Beach, FL. Now is the time to award these survivors the Congressional Medal. Their valor, their skill, their courage proved invaluable to the morale of our country on that day more than 70 years ago and the eventual defeat of Japan in the Second World War. These men continue to remind us of the quiet determination and that uncommon valor in the face of sheer danger.

I humbly ask my colleagues to join us in this bill in honoring the Doolittle Raiders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

OIL AND GAS INDUSTRY

MR. INHOFE. Madam President, since being elected, President Obama has been talking about the virtues of our Nation's potential to achieve domestic energy independence. In his State of the Union Message just a short time ago he said: "After years of talking about it, we are finally poised to control our own energy future."

This is something I have been saying now for years. We already have control over our energy future. The problem is we have an administration that has not allowed us to exploit our own capabilities in terms of developing the natural resources we have. In fact, we are the only country in the world that doesn't develop its own resources.

In fact, in each of the President's budgets he has proposed to kill certain tax provisions specific to the oil and gas industry. Even though he says these are subsidies for the oil and gas industry, that is not the case.

I would like to mention these because no one ever talks about the fact that he has specific provisions in his own budget. I will mention just three of them.

Intangible drilling costs—called IDCs. This is a provision that simply allows producers to deduct from their revenue the cost of drilling. You pay taxes on net revenue. So this is net of the expenses it takes to develop the revenue. Every business is allowed to deduct ordinary and necessary business expenses, and IDCs are exactly that for the oil and gas industry.

In other words, the cost of drilling should be deducted because a lot of times they drill and don't produce anything. So this is something everyone else has and we should be having also in the oil industry. If the President gets rid of these, the tax increase would be \$13.9 billion over the 10-year period we have been talking about. This is interesting because that is not a tax that would be paid by them. It would go into the increased cost of energy. But we stopped that. We stopped that provision from becoming a reality, even though it was in the President's budget.

The second is called percentage depletion. Percentage depletion is simply a way the Tax Code has allowed oil and gas producers to account for the reduction in the value of their reserves. Let's say they are fortunate and they produced oil that is going to be income that will go to them. As that is depleted, the value of that has been depleted also.

Percentage depletion has been on the books as long as we have had the industry. If the President were successful in doing away with the percentage depletion, that would mean about an \$11.5 billion tax increase on the energy we use in this country.

The last one I will mention—and there are actually two more—is called section 199. Section 199 is the manufacturer's tax deduction. It allows all manufacturers, including farmers, filmmakers, and the rest of them to take a small deduction in their taxes because they create products here in America. The President has always proposed canceling this out but only for the oil and gas industry and not for anybody else. Everybody else would have that same advantage.

Again, if the President were successful in doing this, it would increase the cost of energy by \$11.6 billion over that 10-year period. The President's proposal to increase these taxes would prevent the industry from reaching its true potential, despite the fact of what we have out there and what we could do and how we could get it done today real quickly.

A recent CRS—Congressional Research Service—report stated that the United States has the largest combined resources in oil, natural gas, and coal of any country in the world. We have more than Saudi Arabia, China, and Canada combined. Yet we are the only Nation, as I said, in the world that doesn't allow ourselves to exploit our own resources.

Fortunately, oil and gas activities have increased over the past years. As much as the President may want to claim credit for this, he has no standing to do so because, as I mentioned, the tax provisions he has proposed in his budget have been very negative toward oil and gas. Last year we hit a 15-year high in oil production, producing an average of 6.4 million barrels a day, which was 800,000 barrels per day more than in 2011.

This increase is staggering and it is the result of the amazing advancements in oil and gas production technologies—things such as horizontal drilling and hydraulic fracturing. These are things that have helped us get the oil and gas out of tight formations.

Nearly all of this increase has occurred on State and private lands. CRS confirmed 1 year ago that "about 96 percent of the increase [in oil and gas production] since 2007 took place on

non-Federal lands." That is critical, because as I have said twice already, we are the only country that doesn't develop its own resources. This means that is beyond the reach of the President's hands. In other words, he can't stop the private land production but he can the public land.

Adding to that—and this was just released yesterday, which is why I wanted to make this point today—the oil production on all Federal lands, including onshore and offshore, declined last year for the second year in a row, falling from 632 million barrels in 2011 to right at 600 million barrels in 2012. So the 800,000 barrels-per-day increase we saw last year took place solely on private lands, none of it on public lands.

During this boom time we are having right now, on that which the President has control over—the Federal lands—we have actually had a reduction. This makes sense, given what we know about oil and gas permitting on Federal lands. It still take 300 days to get a permit to drill.

This is something you can't talk about too much because they would always say: In a certain case, you need to do it faster. In my State of Oklahoma, you can get it done in hours. In North Dakota, you can get permitting done in an average of about 10 days. But no, it is 300 days on Federal lands.

I have a friend named Harold Hamm. He is arguably the most successful independent producer in America today. He is from Enid, OK. He does most of his production in North Dakota right now. I saw just a moment ago the Senator from North Dakota, and he can be very proud of the fact that in North Dakota Harold Hamm has one huge problem: He can't find people to work. They have full employment up there. This is what the potential is for this entire country.

This chart shows all the potential, and I call to the Chair's attention this Northeastern part of the United States—Pennsylvania and New York. It didn't use to be the case that they had all that potential, but they do now, and it is spread evenly throughout the country with all the great new discoveries that are out there.

Anyway, one of the arguments the President has had when I have said over and over again for the last 4 years that we need to open our public lands for drilling, and if we were able to do that, good things would happen in terms of the market, the price of gas at the pump, is that if we do that—if we allow the drilling for gas and oil on public lands—it would be 10 years before we would feel that at the pump—10 years.

So I called Harold Hamm. He is a guy who I think everyone would agree could be considered the most knowledgeable person in this area, about 6 months ago I called him and said to him: I am going to be on a national TV

show—I should tell you what it is, but I will not—and the President has been saying it will take 10 years before that oil will reach the pumps and so I would like to ask you a question. I said: When you answer, I am going to use your name live on national TV tonight, so make sure you are accurate. So I asked him: If you had a rig set up in New Mexico and you were able to lift the restrictions we have on public lands, how long would it take that oil and gas to hit the market? He said, without hesitating, 70 days. I said: Be sure you are right. I am going to use your name, and he proceeded to tell me what would happen each day for the first barrel of oil to actually reach the pumps and have an effect.

Anyway, no one has argued with that yet because it is pretty well documented. So by the time you have one Federal drilling permit completed, Harold Hamm could have four separate wells up and running, providing more jobs and cheaper gasoline for all Americans.

Fortunately, the President does not control the permitting process on State and private lands, and because of this the industry has had the opportunity to unlock tremendous natural gas resources. Not 5 years ago, many believed the United States faced a significant shortage of natural gas. Well-head prices at that time were trading as high as \$11 per thousand cubic feet—\$11 per thousand cubic feet—and investors were racing to build liquefied natural gas import facilities. We were going to import liquefied natural gas. As you know, natural gas has to be liquefied to have some bulk before you are able to trade it internationally. Anyway, they were racing to try to get this done so we would be able to import from foreign countries to meet U.S. demand with foreign supplies.

The shale gas revolution changed all this. Our expected natural gas reserves are well over 2 quadrillion cubic feet, which is enough gas to supply our domestic needs in the United States for 90 years. That is right here in this country. Many industry observers believe this estimate is discounted to the Nation's true potential. This dramatic shift in natural gas markets has pushed prices down to below \$4 per thousand cubic feet, putting the United States in a unique position to bolster both wealth creation and our foreign policy might by beginning natural gas exports. So we would be going from importing liquefied natural gas to exporting natural gas.

Right now there are currently 15 permits to export LNG pending before Secretary Chu at the Department of Energy. The Natural Gas Act requires the Department to "issue such [a permit] upon application, unless . . . it will not be consistent with the public interest."

What could be inconsistent with this for the public interest? This would be

cheaper gas for us and give us total independence in a matter of weeks.

Congress, when it wrote the Natural Gas Act, understood that the export of American products is good for the Nation. It supports domestic industry, creates jobs, and transfers wealth from overseas back to the United States. It is all good for us.

A recent report commissioned by DOE to assist it in making its determination agreed with this. They stated:

. . . across the scenarios [examined by the study], the U.S. economic welfare consistently increases as the volume of natural gas exports increases.

So that is the opportunity that is out there.

Some in this body have raised concerns about allowing liquefied natural gas exports to move forward. They are concerned mainly that production would not be able to keep up with the rising consumption and exports and that the follow-on effects will be harmful to domestic industries. I can appreciate where these Members are coming from, but I want to point out something that many may be overlooking.

The Energy Information Agency, the EIA, releases an annual outlook for U.S. energy markets. In their most recent one, which came out just a few weeks ago, they estimated that between now and 2040, production of natural gas would increase by 40 percent, which will more than offset the expected 20 percent increase in consumption. So our consumption is going to increase. People say: How can we ever become independent. Our production will increase at twice the consumption level.

Today, natural gas is trading near an all-time low, and because of this many producers have completely abandoned new natural gas production projects. In 2008, when natural gas was trading at nearly \$11 per thousand cubic feet, there were over 1,600 active drilling rigs. Today, that figure is down to 428. That is a 73-percent reduction. The rigs are still out there. They are still set up. They are just not operating. Overnight, you can have them operating again.

The industry is not moving forward with projects because it does not have the demand and certainty it needs to do so. Without demand certainty, it is impossible to accurately forecast whether the massive investments required to develop a project can be recouped. This stalls both job and wealth creation, keeping our unemployment rates and deficits higher than they should be.

Today the natural gas market is in a demand-limited scenario, and it will remain there for the foreseeable future. Supply is truly so abundant and readily available that as soon as more demand comes online producers are able to tap reserves and meet the market's needs.

The consulting firm Deloitte agrees. In its report, it stated "producers can develop more reserves in anticipation of demand growth." They added that future LNG exports will have limited disruptions to natural gas markets because they "will likely be backed by long-term supply contracts, as well as long-term contracts with buyers. There will be ample notice and time in advance of the exports to make supplies available."

This should be of great encouragement to domestic energy consumers. In fact, the NERA Consulting Report concluded that across the board, industries would not be hurt by LNG exports, stating that "no sector analyzed . . . would experience reductions in employment more rapid than normal turnover."

The petrochemical industry is one that has been vocal in opposition to LNG exports, but the leftwing think tank, the Brookings Institute, stated in its LNG report that "exports can be seen as providing a benefit to the petrochemical industry" because it is primarily a user of natural gas liquids and not the dry liquids used to make LNG.

I can appreciate the fact that many people are worried about the cost of energy going up in this country. I am too. But those who are concerned that exports will be the cause of this have misplaced concerns. Rather, they should be focusing their attention on the cumulative effect of adverse government policies negatively affecting energy sources. Government regulations, largely those coming out of the EPA, are perhaps the greatest threat to this Nation achieving domestic energy independence. We have gone from 1,600 rigs out there that were operating down to 428 rigs.

Further, when considering the potential benefits of LNG exports, we can't dismiss the impact trade has had on other sectors of our economy. Agriculture is a prime example. The Federal Government works diligently to open and maintain international market access for U.S. agricultural producers. This was highlighted very recently by the announcement that Japan would ease its restrictions on U.S. beef imports. Certainly, this is meaningful to my State and the States of others who are in this Chamber right now. This has been a major goal of the current and previous administrations for years, and Japan's decision was hailed by the administration and many Members of Congress on both sides of the aisle. Everyone knows it is a great deal because when you sell products abroad, you both generate wealth at home and expand the size of the market, thereby increasing opportunities for expansion.

The Federal Government should adopt the same perspective with LNG exports. LNG exports will create jobs across the country, bring more wealth

to our Nation from abroad, and grow our economy—all at the same time. Meanwhile, we will be providing needed fuel for our allies—Japan, Korea, NATO, and Thailand—who will consequently be able to reduce their reliance on the Middle East.

So it is something that is good for everybody. It is good for our country; it is good for our economy. And all you have to do is, if you want to see that, look up to North Dakota. As I mentioned, a great independent producer, Harold Hamm from Oklahoma, is up there right now, and his biggest problem is they are fully employed.

We have a similar situation in my State of Oklahoma. We have expanded our production to the point where we are not feeling some of the grief you hear in the discussions from the other people on this floor. So I would encourage us to look at this export to keep this market, to get those other 1,600 wells working. This is something that can certainly happen.

THE STATE OF THE UNION ADDRESS

I notice my time is expiring, but I want to mention something that came out in the State of the Union Message. I hope I will have a chance to do this later on today.

When the President was talking about greenhouse gas, as he has been talking about for a long time, he made several comments. I think this was talked about more in the State of the Union Message than anything else he talked about.

Yes, it's true that no single event makes a trend. But the fact is that the 12 hottest years on record have all come in the last 15.

That is just flat wrong. Even NASA's James Hansen, who officially has been the leader on the other side of this issue, admits that global temperature standstill is real, and mean global temperatures have been flat for the last decade. Later on I am going to go over one by one the statements he has made. I would only suggest that this is something we need to keep in mind.

In 1895, we went into this hysteria at that time because there was a cold snap: We are all going to freeze to death. Another ice age is coming. We are all going to die.

In 1920, it was the same thing except it was a heat spell. This, obviously, wasn't true at that time, but everyone was getting hysterical. These 20-year cycles keep coming and going. You can set your watch by them. Except in 1945, it was another cold spell that lasted until 1975. The interesting thing about this is that 1945 was the year that had the largest release of CO₂ of any time in the history of this country, and that precipitated not a warming trend but another cold trend. The warming trend, of course, came in 1975.

Anyway, these are cycles. God is still up there. We are going to have these

cycles take place. Later on today, hopefully, I want to take each statement that the President has made and show that those statements weren't right.

One thing that is true—one thing that no one disagrees with—is that the cost of having some type of a cap-and-trade system that the President wants would be between \$300 billion and \$400 billion a year. By the admission of the past Director of the EPA, Lisa Jackson—when I asked the question: If we were to incur all these taxes, would something we do in the United States affect the release of CO₂ worldwide, She said: No. Because the problem isn't here. The problem is in China. The problem is in India and other places.

So, again, for those who believe that CO₂ is causing global warming or other climate disasters, keep in mind, even the EPA Director appointed by President Obama agrees that would not reduce any CO₂ worldwide.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, I ask unanimous consent that following my remarks, the Senator from Kentucky, Mr. PAUL, be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SEQUESTER

Mr. CORNYN. Madam President, I am not sure where the Obama administration is getting all of its talking points on the sequester, but the President might want to consider hiring a fact checker.

Even before the sequester took effect, Education Secretary Arne Duncan declared that schoolteachers were getting pink slips. A few days later he had to walk those comments back. He said he was referring to a single school in West Virginia. But when the Washington Post contacted the superintendent of that school, he said not one teacher had gotten a pink slip because of the sequester.

Then President Obama suggested that all of the people who keep the Capitol clean would be suffering a pay cut. But that wasn't true either, according to Capitol Superintendent Carlos Elias.

We have been repeatedly told that the sequester would trigger drastic layoffs of Federal workers. Yet on Monday alone the Federal Government posted literally hundreds of job advertisements.

Finally, just yesterday, when asked to provide evidence for the claim that 70,000 children would be denied access to Head Start because of the sequester, the White House had no details. While the President has been out there playing Chicken Little, Members of Congress have been waiting for the White House to send over its budget.

The law requires the President to transmit a budget by February 4, and we have been now advised his budget will not be forthcoming until March 25. Ironically, that will actually be after the House and the Senate have taken up our own budget, and we will have no input from the President on his proposal.

A few weeks ago I said a second term offers the President a second chance. I still remain hopeful that President Obama will eventually be persuaded to adopt a serious approach for long-term deficit reduction and long-term economic growth.

One of the great tragedies in America today is the fact that our economy is growing so slowly that unemployment rates remain unacceptably high—roughly around 8 percent. That is only after many people have simply given up looking for work. Now more than 20 million people are either out of work or they are working part time when they would prefer to work full time. But that is not going to happen until we get the economy growing again—and that is not going to happen until we get our hands around our long-term deficit and economic growth.

I realize the President and Democrats want to take the House of Representatives back in 2014. The President probably remembers the Halcyon days of 2009 and 2010 when his party controlled the White House, the Senate, and the House. That got us ObamaCare, a \$1 trillion stimulus, and a whole lot more debt, and the Dodd-Frank law—which was targeted at Wall Street but which hit Main Street, including a lot of our community bankers.

There is a time for campaigning and there is a time for governing. But the 2012 election occurred 17 weeks ago and the 2014 election will not occur for another 20 months. Now is the time for governing, not for delivering more partisan stump speeches. In order to govern, the Senate needs to pass a budget, something this Chamber has not done for more than 1,400 days. Over that same period our gross national debt has grown by \$5.5 trillion and we have experienced the weakest economic recovery since the Great Depression. Since the official end of the recession in June of 2009, the median household income in America has fallen by more than \$2,400. Meanwhile, since the President took office the cost of family health insurance has increased by \$2,300. So not only has household income for most Americans—the median household income, that is—dropped by \$2,400, they are seeing an additional burden of \$2,300 because of ObamaCare.

The bottom line is the American people are tired of the “Chicken Little” stories and they are tired of the fear mongering. They look at what is happening in Washington—I know my constituents in Texas do—and they almost

want to turn their eyes in another direction to avert their gaze because they understand that Washington is not serving their interests. If President Obama wants real change, it is time for him to get behind real tax reform and real reform of Social Security and Medicare, something his own bipartisan fiscal commission—Simpson-Bowles—recommended.

After all, the American people did not send us here to kick and scream over a 2.4-percent budget cut. They sent us here to make some hard decisions to ensure long-term economic health and economic prosperity and it is time for the President as the leader of our country and the leader of the free world to take that message to heart.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Kentucky is recognized.

BRENNAN NOMINATION

Mr. PAUL. Madam President, I rise today to begin to filibuster John Brennan's nomination for the CIA. I will speak until I can no longer speak. I will speak as long as it takes until the alarm is sounded from coast to coast that our Constitution is important, that your rights to trial by jury are precious, that no American should be killed by a drone on American soil without first being charged with a crime, without first being found to be guilty by a court. That Americans could be killed in a cafe in San Francisco or in a restaurant in Houston or at their home in Bowling Green, KY, is an abomination. It is something that should not and cannot be tolerated in our country.

I do not rise to oppose John Brennan's nomination simply for the person. I rise today for the principle. The principle is one that, as Americans, we have fought too long and hard for to give up on, to give up on the Bill of Rights, to give up on the fifth amendment protection that says no person shall be held without due process, that no person shall be held for a capital offense without being indicted. This is a precious American tradition and something we should not give up on easily.

They say Lewis Carroll is fiction; Alice never fell down a rabbit hole, and the White Queen's caustic judgments are not really a threat to your security. Or has America the beautiful become Alice's Wonderland?

“No, no!” said the Queen. “Sentence first—verdict afterwards.”

“Stuff and nonsense!” Alice said loudly.

“The idea of having the sentence first.”

“Hold your tongue!” said the Queen, turning purple.

“I won't!” said Alice.

[“Release the drones,”] said the Queen, as she shouted at the top of her voice.

Lewis Carroll is fiction, right? When I asked the President: Can you kill an

American on American soil, it should have been an easy answer. It is an easy question. It should have been a resounding and unequivocal no. The President's response: He hasn't killed anyone yet.

We are supposed to be comforted by that. The President says: I haven't killed anyone yet. . . . He goes on to say: and I have no intention of killing Americans, but I might.

Is that enough? Are we satisfied by that? Are we so complacent with our rights that we would allow a President to say he might kill Americans, but he will judge the circumstances, he will be the sole arbiter, he will be the sole decider, he will be the executioner in chief if he sees fit?

Some will say he would never do this. Many people give the President consideration. They say he is a good man. I am not arguing he is not. What I am arguing is that the law is there, set in place for the day when angels don't rule government. Madison said that the restraint on government was because government will not always be run by angels. This has nothing, absolutely nothing, to do with whether the President is a Democrat or a Republican. Were this a Republican President, I would be here saying exactly the same thing: No one person, no one politician should be allowed to judge the guilt—to charge an individual, to judge the guilt of an individual, and to execute an individual. It goes against everything we fundamentally believe in our country. This is not even new to our country. There is 800 years of English law that we founded our tradition on. We founded it upon the Magna Carta from 1215. We founded it upon Morgan of Glamorgan from 725 A.D. We founded it upon the Greeks and Romans who had juries. It is not enough to charge someone to say that they are guilty.

Some might come to this floor and they might say: What if we are being attacked on 9/11? What if there are planes flying at the Twin Towers? Obviously we repel them. We repel any attack on our country. If there is a gentleman or a woman with a grenade launcher attacking our buildings or our Capitol, we use lethal force. You don't get due process if you are involved with actively attacking us, our soldiers, or our government. You don't get due process if you are overseas in a battle, shooting at our soldiers. But that is not what we are talking about.

The Wall Street Journal reported and said that the bulk of the drone attacks is signature attacks. They do not even know the name of the person. A line or a caravan is going from a place where we think there are bad people to a place where we think they might commit harm and we kill the caravan, not a person. Is that the standard we will now use in America? Will we use a standard for killing Americans to be that we thought you were bad, we

thought you were coming from a meeting with bad people and you were in a line of traffic and so therefore you were fine for the killing?

That is the standard we are using overseas. Is that the standard we are going to use here? I will speak today until the President responds and says: No, we won't kill Americans in cafes. No, we won't kill you at home in your bed at night. No, we won't drop bombs on restaurants.

Is that so hard? It is amazing that the President will not respond. I have been asking this question for a month. It is like pulling teeth to get the President to respond to anything and I get no answer. The President says he hasn't done it yet and I am to be comforted. You are to be comforted in your home. You are to be comforted in your restaurant. You are to be comforted in online communicating in your e-mail that the President has not killed an American yet in the homeland. He says he has not done it yet. He says he has no intention to do so.

Hayek said that nothing more distinguishes arbitrary government from a government that is run by the whims of the people than the rule of law. The law is an amazingly important thing, an amazingly important protection. For us to give up on it so easily doesn't speak well of what our Founding Fathers fought for, what generation after generation of American soldiers has fought for, what soldiers are fighting for today when they go overseas to fight wars for us. It doesn't speak well of what we are doing here to protect the freedom at home when our soldiers are abroad fighting for us that we say our freedom is not precious enough for one person to come down and say: Enough is enough, Mr. President, come clean, come forward and say you will not kill Americans on American soil.

The oath of office of the President says that he will, to the best of his ability, preserve, protect and defend the Constitution. He raises his right hand, he puts his left hand on the Bible, and he says "will." The President doesn't say, I intend to if it is convenient; I intend to unless circumstances dictate otherwise. The President says, "I will defend the Constitution. I will protect the Constitution."

There is not room for equivocation here. This is something that is so important, so fundamental to our country that he needs to come forward.

When Brennan, whose nomination I am opposing today, was asked directly: Is there any limit to your killing? Is there any geographic limitation to your drone strike program? Brennan responded and said: No, there is no limitation.

So the obvious question would be, if there is no limitation on whom you can kill and where you can kill and there is no due process upon whom you will

kill, does that mean you will do it in America? The Senator from Oregon asked him that question directly, in committee. And this so-called champion of transparency, this so-called advocate of some kind of process, responded to the Senator from Oregon by saying: I plan to optimize secrecy and optimize transparency.

Gobbledygook. You were asked: Will you kill Americans on American soil? Answer the question.

Our laws forbids the CIA from doing that. It should have been an easy question. The 1947 National Security Act says the CIA doesn't operate in our country. We have the FBI, we have rules, we have separated powers to protect your rights. That is what government was organized to do. That is what the Constitution was put in place to do, to protect your rights. So when I asked, he says: No answer. He says: I will evade your answer, and by letting him come forward we let him get away with it.

I have hounded and hounded and finally yesterday I get a response from Mr. Brennan, who wishes to be the CIA chief, and he finally says: I will obey the law.

Well, hooray. Good for him. It took a month to get him to admit that he will obey the law. But it is not so simple. You see, the drone strike program is under the Department of Defense, so when the CIA says they are not going to kill you in America, they are not saying the Defense Department won't. So Eric Holder sent a response, the Attorney General. His response says: I haven't killed anyone yet. I don't intend to kill anyone. But I might.

He pulls out examples that are not under consideration. There is the use of local force that can always be repelled—if our country is attacked, the President has the right to protect and defend the country. Nobody questions that. Nobody questions if planes are flying toward the Twin Towers whether they can be repelled by the military. Nobody questions whether a terrorist with a rocket launcher or grenade launcher is attacking us, whether they can be repelled. They do not get their day in court.

But if you are sitting in a cafeteria in Dearborn, if you happen to be an Arab American who has a relative in the Middle East and you communicate with them by e-mail and someone says your relative is someone we suspect of being associated with terrorism, is that enough to kill you? For goodness sake, wouldn't we try to make an arrest and come to the truth by having a jury and a presentation of the facts on both sides of the issue?

See, the real problem here is one of the things we did a long time ago is we separated the police power from the judicial power. This was an incredibly important first step. We also prevented the military from acting in our coun-

try because we did not want to have a police state. One of the things we greatly objected to of the British is they were passing out general writs or writs of assistance. These were warrants that allowed them to go into a house but allowed them to go into anyone's house. What we did when we wrote our Constitution is we made the Constitution—we made the fourth amendment specific to the person and the place and the things to be looked for. We did not like the soldiers going willy-nilly into any house and looking for anything. So we made our Constitution much more specific.

I think this is something we should not give up on so easily. I think the idea that we could deprive someone of their life without any kind of hearing, essentially allowing a politician—I am not casting any aspersions on the President. I am not saying he is a bad person at all. But he is not a judge.

He is a politician. He was elected by a majority, but the majority doesn't get to decide whom we execute. We have a process for deciding this and we have courts for deciding this. To allow one man to accuse a person in secret and to never get notified that they have been accused—their notification is the buzz of the propellers on the drone as it flies overhead in the seconds before they are killed. Is that what we want from our government? Are we so afraid of terrorism and so afraid of terrorists that we are willing to just throw out our rights and our freedoms and what we have fought for and have gotten over the centuries? We have at least 800—if not 1,000—years' worth of protections.

Originally, the protections were against a monarch. We feared a monarch. We didn't like having a monarch. When we came to this country and set up our Presidency, there was a great deal of alarm. There was a great deal of fear over having a king, and so we limited the executive branch. Madison wrote in the Federalist Papers that the Constitution supposes what history demonstrates, which is that the executive branch is the branch most prone to a war, most likely to go to war, and, therefore, we took that power to declare war and vested it in the legislature. We broke up the powers.

Montesquieu wrote about the checks and balances and the separation of powers. He was somebody whom Jefferson looked toward. They separated the powers because there is a chance for abusive power when power resides in one person. Montesquieu said there can be no liberty when the executive and the legislative branches are combined.

I say something similar; that is, there can be no liberty when the executive and the judiciary branches are combined, and that is what we are doing here. We are allowing the President to be the accuser in secret, we are allowing him to be the judge, and we

are allowing him to be the jury. No man should have that power. We should fear that power not because we have to say: Oh, we fear the current President. It has nothing to do with who the President is. It has nothing to do with whether someone is a Republican or Democrat. It has to do with whether we fear the consolidation of power, whether we fear power being given to one person, be it a Republican or a Democrat. This is not necessarily a right-left issue.

Kevin Gosztola, who writes at firedoglake.com, writes that the mere fact that the President's answer to the question of whether you can kill an American on American soil was yes is outrageous. However, it fits the framework for fighting a permanent global war on terrorism without any geographic limitations, which President Obama's administration has maintained it has the authority to wage.

What is important to note is that we are talking about a war without geographic limitations, but we are also talking about a war without temporal limitations. This war has no limit in time. When will this war end? It is a war that has an infinite timeline. If we are going to suspend our rights, if there is going to be no geographic limits to killing—which means we are not at war in Afghanistan, we are at war everywhere. Everybody who pops up is al-Qaida. Whether they have heard of al-Qaida or whether they have had any communication with some network of al-Qaida, it is al-Qaida. There is a new war going on everywhere in the world, and there are no limitations.

Glenn Greenwald has also written about this subject, and he was speaking at the Freedom to Connect conference. He said there is a theoretical framework being built which posits that the U.S. Government has unlimited power. Some call this inherent power. "Inherent" means it has not been defined anywhere; it has not been expressly given to the government. They have decided this is their power and they are going to grab it and take what they get.

This is not new. The Bush administration did some of this too. When the Bush administration tried to grab power, the left—and some of us on the right—were critical when they tried to wiretap phones without a warrant. Many on the right and many on the left raised a raucous. There was a loud outcry against President Bush for usurping, going across due process, not allowing due process, and not obeying the restraints of warrants. Where is that outcry now?

Glenn Greenwald writes:

There is a theoretical framework being built that posits that the U.S. Government has unlimited power, when it comes to any kind of threats it perceives, to take whatever action against them that it wants without any constraints or limitations of any kind.

As Greenwald suggests—and this goes back to Gosztola's words—answering yes to the question that you can kill Americans on American soil illustrates the real radicalism the government has embraced in terms of how it uses its own power.

We were opposed to them listening to our conversations without a warrant, but no one is going to stand and say anything about killing a person without going to a judge's review or a jury? No one is going to object to that? Where is the cacophony who stood and said: How can you tap my phone without going to a judge first? I ask: How can you kill someone without going to a judge or a jury? Are we going to give up our rights to any politician of any stripe? Are we going to give up the right to decide who lives and who dies?

Gosztola goes on to say the reason the administration didn't want to answer yes or no to this question—can you kill Americans on American soil—is because he says a "no" answer would jeopardize the critical, theoretical foundation they have very carefully constructed that says there are no cognizable constraints on how U.S. Government power can be asserted.

Civil libertarians once expected more from the President. In fact, it was one of the things I liked about the President. I am a Republican. I didn't vote for or support the President either time, but I admired him. I particularly admired him when he ran in 2007. I admired his ability to stand and say: We will not torture people. That is not what America does.

How does the President's mind work? The President—who seemed so honorable, so concerned with our rights, so concerned with the right not to have our phone tapped—now says he is not concerned with whether a person can be killed without a trial. The leap of logic is so fantastic as to boggle the mind. Where is the Barack Obama of 2007? Has the Presidency so transformed him that he has forgotten his moorings and what he stood for?

Civil libertarians once expected more from the President. Ask any civil libertarian whether the President should have the right to arbitrarily kill Americans on American soil, and the answer is easy. Of course no President should have the right or that power under the Constitution.

Brennan has responded in committee that now the CIA does not have the right to do it on American soil. The problem is that this program is under the Department of Defense, so it is, once again, an evasive answer. They are not answering the true question: Will the Government of America kill Americans on American soil?

Gosztola, from firedoglake.com, writes that there may never be a targeted killing of a U.S. citizen on U.S. soil—and the question of whether a U.S. citizen could be targeted and

killed on U.S. soil may remain a hypothetical question for some time—but the fact that the Obama administration has told a U.S. Senator there is a circumstance where the government could target and kill an American citizen on American soil without charge and without trial is a stark example of an imperial Presidency.

This is what our Founding Fathers wanted to fight against. They wanted to limit the role and the power of the President. They wanted to check the President's power with the power of the Senate, the power of the House, and the power of the judiciary. We have three coequal branches. Not one of them should be able to run roughshod on the other.

The problem is we have allowed this to happen—not me personally, but Congress in general has allowed the President to usurp this power. If there were an ounce of courage in this body, I would be joined by many other Senators in saying we will not tolerate this, that we will come together, in a bipartisan fashion, and tell any President that no President will ever have the authority to kill Americans without a trial. When the President says he does intend to do so, we have to think that through.

One year ago, the President signed a law that says a person can be detained indefinitely and that they can be sent from America to Guantanamo Bay without a trial. He wants us to be comforted by that. He wants us to remember and think well of him because he says: I don't intend to do so. It is not enough. I mean, would we be able to tolerate a Republican who stood and said: I like the first amendment, I am quite fond of the first amendment, and I don't intend to break the first amendment, but I might.

Would conservatives tolerate someone who said: I like the second amendment, I think it is important and I am for gun ownership and I don't intend to violate the second amendment, but I might. Would we tolerate that he doesn't intend to do so as a standard?

We have to think about the standards being used overseas. Google interviewed him not too long ago and asked him if he could kill Americans at home. He was evasive. He said there are rules. He said the rules outside would be different than inside. I certainly hope so. Outside the United States the rules for killing are that someone can be killed through a signature strike. We don't have to know what that person's name is, who they are or whom they are with. If a person is in a line of traffic and we think they are going from talking to bad people to talking to other bad people, we can kill that person.

Is that going to be the standard in America? When they are asked if they have killed civilians in their drone strikes, they say no. However, a person

is not counted as a civilian if they are male or if they are between the ages of 16 and 50. They are considered a potential and probable combatant if they are in the 16-to-50 age range.

My question is: If you are not a civilian, if you are in proximity to bad people, is that the standard we are going to use in the United States? If we are going to kill Americans on American soil and the standard is going to be signature strikes of a person who is close to bad people or in the same proximity of bad people, is that enough? Are we happy with that standard? Are we happy we have no jury, no trial, no charges, and nothing done publicly?

Eric Holder, the Attorney General's response to me is that they maintain they are not going to do this. We should just trust them. It is not about them, though. It is about the law. The law restrains everyone equally, regardless of their party or whether they are Republican or Democrat. The law is out there for the time when somebody inadvertently elects a truly bad person.

When World War I ended, the currency was being destroyed in Germany. In 1923, paper money became so worthless that people wheeled it in wheelbarrows; they burned it for fuel. It became virtually worthless overnight. At the beginning of September 1923, I think it was like 10 or 15 marks for a loaf of bread. On September 14, it was 1,000 marks. On September 30, it was 100,000 marks. By October 15, it was a couple of million marks for a loaf of bread. It was a chaotic situation. Out of that chaos, Hitler was elected democratically. They elected him out of this chaos.

My point is not that anybody in our country is Hitler. I am not accusing anybody of being that evil. I think it is an overplayed and misused analogy. What I am saying is that in a democracy we could someday elect someone who is very evil, and that is why we don't give the power to the government. It is not an accusation of this President or anybody in this body; it is a point to be made historically that occasionally even a democracy gets it wrong. So when a democracy gets it wrong, we want the law to be there in place. We want this rule of law.

As I mentioned, Hayek said that this is what distinguishes us. Nothing distinguishes us more clearly from arbitrary government and a government of whims than a rule of law, and a stable and consistent government is the rule of law.

Heritage has an author who has written some about the oath of office. His name is Kesavan. He writes that the location and the phrasing of the oath of office for the President—this is something I mentioned earlier, that the President says he will protect and defend and preserve the Constitution—words are important. The oath doesn't say, I intend to preserve, protect, and defend; it says, I will.

Kesavan writes, though, that the location and phrasing of the oath of office strongly suggests that it is not empowering but limiting. So the President doesn't take an oath of office that says: I intend to preserve, protect, and defend the Constitution, but I also feel that I have inherent powers that were never mentioned by anybody that I will be the sole arbiter of interpreting what those powers are.

That sounds more like a king. That is not what we wanted. We did not want an imperial Presidency. What Kesavan suggests is that the oath of office is not empowering but that it is limiting, that the clause limits the President and how the President can execute or how the Executive power can be exercised.

One unanswered word in that Constitution includes the Fifth Amendment to the Constitution. What does the Fifth Amendment say? The Fifth Amendment says that no person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment of a grand jury. It is pretty explicit. The Fifth Amendment protects us. It protects us from a King placing a person in the tower, but it also should protect us from a President who might kill us with a drone.

We were granted due process. It is not always easy to sort out the details of who is a threat to the country and who is not a threat to the country. If it were people with grenade launchers on their shoulders, that is easy. In fact, I agree completely. A person does not get due process if they are actively attacking America. But we have to realize there have been reports that over half of the drone strikes overseas are not even directed toward an individual, they are directed toward a caravan of unnamed individuals.

Overseas, I have no problems. If people are shooting at American soldiers overseas, by all means, they get no due process. But we also have to realize that many—we don't know because they won't tell us the number, but many of the drone strikes overseas are done when a person is walking, whether to church, a restaurant, or along the road; they are done when a person is in a car driving; they are done when a person is in a house eating or in a restaurant eating; or they are done when a person is in a home sleeping. I am not even saying all those people didn't deserve what they got, but I am saying they were not actively involved in something that is an imminent threat, and if they were in America, they would be arrested.

If we think a person is a terrorist in America, we should arrest them. But here is the question: Who is a terrorist? That is why I have been so concerned with a lot of people around here who want to say if you are associated with terrorism. The reason is that our gov-

ernment has already put out things that I think are of a questionable nature.

The Bureau of Justice put out a bulletin within the last year describing people we need to be worried about. These are the people we are supposed to say something about if we see something. Who are these terrorists who live among us? People who might be missing fingers on one hand; people who might have stains on their clothing; people who might have changed the color of their hair; people who like to pay in cash; people who own more than one gun; people who own weatherized ammunition; people who have 7 days of food in their house—these are people we should be afraid of and we should report to our government, so says our government. Are they going to be on the drone strike list? I think we need to get an answer from the President.

If you are going to kill people in America, we need rules, and we want to know what your rules are because I certainly don't want to have 7 days of food in my house if that is on the list of terrorism. There are some governmental Web sites that advise us to have food in our house. If we live in a hurricane-prone area, we are supposed to keep some extra food around. Who is going to decide when it is OK to have food in our house and when it is not?

There is something called a fusion center. Fusion centers are supposed to coordinate between the Federal Government and the local government to find terrorists. The one in Missouri a couple of years ago came up with a list, and they sent this to every policeman in Missouri. This kind of concerns me. The people on the list might include me. The people on the list from the fusion center in Missouri whom we need to be worried about and whom policemen should stop are people who have bumper stickers that might be pro-life; people who have bumper stickers that might be for more border security; people who support third-party candidates; people who might be in the Constitution Party. And isn't there some irony there—people who might be in the Constitution Party, who believe in the Constitution so much, they might be a terrorist.

So I think we need to be concerned about this. Things are not so black and white. If someone is shooting a gun at us—a cannon, a missile, a rocket, a plane—it is pretty easy to know what lethal attacks are and to repel them, and there should be no due process. But we are talking about people in their home. We are talking about people in a restaurant or a cafe that someone is making an accusation against.

If the accusation is based on how many fingers you have on your hand, I have a problem with that standard. If the standard to be used for killing Americans is whether a person pays in

cash, I have a problem with that. If the standard to be used in America is being close to someone who is bad or the government thinks is bad is enough for you to be killed and not even to count you as an accidental kill but to count you as a combatant because you were near them—see, here is the problem, and this is no passing problem, this is an important problem. There was a man named al-Awlaki. He was a bad guy. By all evidence available to the public that I have read, he was treasonous. I have no sympathy for his death. I still would have tried him in a Federal court for treason, and I think he could have been executed. But his son was 16 years old, and he missed his dad, who had been gone for 2 years. His son sneaks out of the house and goes to Yemen. His son is then killed by a drone strike. They won't tell us if he was targeted. I suspect, since there were other people in the group—there were about 20 people killed—that they were targeting someone else. I don't know that. I don't have inside information on that, but I suspect that.

Here is the real problem. When the President's spokesman was asked about al-Awlaki's son, do my colleagues know what his response was? This I find particularly callous and particularly troubling. The President's response to the killing of al-Awlaki's son—he said he should have chosen a more responsible father. It is kind of hard to choose who your parents are. That is sort of like saying to someone whose father is a thief or a murderer or a rapist—obviously a bad thing, but does that mean it is OK to kill their children? Think of the standard we would have if our standard for killing people overseas is that you should have chosen a more responsible parent. It just boggles the mind and really affects me to think that would be our standard.

There is absolutely no excuse for the President not to come forward on this. I have been asking for a month for an answer. It is like pulling teeth to get any answer from the President. Why is that? Because he doesn't want to answer the question the way he should as a good and moral and upstanding person—someone who believes in the Constitution should—that absolutely no American should ever be killed in America who is sitting in a cafe. No American should ever be killed in their house without a warrant and some kind of aggressive behavior by them. There is nothing American about being bombed in one's sleep. There is nothing constitutional about that.

The President says to trust him. He says he hasn't done it yet. He says he doesn't intend to do so but he might. That is just not good enough. It is not enough for me to be placated. It is not enough for me to be quiet.

So I have come here today to speak for as long as I can. I won't be able to

speak forever, but I am going to speak for as long as I can to draw attention to something that I find really to be very disturbing.

People have asked about this nomination process because I have actually voted for a couple of the President's nominees, some of whom I have objected to, some of whom I have had personal differences with as well as political differences with. This is not about partisanship.

I voted for Secretary of State John Kerry. I have almost nothing in common with him politically. I have disagreed with him repeatedly on the floor. But I gave the President the prerogative of choosing his Secretary of State because I think the President won the election and he deserves to get to make some choices on who is in his Cabinet.

I voted for the very controversial Secretary of Defense, Chuck Hagel. There were things I liked about him and things I disliked about him. I filibustered him twice before I allowed him to go forward, and people have given me a hard time. Conservatives from my party have blasted me for doing that, but I gave the President that prerogative.

So I am not standing here as a Republican who will never vote for a Democrat. I voted for the first three nominees by the President. This is not about partisanship. I have allowed the President to pick his political appointees, but I will not sit quietly and let him shred the Constitution. I cannot sit at my desk quietly and let the President say he will kill Americans on American soil who are not actively attacking a country. The answer should be so easy. I can't imagine that he will not expressly come forward and say: No, I will not kill Americans on American soil.

The Fifth Amendment says that no person shall be held for a capital or otherwise infamous crime unless on the presentment or indictment of a grand jury. It goes on to say that no person will be deprived of life, liberty, or property without due process. Now, some hear "due process," and if a person is not a lawyer—I am not a lawyer—when we first hear it, we think, what does that mean? What does it mean to have due process?

What it means is we are protected. We get protections. Is our justice system perfect? No. Sometimes a person goes all the way through due process in our country, and we have actually convicted people who are innocent. Fortunately, it is very rare, but we have actually convicted people who are innocent. What are the chances that our President, going through a PowerPoint slide show and flashcards, might make a mistake on innocence or guilt? I would say there is a chance. Even our judicial system, which goes through all of these processes, including a judge re-

viewing the indictment, a jury reviewing it, and then a sentencing phase and all of that going forward—we sometimes make mistakes. What are the chances that one man, one politician, no matter what party they are from, could make a mistake on this? I think there is a real chance that exists. That is why we put these rules in place.

Patrick Henry wrote that the Constitution wasn't given or written or put down to restrain you; the Constitution was to restrain us. There has always been, since the beginning of the time we first had government, this desire to restrain the government, to try to keep the government from growing too strong or to try to keep the government from taking your rights.

It is interesting that when we look at the Constitution, the Constitution gave what are called enumerated powers to government. Madison said these enumerated powers were few and defined. The liberties we were given, though, are numerous and unlimited. So there are about 17 powers given to government which we have now transformed into about a gazillion or at least a million new powers—we don't pay much attention to the enumerated powers or to the Constitution anymore. But the Constitution left our rights as unenumerated; they aren't limited. Your rights are limitless.

So when we get to the 9th and 10th Amendments, they say specifically that those rights not granted to your government are left to the States and the people respectively. It didn't list what those rights are. The 14th Amendment talks about privileges and immunities being left to you also. They are to be protected.

I don't think there is a person in America—that is why I can't understand the President's unwillingness to say he is not going to kill noncombatants. Think about that. He is unwilling to say publicly that he is not going to kill noncombatants, because that is what we are talking about here. I am not talking about someone with a bazooka or a grenade launcher on their shoulder. Anyone committing lethal force can be repelled with lethal force. No one argues that point. I am talking about whether you can kill noncombatants because many of the people being killed overseas are noncombatants. Are they potential combatants? Maybe. Maybe the standard can be less overseas than it is here for people involved in a battle, but it is getting kind of murky overseas as well.

For goodness' sake, in America we can't just have this idea that we are going to kill noncombatants. We are talking about people eating in a cafe, at home, in a restaurant. I think we need to be a little more careful.

The power that was given by the Constitution to the Senate was that of advise and consent. This constitutional provision provides us with the power to

consent to nominations or withhold consent. It is a check on the executive branch, but it only works if we actually use it.

I am here to speak for as long as I can hold up to try to rally support from people from both sides to say: For goodness' sake, why don't we use some advise and consent? Why don't we advise the President he should come forward and say he will not condone nor does he believe he has the authority to kill noncombatants?

As a check on the executive branch, this power that is granted to the Senate is the right to withhold consent. The Constitution does not provide Senators with the specifics or the criteria of why we withhold consent. That is left to us to decide.

I withhold my consent today because I am deeply concerned the executive branch has not provided an answer, that the President refuses to say he will not kill noncombatants.

The President swore an oath to the Constitution. He said he will protect, defend, and preserve the Constitution. He did not say: I intend to when it is convenient. He said: I will defend the Constitution. It is inexcusable for him not to come forward.

There is an author who writes for *The Atlantic* who has written a lot about the drone program by the name of Conor Friedersdorf. He recounts the tale of al-Awlaki's son who was killed. He said when the President's spokesman was asked about the strike that killed him, the President's spokesman replied: Well, he would have been fine if he "had a more responsible father."

If that is our standard, we have sunk to a real low.

Cornered by reporters after this, White House Press Secretary Robert Gibbs attempted to defend the kill list, which is secret, of course. We have to remember, if we are going to kill noncombatants in America or people we think might someday be combatants, the list will be secret. So one will not get a chance to protest: Hey, I am not that bad. I might have said that at one time, but I am not that bad. All right. I have objected to big government, not all government. I am not fomenting revolution. I was critical at that meeting. I was at a tea party meeting, and I was critical of the President, but I am not a revolutionary. Please, don't kill me.

Should we live in a country where we have to be worried about what we say? Should we live in a country where we have to worry about what we write? What kind of country would that be? Why is there not more moral outrage? Why is there not every Senator coming down to say: You are exactly right. Let's go ahead and hold this nomination and why don't we hold it until we get more clarification from the President.

Conor Friedersdorf of *The Atlantic* writes:

... it's vital for the uninitiated to understand how Team Obama misleads when it talks about its drone program. Asked how their kill list can be justified, Gibbs—

The President's spokesman—replies that "when there are people who are trying to harm us, and have pledged to bring terror to these shores, we've taken that fight to them." Since the kill list itself is secret, there's no way to offer a specific counter-example.

It is one thing to say: Yes, these people are going to probably come and attack us, which, to tell you the truth, is probably not always true. There are people fighting a civil war in Yemen who probably have no conception of ever coming to America.

Friedersdorf goes on to say:

But we do know that U.S. drones are targeting people who've never pledged to carry out attacks in the United States.

So we are talking about noncombatants who have never pledged to carry out attacks are being attacked overseas. Think about it, if that is going to be the standard at home: people who have never truly been involved with combat against us.

Friedersdorf continues:

Take Pakistan, where the CIA kills some people without even knowing their identities. "As Obama nears the end of his term, officials said the kill list in Pakistan has slipped to fewer than 10 al-Qaeda targets, down from as many as two dozen. . . ."

Yet we are killing hundreds of people in Pakistan.

There is a quote that I think sort of brings this and makes this very poignant. There is a quote from an ex-CIA agent—I think it is Bruce Riedel—who says: The drone strike program is sort of like a lawnmower. You can keep mowing them down, but as soon as the lawnmower stops, the grass grows again.

Some people have gone one step further and said: For every 1 you kill or for maybe every 1 you accidentally kill whom you did not intend to kill, 10 more spring up.

Think about it. If it were your family member and they have been killed and they were innocent or you believe them to be innocent, is it going to make you more or less likely to become involved with attacking the United States?

I have written a couple letters to John Brennan, who has been put up for the CIA nomination. I think it looks like the first letter was sent January 25. So here we are into March, and I only got a response when he was threatened. So here is a guy whom the President promotes as being transparent and wanting to give a lot of information to the American people, he will not respond to a Senator. They treat the Senate with disdain, basically—will not even respond to us, much less the American people, when I asked him these questions. He finally responded only when his nomination was threatened.

So when it came to the committee and it appeared as if I had bipartisan

support for slowing down his nomination if he did not answer his questions, then he answered his questions. It does not give me a lot of confidence that in the future, going forward, if he is approved, that he is going to be real forthcoming and real transparent about this.

I do not have a lot of anticipation or belief that we are going to get more information after this nomination hearing. Some are now saying: You have gotten your pound of flesh. Let him go, and we will keep working on this. The problem is, once he is gone, the discussion is over.

Others in my party have been trying to get information about what went horribly wrong in Benghazi and have gotten some of that information but only by using it as leverage to try to get the President to do what is the honorable thing; that is, to be more transparent with his ways.

In the first letter I sent to Brennan, I asked him the question: Is it legal to order the killing of American citizens and that you would not be compelled to even give your reasoning—not even specific to the case but any of your reasoning?

Finally, as these questions came forward, some of the things were leaked out. One of the most troubling things that came out is when Brennan and the President finally began to talk about the drone strike program, which, according to the former Press Secretary, they were to deny that it existed for years.

When they finally came out, they told us a couple things about their interpretation of it. One, they have no geographical limit to their drone strikes. The second thing is they told us what they thought was imminent. This is pretty important because a lot of Americans, myself included, believe if we are being attacked, we can respond with lethal force. But a lot of Americans think that we have to actually be engaged in that to respond with lethal force. But they told us the way their lawyers interpret "imminent" is imminent does not have to mean "immediate."

Only a bunch of lawyers could get together, government lawyers could get together and say imminent is not immediate. You have to understand, and what we should be asking the President is, Is this your standard for America? If you are going to assert that you have the right to kill Americans on American soil, are you going to assert—are you going to assert—that your standard is that an imminent threat does not have to be immediate?

I am quite concerned, when I hear this kind of evasiveness, with this sort of nonresponse to questions.

We also asked: Would it not be appropriate to require a judge or a court to review this?

See, here is the real interesting thing. We had a President who ran for

office saying your phone should not be tapped without a warrant. I happen to agree with Candidate Obama. But what happened to Candidate Obama, who wanted to protect your right to the privacy of your phone, who does not care much about your right not to be killed by a drone without any kind of judicial proceeding?

I think we should demand it. The way things work around here, though, is people kind of say: Yes, we will demand it, and maybe later on this year we will talk about a bill or talk about getting something. What they should do is just say: No more. We are not going to move forward until we get some justice. We are not going to let the President—any President, Republican or Democratic—do this.

One of the other questions I asked the President was: It is paradoxical that the Federal Government would need to go before a judge to authorize a wiretap on U.S. citizens even overseas but possibly not have any kind of oversight of killing an American here in America.

We have asked him how many citizens have been killed. We have not gotten an answer to that. They say not many, and hopefully it has not been many. But I think it is important to know. I think it would be important to know, if we are going to target Americans in America, if that list exists. I think it would be important to know if being close to someone is also justified. What if you just happen to live in the neighborhood of somebody who is a suspected terrorist? Is it OK because you were close to them? What if you happen to go to dinner with a guy you did not know or a woman you did not know and the government says they are a terrorist? Just because you are having dinner with them and you are a male between the ages of 16 and 50, does that make you a combatant?

We also asked the question: Do you condone the CIA's practice of counting civilians killed by U.S. drone strikes as militants simply because they are of the same age? Similar to every other question, no answer.

We asked him whether al-Awlaki's son was a target. No answer.

We asked how many people have been targeted? No answer.

Part of the problem with this is that we are—or Congress in general is sloppy about writing legislation in general.

I will give an example. When the ObamaCare legislation was written—it is over 2,000 pages—but it leaves up to the Secretary of Health, I think 1,800 times, the power to decide at a later date what the rule would be. So since ObamaCare, of 2,000 pages, has been written, there have been now 9,000 pages of regulations.

Dodd-Frank is kind of the same way. Dodd-Frank is a couple thousand pages. It now is going to wind up with 8,000 or 9,000 pages of regulations.

We abdicate our responsibility by not writing legislation. We write shells of legislation that are imprecise and do not retain the power. Because of that, the executive branch and the bureaucracy, which is essentially the same thing, do whatever they want.

This happened also with the authorization of use of force in Afghanistan. This happened over 10 years ago now—12 years ago. I thought we were going to war against the people who attacked us, and I am all for that. I would have voted for the war. I would have preferred it to have been a declaration of war. I think we were united in saying: Let's get those people who attacked us on 9/11 and make sure it never happens again.

The problem is, as this war has drug on, they take that authorization of use of force to mean pretty much anything. They have now said the war has no geographic limitations. So it is not a war in Afghanistan; it is a war in Yemen, Somalia, Mali. It is a war in unlimited places.

Were we a body that cared about our prerogative to declare war, we would take that power back. But I will tell you how poor—and this is on both sides of the aisle—how poor is our understanding or belief in retaining that power here.

About 1 year ago, I tried to end the Iraq war. You may say: I thought the Iraq war was already over. It is. But we still have an authorization of use of force that says we can go to war in Iraq anytime. Since they think the use of force in Afghanistan means limitless war anywhere, anytime in the whole world, for goodness' sake, wouldn't we try to take back an authorization of force if the war is over?

But here is the sad part. I actually got a vote on it. I think I got less than 20 votes. You cannot end a war after it is over up here. It has repercussions, because these authorizations to use force are used for many other things. So the authorization of force says you can go after al-Qaida or associated terrorists.

The problem is that when you allow the executive branch to sort of determine what is al-Qaida, you have got no idea. For the most part I will not be able to determine that either. All the information is classified. There are a lot of bad people. There is a war going on in Yemen. I do not know how much it has to do with us, you know, or how much there is an al-Qaida presence there trying to organize to come and attack us. Maybe there is. But maybe those are also people who are just fighting their local government.

How about Mali? I am not sure. In Mali, they are probably worried more about trying to get the next day's food than coming over here to attack us. But we have to ask these questions. We have to ask about limitations on force, because essentially what we have now

is a war without the geographic boundaries.

We have many on my side who come down here and say, the battlefield is here in America. Be worried. Be alarmed. Alarm bells should go off when people tell you that the battlefield is in America. Why? Because when the battlefield is in America, we do not have due process. What they are talking about is they want the laws of war. Another way of putting that is, they call it the laws of war. Another way to put it is to call it martial law. That is what they want in the United States when they say the battlefield is here.

One of them, in fact, said, if they ask for a lawyer, you tell them to shut up. Well, if that is the standard we are going to have in America, I am quite concerned that the battlefield will be here and that the Constitution would not apply. Because to tell you the truth, if you are shooting at us in Afghanistan, the Constitution does not apply over there. But I certainly want it to apply here. If you are engaged in combat overseas, you do not get due process. But when people say, oh, the battlefield has come to America, and the battlefield is everywhere, the war is limitless in time and scope, be worried because your rights will not exist if you call America a battlefield for all time.

We have asked him whether the strikes are exclusively focused on al-Qaida and what is the definition of being part of al-Qaida. In 1947, the National Security Act was passed. It said the CIA does not operate in America. Most people—most laypeople know that. The CIA is supposed to be doing surveillance and otherwise outside the United States of foreign threats. The FBI works within the United States. They do some of the same thing. But they are different groups. The CIA operating in Iraq or Afghanistan does not get a warrant before they do whatever they do to snoop on our enemies. The FBI in our country does. They operate under different rules, and for a reason. We do not want them to operate in the United States. We are not saying the CIA are bad people, we just do not want them operating with no rules or the rules we allow them to operate with overseas. We do not want them operating in our country.

The disappointing thing is that a month ago when I asked John Brennan this question, as his nomination came forward, I could not get an answer. He would not answer the question about the CIA operating in the United States. Only after yanking his chain, browbeating him in committee, threatening not to let him out of committee does he finally say he is going to obey the law. We should be alarmed by that. Alarm bells should go off when we find that what is going on here is it takes that much for him to say he is going to obey the law.

The President has said: Don't worry, because he is not going to kill you with a drone unless it is infeasible to catch you. Now that sounds kind of comforting. But I guess if our standard for whether we kill you is whether it is practical, that does bother me a little bit. It does not sound quite strict enough. I am kind of worried that maybe there is a sequester and the President says we cannot have tours in the White House. Maybe he has not got enough people to go arrest you. He had policemen by him. He is saying he is going to lay off the policemen. Of course, he does not have anything to do with the policemen, so do not worry about that. But he had the policemen by him that he is going to lay off, so maybe it is infeasible because he has laid off the policemen so it is going to be easier to kill you.

I know that sounds as though we have gone a slippery slope beyond what he is asking for. But if his standard is it is infeasible to capture you and that is what you are hanging your hat on, I would be a little concerned that that may not be enough protection for Americans on American soil.

There is a law called posse comitatus. It has been on the books since shortly after the Civil War. It is once again one of those things a lot of people do not think about, but it is an important thing. It says the military does not operate on U.S. soil unless there is a declaration of an insurrection or a civil war. There has to be a process that Congress goes through. We have had this law for a long time.

Once again, the reason we do it is not because we think our military are bad people. I am proud of our soldiers. I am proud of our Army. I am proud of what they do for our country. But they operate under different rules. It is a much more dangerous environment they operate under. It is different. It is still dangerous in America, but policemen have different rules of engagement than your soldiers have. There are more restrictions and restraint on what we do in our country. So that is why we say the military cannot operate here.

So when we asked the President, can you kill Americans on American soil with your drone strikes, which is part of the military, it should be an easy answer. In fact, I hope someone is calling him now and asking him for an answer. It would save me a lot of time and breath. My throat is already dry and I just got started. But if they would ask him for an answer: Can the military operate in the United States? Well, no, the law says the military cannot operate in the United States. It is on the books. He should simply do the honorable thing and say he will obey the law. It is simple. But I do not get why they refuse to answer it. It worries me that they refuse to answer the question. Because by refusing to an-

swer it, I believe they believe they have expansive power, unlimited power. The real irony of this is that many on the left, Senator Barack Obama included, were very critical of the Bush administration. They felt as though the Bush administration usurped power. They felt the Bush administration argued invalid aggrandizement or grasping for power. John Yoo was one of the architects of this, believing basically that the President just says, hey, I am going to protect you, I can do whatever the hell I want.

Many on the left objected to that. Some of us on the right also objected to this usurpation of power by the Republican President. But the thing is, now that the shoe is on the other foot, we are not seeing any of that. We are now seeing a President who was worried about wiretaps not at all worried about the legality of killing Americans on American soil with no judicial process.

But the law of posse comitatus prevents this from happening. It is very clear. It has been on the books for 150-some-odd years. I think it would be pretty easy for the President to go ahead and say that he will obey the law. We asked Brennan the question on this and we got no answer.

The answers we have gotten are almost more disturbing than getting an answer, really, to tell you the truth. Because when the President responds that I have not killed any Americans yet at home, and that I do not intend to do so, but I might, it is incredibly alarming and goes against his oath of office. He says in his oath of office that I will preserve, I will protect, and I will defend the Constitution. It does not say I intend to or that I might.

Can you imagine the furor if people were talking about the second amendment? Can you imagine what conservatives would say if the President said, well, you know, I kind of like the second amendment and I intend to, when convenient, when it is feasible, protect the second amendment? Or what about those who believe in the first amendment, if the President were to say, I have not broken the first amendment yet, I intend to follow it, but I might break it, or I intend to follow it when it is feasible? So I have all of those rules, and this is what the President answered when he was at Google Campus a couple of weeks ago. They asked him the question: Can you kill Americans on American soil? He said: Well, the rules will probably be different outside the United States than inside. That basically means, yes, he thinks he can kill Americans on American soil, but he is going to have some rules. Do not worry about it, because he will make some rules and there will be a process, but it will not be due process. It will be a process that he sets up in secret in the White House, and I do not find that acceptable.

The only answer really acceptable, you know, we ask a question that could be yes or no: Can you kill an American on American soil? It is a yes-or-no question. They have been very evasive. They have never really answered the question. But when asked it, we pretty much knew only one answer was acceptable. That answer is no. I mean, if you do not answer it, basically by not answering it you are saying yes. I was actually a little bit startled when I finally got the answer: Yes, we can kill Americans on American soil. I thought for sure that they would be evasive to the end, try to get their nominee through without opening Pandora's box.

But they have opened Pandora's box. It would be a mistake for us to ignore it. It would be a mistake for us to ignore the ramifications of what they have done. When we separate out police power from judicial power, it is an important separation. You know, the police can arrest you. They are allowed to do certain things. But the policeman that comes to our door and puts handcuffs on you does not decide your guilt. Sometimes we do not always think about how important the separation is. But it is incredibly important that those who arrest you are not the ones who ultimately accuse you. The court, through the people, accuses you, and then you are given a trial to determine your guilt.

It is complicated. It is not always clear who is innocent and who is guilty. Judges and juries make mistakes. But at least we have a process. You get appeals most of the time. We have a significant process going on that has a several-hundred-year tradition at the least. So what gets me about the process that the President favors is, it is the "trust me" process. You know, I have no intention of doing bad things. I will do good things. I am a good person.

I am not disputing his motives or saying he is not a good person. But I am disputing someone who is naive enough to think that is good enough for our Republic, that his good intentions are good enough for our Republic. It never would have been accepted. It would have been laughed out of the Constitutional Convention. The Founding Fathers would have objected so strenuously that that person would probably never have been elected to office in our country.

Someone who does not believe that the rules have to be in place, and that we cannot have our rights guaranteed by the intentions of our politicians—think about it. Congress has about a 10-percent approval rating. Think the American people want to face whether they are going to be killed by a drone on a politician? I certainly do not. It does not have anything to do with whether he is a Republican or Democrat. I would be here today if this were

a Republican President, because you cannot give that much power to one person. We separated the police power from the adjudication or from the jury power from the decisions on innocence and guilt. It is separate from the police power, purposefully so, with great forethought.

Some transform this—and the President has tried—Brennan has tried to transform this into: Oh, well, we need to reserve this power for when planes are attacking the Twin Towers. Well, that is not what we are talking about, Mr. President. I think you misunderstand or you purposefully obfuscate or you purposefully mislead. No one is questioning whether the United States can repel an attack. No one is questioning whether your local police can repel an attack. Anybody involved in lethal force, the legal doctrine in our country, and has been historically, has always been, that the government can repel lethal attacks.

The problem is that the drone strike program is often not about combatants. It is about people who may or may not be conspiring but they are not in combat. They are in a car. They are in their house. They are in a restaurant. They are in a cafe. If we are going to bring that standard to America, what I am doing down here today is asking the President to be explicit. If you are going to have the standard that you are going to kill noncombatants in America, come forward and please say it clearly so we know what we are up against. If you are not going to do it, come up with what the easy answer is: I am not going to kill noncombatants. That would have been easy for him to say.

He could have said the military at some point in time needs to repel invasions. We know that. We are not questioning that. We are questioning a drone strike program—we don't know, because nobody will tell us the numbers. The numbers are secret. One Senator said in a public meeting that 4,700 people had been killed overseas. If I had to venture a guess, a significant amount of them weren't involved in shooting at American soldiers. If they were, by all means kill them. If we are fighting a war in Afghanistan—which we have been—and if there are soldiers around the bend who are a threat to our soldiers, there is no due process at that point. This is not what we are arguing about. We are arguing about targeted strikes of people not involved in combat. That is my concern.

My concern also is who is and what is a terrorist, who is associated with terrorism. The government has put out many documents now which tell you if you see something, say something. The documents you see, I am not so sure these people are terrorists. If you see somebody paying in cash or if you have a store, such as one of your customers comes in frequently and they pay in

cash, should you report them to the government? I can't imagine that is the kind of standard we are going to have in our country for deciding drone strikes.

When it comes to some of these people, though, I think some of the drone strikes have probably been justified. Al-Awlaki, I think, was a traitor. This is not from looking at classified documents, this is from reading the lay press. By all means, he gave up on his country, renounced his citizenship, went overseas, consorted with and aided the enemy.

One of the interesting questions about aiding the enemy is what exactly that means and what are the standards to be. Kevin Williamson writes for the *National Review*. He wrote an article on drones that I think truly brings this home if you are going to talk about and want to know who are the people who potentially could be killed. In some ways al-Awlaki was a sympathizer, someone who aided and abetted through Internet talk and chatter. That was the main thing he was accused of. Actually, after the fact, they said he had more direct association. I don't know if that is true. I haven't seen the secret information on that.

What I would say is he was initially brought up as a sympathizer. Here is the problem. Many writers have said if you take up arms against your country, you are an enemy combatant. I think that is true. If you are in Afghanistan, have a grenade launcher on your shoulder and are shooting at Americans, you are an enemy combatant. You don't get due process.

Here is the question: If you are in Poughkeepsie and you are on the Internet, and you say I sympathize with some group around the world that doesn't like America, and say bad things about America, are you a traitor? I mean, you can try someone for treason for that. I am not sure if it will rise up to that if you are politically opposed to what your government is doing in favor of another. Kevin Williamson gets it pretty clearly:

If sympathizing with our enemies and propagandizing on their behalf is the equivalent of making war on the country, then the Johnson and Nixon administrations should have bombed every elite college in America.

During the 1960s, that is all that came out was anti-America, antiwar. Is objecting to your government or objecting to the policy of your government sympathizing with the enemy?

Some were openly sympathetic. No one will ever forget Jane Fonda swiveling around in North Vietnamese armored guns, and it was despicable. It is one thing if you want to try her for treason, but are you going to drop a drone Hellfire missile on Jane Fonda? Are you going to drop a drone Hellfire missile on those at Kent State?

Our country objected to what happened at Kent State, which was not

good—but it was accidental since they were shooting over the heads of these people. Can you imagine we have gone from a country that was rightfully upset about the deaths at Kent State to a country which now is going to say, if you are in college and you are rabble rousing because you don't like the government's foreign policy or the government's war actions, you are sympathizing? There are a lot of questions that aren't being asked, because sympathizing appears to be used as a standard for the drone strike program.

We actually had students, apparently during the Vietnam war, who were actually raising funds for the Vietcong. That does to me sound like treason. It sounds to me something like we are fighting an enemy and you are giving comfort to the enemy. That does sound like treason. I have no problem with some people actually being tried for treason, but they get a day in court. They don't get a Hellfire missile sent to their house. There is a difference, though, between sympathizing and taking up arms. Most people around here who want to justify no rules, America is a battlefield, no limits to war—they really want to blur it all together. It is easier to say, oh, you don't want to stop anybody who is shooting at Americans, but it is not true. I think lethal force may be used against those engaged in lethal force.

What troubles me about the drone strike program is quite a few—I don't know the number—the *Wall Street Journal* says the bulk of the attacks in Afghanistan has been signature attacks. This means nobody was named, nobody specifically was identified, and civilians aren't really counted. This is because anybody, any male between the age of 16 and 60, is a combatant unless otherwise proven. If those are the standards, I think we need to be alarmed. I think there is a difference between sympathizing and taking up arms.

One of the interesting things Kevin Williamson and the *National Review* brings out, and it is sort of a conundrum for conservatives—because saying someone was involved and just taking the government's words, like saying al-Awlaki was involved with these other people and taking the government's word, we have no way of ascertaining or questioning whether the secret information is true or not true. A few years before this—and a lot of people don't remember this—al-Awlaki, who was killed a couple years before this, was brought to the Pentagon to speak as a part of a group of moderate Islamic preachers. They thought him to be an Islamic voice of reason. He even came to the Capitol and said prayers in the Capitol. This is the guy who the government said was a good guy for a while and later said he was a bad guy. I think ultimately the evidence he was a bad guy is pretty

strong. Most of his crime was sympathizing.

It wasn't enough of a standard. I think in a court, in a treasonous court, al-Awlaki would have been convicted of treason if I were a juror. I would have voted he was committing treason, and I wouldn't have had trouble at all with a drone strike on him.

If we are going to take by extension the standard we used in putting him on the list that he was a sympathizer, agitator, and a pain in the royal you-know-what on the Internet, there are a lot of those people in America if that is going to be our standard.

That is why I would feel a little more comforted if it weren't an accusation by a politician who unleashes Hellfire missiles. I would be a little more comforted—and I think we would all sleep a little better in our houses at night—if we knew that before the Hellfire missile comes down, a policeman would come to your door and say we accuse you of this. They might put handcuffs on you and take you to jail, but they don't get to summarily execute you.

That is all I am asking. I am asking for the President to admit publicly he is not in favor of summary executions. That is really all I am asking, about summary executions of noncombatants. It seems like a pretty easy answer.

We could be done with this in a moment's notice if someone will call the President and ask the question. We could be done with this because that is what I want to hear, not that he is going to use the military to repel an invasion. Nobody is questioning the authority of the President to repel an invasion. I am questioning the authority of the President to kill noncombatants asleep at home, eating in the restaurant, or what-have-you.

One of the things Williamson brings up in his *National Review* article again—which is a little bit off the subject but somewhat related—we were fearful and we didn't do a very good job with 9/11, frankly. September 11 occurred because of a lot of mistakes, and some of you could look back as a Monday-morning quarterback and say, oh, we should have done this.

One of the things that sort of bothered me about 9/11 was no one was ever fired. In fact, they gave medals—the head of the FBI, the CIA, everybody gets a medal. No one was ever fired.

Some of you may remember there was a 20th hijacker. His name was Moussaoui. He was in Minnesota, and they captured him a month in advance of 9/11. When they captured him, the FBI agent there—who was spot on—was doing an excellent job. The agent who should have received the medal was the FBI agent who caught Moussaoui and was asking his superiors to get a warrant. He asked repeatedly. He sent 70 letters to headquarters, saying: May I have a warrant to open this guy's com-

puter, to investigate him? He was turned down. He got no response. It was a horrible and tragic human error.

What do we do? We promote and give medals to the people who were in charge. That agent should have received a medal, but anybody above him who made the decision not to even ask for a warrant shouldn't have gone anywhere within the department.

Williamson makes the point if our law enforcement and intelligence agencies—particularly the State Department—had been doing a minimally competent job vis-a-vis visa overstays and application screenings, at least 15 of the 9/11 hijackers would have been caught. They were all on student visas, and they were all overstaying their student visas. Nobody was paying attention. I still ask that question today. I ask, do we know where all the students are, particularly from about 10 Middle Eastern countries? The students who aren't from our own country, do we know where they are? I think we have not a good enough system to know where they all are, whether they have come and gone. This is a real problem.

Had we actually looked at Moussaoui's computer? They did; they looked at it on September 12. The day after 9/11 they looked at his computer. I think it, within hours, led them and linked them up to several hijackers in Florida and ultimately would have perhaps exposed the whole ring.

The same thing was going on in Arizona at the same time. They had somebody in Arizona saying there are guys who want to fly planes and don't want to learn how to land them.

There were horrible and tragic occurrences that happened, human breakdown. How do we fix it? We fix it the same way we do everything in Washington: We threw a ton of money at it, and I mean a ton of money. Billions upon billions and into the trillions of dollars have now been spent. Really the main problem with 9/11 was a lack of communication, lack of trying, lack of doing a good job at what you were already supposed to be doing.

When we look at this issue, and as we go forward from here, I think what is most important to me is we not let this go. This is the first time I have decided to come to the floor and speak in a true filibuster. People talk about filibuster all the time. They say the filibuster is overused and it is abused. A lot of times the filibuster in our country and in the Senate is actually requesting 60 votes happen and we need to do everything by unanimous consent, so it almost never happens. I have been here 2 years, and I don't think I have ever seen anybody come to the floor and speak in a filibuster as I am doing today. I think it is important, though, and I think the issue rises to such an occasion. There are a lot of things we disagree on, Republicans and

Democrats. I think there are a lot of things we could actually pass up here, a lot of things we could actually agree to we could pass if we get together, try to do smaller bills, work on what we agreed and get away from some of the empty partisanship.

The reason I came to the floor today to do this is because I think certain things rise above party politics. Certain things rise above partisanship.

I think you are right to be secure in your person, the right to be secure in your liberty, the right to be tried by a jury of your peers. These are things that are so important and rise to such a level we shouldn't give up on them easily. I don't see this battle as a partisan battle at all. I don't see this as Republicans versus Democrats. I would be here if there were a Republican President doing this.

Really, the great irony of this is President Obama's position on this is an extension of George Bush's opinion. It basically is a continuation and an expansion of George Bush's opinion. George Bush was a President who believed in very expansive powers, some would say unlimited. He was accused of running an imperial Presidency. The irony is this President we have currently was elected in opposition to that. This President was one elected who, when he was in this body, was often very vocal at saying the President's powers were limited.

When I first came here, one of the first votes I was able to receive was a vote on whether we should go to war without congressional approval. The interesting part is that the war was beginning in Libya. It turned out to be a small war, but small wars sometimes lead to big wars. In fact, that was one of Eisenhower's admonitions, to beware of small wars, that you may find yourself in a big war. Fortunately, the Libya war didn't turn out to be a big war, although I think it is still a huge mess and it is still yet to be determined whether Libya will descend into the chaos of radical Islam. I think there is a chance they may still descend into that chaos.

But when the question came up about going to war in Libya, there was the question of, well, doesn't the Constitution say you have to declare war? And so we looked back through some of the President's writings as a candidate, and one of the President's writings I found very instructive and I was quite proud of him for having said it. The President said that no President shall unilaterally go to war without the authority of Congress unless there is an imminent threat to the country. I guess we should be a little wary of his "unless" now, since we know imminent doesn't have to be immediate and imminent no longer means what humans once thought imminent meant. But Candidate Obama did say that the President doesn't go to war by himself.

I think it would be fair to say that Candidate Obama also felt the President didn't have the authority to imprison you indefinitely without a trial. And I think it is also safe to say that Barack Obama of 2007 would be right down here with me arguing against this drone strike program if he were in the Senate. It amazes and disappoints me how much he has actually changed from what he once stood for.

But I forced a vote on his words. I took his exact words. We quoted him and put those words up on a standard next to me, and we voted on a sense-of-the-Senate that said: No President shall go to war without the authority of Congress—which basically just restates the Constitution. Now, you would think that would be a pretty easy vote for people. I think I got less than 20 votes. That is the sad state of affairs we are in. There were some who actually probably believed that but refused to vote for it because they said: Well, he is a Republican, and I won't vote with a Republican. But I honestly tell you, were the shoe on the other foot, were there a Republican President here and I a Republican Senator, I would have exactly the same opinion. My opinion today on drone strikes would be exactly the same opinion under George Bush. And I was critical of George Bush as well. Were there a Republican President now, I would have the same instinct and the same resolution to carry this forward. And on the issue of war, it is the same no matter which President.

One of the complaints you hear a lot of times in the media is about there being no bipartisanship in Congress. Well, the interesting thing is, actually, there is a lot of bipartisanship in Congress. If you look at people who don't really believe in much restraint of government as far as civil liberties, it really is on both sides. So you will find that often on these votes on whether the Constitution says we have to declare war in the Congress, Republicans and Democrats vote overwhelmingly against that.

Now, you need to realize the implications of that. What they are voting for is to say we don't retain that power and we don't want it. The Constitution gave it to us, but we are giving it back. And this has been going on for a long time, really, probably for over 100 years, starting with Woodrow Wilson, who sort of grabbed for Presidential power, and Presidents have been getting more and more powerful for over 100 years, Republican and Democratic.

There was at one time—point in time in our history a pride among the Senate and a pride among the Congress that said: These are our powers, and we are not giving them up. There were people on both sides of the aisle who would stand firm and say: This is not a power I am willing to relinquish; this is not something that is good for the

country. And by relinquishing the power of Congress, we relinquish something very fundamental to our Republic, which is the checks and balances that we should have—checks and balances to prevent one body or one part of the three parts of government from obtaining too much power. So there was a time when we tried to keep that power.

Unfortunately, the bipartisanship we have now, many in the media fail to understand. They see us not getting along on taxes and on spending, but they fail to understand that on something very important—on whether an individual has a right to a trial by jury, whether an individual has the right to not be detained indefinitely—there is quite a bit of bipartisanship, although usually in the wrong direction.

Now, I will say there is some evolution and some trend toward people being more respectful of this, and there has been some work on both sides of the aisle that has brought together some of us who believe in civil liberties.

There was a bill last year called the national defense authorization bill. In that bill, there was a clause that said Americans can be indefinitely detained. What does that mean? Well, it means forever, basically, or without a trial, no sort of sentence, no sort of adjudication of guilt or innocence, an American citizen can be held. So there was another Republican Senator on the floor, and I asked the question: Does that mean an American could actually be sent to Guantanamo Bay from here, someone who is accused of something but never gets a trial? And his answer was yes. His answer was yes, if they are a danger to the country.

The problem with that kind of thinking is, who gets to determine whether you are a danger? Who gets to determine whether you are guilty or innocent? It sort of begs the question of what our court system is set up to do, which is to try to find guilt or innocence. Guilt or innocence isn't always apparent, and sometimes an accusation is a false accusation. Sometimes accusations are made because people politically don't like your point of view. So the question becomes, should we have a process where we try to determine innocence or guilt?

So in the national defense authorization bill, there was an amendment that said you can be indefinitely detained, an American could be sent to Guantanamo Bay, and we had a big fight over it. We lost the first time around in 2012. We had an amendment that tried to protect American citizens. This was a good example of bipartisanship on our side. We had 45 votes, and I would say it was probably about 38 Democrats and about 7 Republicans. So that was an example of both sides kind of working together. But we fought and we lost.

The next year, we came back and we fought for the same amendment again and we beat them. Interestingly, we beat them. We had 67 votes to say that you cannot detain an American. An American can't be sent to Guantanamo Bay without a trial, without an accusation, without a jury, without the Bill of Rights. You can't do that to Americans. We won the battle with 67 votes. So the bill passes, the House passes their version without our amendment in it, it goes to the conference committee, where they work out the differences, and they strip out our language. So sometimes when you win around here, you lose.

But with the 67, there was a pretty good mix—maybe 35, 40 Democrats and 15, 20 Republicans. So there is some emerging consensus or some kind of emerging group. One of the other Senators has called it the checks and balances caucus, and I think that is a very accurate term because that is part of what we are arguing for. We are arguing that no one person should get too much power or no one body will get too much power.

Some people see all that fighting and disputing between the different branches of government, and they see it in a bad light. They say: Oh, with all that fighting and bickering, that is gridlock. But in some ways, our Founding Fathers weren't too opposed to a little gridlock, particularly if it were gridlock that said: You know what, we are not going to make it easy to get rid of the first amendment.

It is not easy to get a constitutional amendment in our country. We have added some through the years, but it is not easy to do. We make it hard to amend the Constitution. In fact, we make it such that we are not really a country that is majority rule. And I am sort of a stickler for talking about the differences between a democracy and a republic. I think some people are sloppy with their words and they love the idea that America is a democracy. Woodrow Wilson said we were going to war in the world war to make the world safe for democracy. Well, No. 1, we are not a democracy, and we were never intended to be a democracy.

When Franklin came out of the Constitutional Convention, a woman went up to him and asked him: What will it be? Will it be a monarchy or a democracy? And he said: It is a republic. It is a constitutional republic, if you can keep it. He was already worrying about whether democratic action would lead to people straying away and giving a government too many powers.

So we are a republic, and it is important to know the differences between a republic and a democracy, particularly with our history and our country. In our country, we had a period of time where majorities passed some very egregious and unfair and unjust laws. These were called the Jim Crow laws.

They passed laws based on race or the color of your skin, and these were passed by majorities.

The important thing about the Constitution and about rights and one of the reasons I am here today talking about the fifth amendment and how it gives you the right not to be committed to prison or be killed without due process is that our Founders thought it was very important, this whole concept between a republic and a democracy, and also considering the idea that majority State legislatures were voting on things such as the Jim Crow laws that would say that a White person can't sell a house to a Black person or vice versa. Those laws were passed by majority rule.

So any time someone comes up to me and says they want a democracy, this is my first question to them: You are OK with Jim Crow, then? Because democracies did bad things. But if you believe that rights are protected and that rights should be protected and that these individual rights are not something a democracy can overturn, then you do truly believe in a protection that is more important than any democratic rule.

There has been some dispute over this. There was a Supreme Court case by the name of *Lochner* back in 1905. The President doesn't like *Lochner* at all. He is very much opposed to it. But the one thing about *Lochner* I like is that *Lochner* really expands the 14th amendment. The 13th, 14th, and 15th amendments were passed after the Civil War and usually over Democratic objection.

In my State, the Democrats ruled the State legislature in Kentucky for many, many years, and they voted against the 13th amendment, the 14th amendment, and the 15th amendment. The great champions of emancipation, of voting rights, of all of the postwar amendments were the Republicans.

Every African American in the country was a Republican before 1930—virtually every African American. In 1931, in Louisville, there were 25,730 Black Republicans, and there were 129 Black Democrats. Every African American was a Republican at one point in time.

I try to tell people, even though the numbers have been, unfortunately, reversed, we are the party that believes in the immutability of rights. We don't believe that the democracy can take away your rights, that a majority rule can take away your first, your second, or your fourth amendment rights. And I think if we got that message out, we might change some of what is going on.

But the President is an opponent of the *Lochner* decision. In the *Lochner* decision, a State legislature decides something, and it is not really of importance what the decision is so much as that it is about judicial deference, about whether the courts should say: Well, the State legislature decided this, and majorities should get to rule.

Many believed as Oliver Wendell Holmes did, who was a dissenter in the *Lochner* case. He basically said majorities should get to rule.

Herbert Croly, one of the founders of the New Republic, wrote that we can get trapped up in all of this support for Bill of Rights and all these ancient individual rights. If we get too carried away with this whole idea of rights thing, we will have a monarchy of the law instead of a monarchy of the people.

It was for good reason that we established a republic and not a democracy. One of the best contrasts—it may not be a perfect contrast, but I think it has some truth and validity—is that our Revolution worked. In our Revolution we established a constrained government. In France, the mob came into power. They had mob rule. The French Revolution was a disaster.

Now, we had some things going for us. We had a colonial government with English common law and adjudication, and we had adopted practices. We were Englishmen, and we believed in the rights of Englishmen. We had that for several hundred years in our country, so it was easier for us to have a revolution. They didn't quite have that going on in France, so it was different.

But one of the differences I see between America and France is that we established a republic, and we weren't going to have majority rule where the majority was setting up a guillotine. Ours wasn't perfect, obviously. The Founders left and allowed slavery to still occur. Interestingly, though, if you read the Constitution, I think they were embarrassed by it. The word "slave" doesn't occur in our Constitution. In fact, there were many abolitionist writers, one by the name of Lysander Spooner, who actually wrote about the unconstitutionality of slavery even before the war. And if you read the Constitution and acknowledge that there is no word in there for "slavery" and nothing that says you have to be consigned to slavery—there are things in there that say you can't be kept without being presented with charges. "Habeas corpus" means "present the body."

In the old days in England and in different monarchies, they just snatched you up. If you were next in line to be King or you made them mad, they snatched you up and put you into the tower. So we came up with the right of habeas corpus. You had to present the body and say: He has been arrested, and these are the charges against him. We have gotten to where there is some concern in our country about that, but we have had that right all along.

So Lysander Spooner wrote and said: Why shouldn't a slave come forward and say, this guy is keeping me; he is telling me I have to work for him, but I haven't been charged with anything. What is my crime?

Eventually, one court case did come forward, and it was ruled incorrectly. I am not sure exactly how the arguments were, but in *Dred Scott* they ruled that you can't make the argument. I don't know if habeas corpus was part of that case, but it should have been.

What I am trying to say, though, is that the rights of the Constitution—the rights of the individual that were enshrined in the Constitution—are important things that democracies can't overturn.

When you get to the *Lochner* case, which was in 1905, the majority ruled five to four that the right to make a contract is part of your due process. Someone can't deprive you of determining how long your working hours are without due process. President Obama is a big opponent to this. But I would ask him—among the other things I am asking him today—to rethink the *Lochner* case because the *Lochner* case really is what precedes and what the case *Buchanan v. Warley* is predicated on.

Buchanan v. Warley is a case from 1917—interestingly, it comes from my State, Louisville, KY. There was a young African-American attorney by the name of William Warley. He was a Republican, like most African Americans were in Louisville in those days. He was a founder of the NAACP and, like most founders of the NAACP, a Republican.

What they did in 1914 was they sued because the Kentucky Legislature—by a majority rule, by democratic action—passed a law that said a White person couldn't sell to a Black person in a White section of town or vice versa. This was the first case the NAACP brought up.

Moorfield Storey was the first president of the NAACP, a famous attorney. He and an attorney by the name of Clayton Blakely went forward with this case, and they won the case. It actually passed overwhelmingly. But, interestingly, this case to end Jim Crow was based on the *Lochner* decision. So those who don't like the *Lochner* decision, I would say go back. We need to reassess *Lochner*. In fact, there is a good book by Bernstein from George Mason talking about rehabilitating *Lochner*.

The thing is, with majority rule—if you say we are going to give deference to majority rule or we are going to have judicial restraint and we are going to say that whatever the majority wants is fine, you set yourself up for a diminishment of rights.

I go back to the discussion of the Constitution limits power that is given to Congress, but it doesn't limit rights. The powers are enumerated; your rights are unenumerated. The powers given to the government are few and defined; the freedoms left to you are many and undefined. And that is important.

What does this have to do with *Lochner*? The case in *Lochner* is whether a majority rule—a State legislature—can take away your due process, your due process to contract. Can they take away your life and liberty without due process? And the Court ruled no. I think it is a wonderful decision. It expands the 14th amendment and says to the people that you have unenumerated rights.

Now, there is some dissension on how we look at these cases. But when you go forward to *Buchanan v. Warley*, the case about Jim Crow laws and housing segregation, one of the people who was going to dissent—and I think he thought better of it when he thought about that he would be the first Justice in probably 70-some-odd years to say that he believed in the Jim Crow laws and was upholding the Jim Crow laws—was Oliver Wendell Holmes. He actually writes an opinion that has been found but was never presented to the Court, and he ended up voting to get rid of the Jim Crow laws, but he actually wrote an opinion in favor because he believed so strongly in majority rule.

Some may think these are idle questions. I don't think it is an idle question whether or not you have a democracy or a republic. I think these questions—from *Lochner*, from *Buchanan v. Warley*, all the way through to the present—are important.

In the last couple years, we had two cases on gun rights, the second amendment, called *Heller* and *McDonald*. I think both of them can be seen as, once again, an expansion of the 14th amendment to say: Your privileges and immunities which are part of the 14th amendment include the second amendment, and they include certain rights. In fact, I think any power or any right not given up to the government or limited by the enumerated powers is yours. So when they say the privileges and immunities of the 14th amendment, I believe that means everything else. What does that mean? It means I believe in a very circumscribed view for the government.

One of the side benefits of having a circumscribed view of the government would be that a government that is not allowed to do much wouldn't get in many problems. For example, if your government wasn't allowed to spend money it didn't have or if your government wasn't allowed to spend money on programs that were not enumerated as being within the purview of the Federal Government, you wouldn't have these massive deficits. We would have never gotten in this fix if we believed in a republic and not a democracy.

Now, what proof do I have that the current officials believe in democracy versus republic? When ObamaCare came forward, the comments from then-Speaker of the House NANCY PELOSI were: A majority passed this.

We passed this by majority. It is the law. Why would anybody question the constitutionality?

The President said the same thing. The President said: A majority passed this. What right has the court to overturn this?

The question has been written about by many brilliant scholars who have looked at the Constitution and looked at what it means. Some of this has to do with whether you presume liberty—and Randy Barnett has written about restoring the Constitution—whether you have a presumption of liberty or whether you have a presumption of constitutionality. That may sound a little esoteric, but what does that mean? It is whether or not, when they pass a law up here, you just presume it is fine because it is the law and the judges should give deference to it because it is a law.

It may sound confusing because you might think I am arguing for judicial activism. In a way, I kind of am because if the Congress usurps the Constitution, if the Congress takes away from your rights, the judges should stop them in their tracks. I am not arguing for deference to the legislature; I am arguing for deference to the Constitution.

I am also arguing that there is a presumption of liberty. This goes back to the way we want to look at the 14th amendment. The 14th amendment says we have unenumerated rights. I guess, by extension, when you go from the 14th amendment to the 9th and 10th amendments is the best way to look at this.

The 14th amendment talks about privileges and immunities, and when you look at what the 9th and 10th amendment do, they say those freedoms you didn't relinquish or those powers you didn't give to the government are left to the States and the people respectively, and it says they are not to be disparaged. I always loved the way that was worded—not to be disparaged. Not only is the Federal Government not to trample on your rights, they are not to be disparaged. But these rights are unlimited. They are yours. You got them from your Creator. These are natural-born rights, and no democracy should be able to take these away from you.

Now, by changing the Constitution, they could literally take away your freedom of speech or your freedom to practice your religion. I don't think I will see that ever happen, and it is difficult to change our Constitution, but it is incredibly important that our Founding Fathers put it in there and made it difficult.

I always kind of joke that if you go to a conservative meeting and you talk about the second amendment, everybody pats you on the back and they all love you—until you get to the fourth amendment. But if we are going to

have the second amendment, I think you have to have the fourth amendment—the right to be free in your person from unreasonable searches and seizures, that a judge should have to have a warrant to come in your house. How are your guns going to be protected if they can come in your house without a warrant? You have to have the fourth amendment.

But you also have to have the fifth amendment. We don't talk about the fifth amendment very much. Everything is about the second amendment. It has been all over the news. You can't turn on a channel without hearing about the second amendment. But I think today is as good a day as any to talk about the fifth amendment.

I have come here to filibuster the nomination of John Brennan because I think the fifth amendment is important. But I think we shouldn't be cavalier. I don't think we should be casual in our disregard for the Constitution.

I think that to allow the President to trample on and shred the Constitution and say that the fifth amendment no longer applies is a travesty, and it is something we should not do lightly. So I think it is worth a discussion. So far, it is sort of a one-way discussion, but we will see. But it is worth a discussion that we talk about the fifth amendment. It says that no person shall be deprived of their life or their liberty. That is what it means. It is pretty clear, and it is pretty plain. You can't take away someone's life and liberty without due process or an indictment.

So it should trouble every American. I can't imagine that there wouldn't be an American in our country who would not be troubled that we are talking about killing noncombatants in America with drone strikes. We have to get the President to respond to this. I don't think it is good enough for the President to say: I haven't done it yet. I don't intend to do it, but I might.

His oath of office says he will preserve, protect, and defend the Constitution. The oath of office doesn't say: Well, I intend to when it is convenient. I have never seen a President go out on the lawn with the Chief Justice and say: I intend to follow the Constitution when it is convenient. Because what he says is he won't drop a Hellfire missile on you unless it is infeasible to capture you. That is what they are doing overseas. If that is going to be the standard for America, if you are not going to get a Hellfire missile dropped on you unless it is infeasible—to me, that sounds like unless it is convenient; if it is inconvenient, "Not feasible" sounds like inconveniency is the standard.

I asked Secretary Kerry about this in his nominating process. I said: Can you go to war without Congress approving of it, without a declaration of war, like the Constitution says? And he said: No. I intend to obey the Constitution—except for when I don't intend to obey

the Constitution. It is hard to get things through Congress, and it is Congress's fault. There are too many squabbles and so many fights. So most of the time we will come to Congress and we will ask for a declaration of war—which, by the way, we have not done since World War I, and when we did, it was voted on nearly unanimously.

But this is the standard we get to: We don't intend to kill anyone and we don't intend to go to war without a declaration of war unless it is impractical to get your approval.

That was the point. If you do not get the point of the Constitution, if you don't get the point of what kind of system our government set up, what kind of system our Founders set up, it was to make it impractical. It was to make it difficult to go to war. It was to make it difficult and make it important: There would be debate and checks and balances. If inconveniency is our standard for going to war without Congress, inconveniency is our standard for killing Americans on American soil with drones, I think we have sunk to a new low. I just cannot imagine as a country that is the standard you want to have.

I want to reiterate. This doesn't have anything to do with the President being a Democrat. Whether he was a Democrat or Republican, I don't question his motives. I met the President several times. I really don't think he would do this. But the thing is, I am troubled by the fact he will not tell us he will not.

If he is a good man and we believe him to be a good man who would never kill noncombatants in a cafe in Houston, sitting out in a sidewalk cafe smoking—oh, that's right, you are not allowed to smoke cigarettes anymore—let's say they are sitting out in a cafe. If the President is not going to kill them, why would he not say he is not going to kill them there? That is the troubling aspect of this, if the President will not acknowledge he is not going to kill noncombatants in America.

The real problem with this is we are now engaged in a limitless war. A lot of Americans may not know this but people all the time up here are saying it. You have to read between the lines sometimes to hear what they are saying. They are saying there is no geographic limit to the war. That is what Brennan has said. What does that mean? I thought we went to war in Afghanistan. I really thought that even at the time. I was not here, but I would have voted to go to war. I thought they were voting to go to war to get the people who attacked us on 9/11. I was all for it. I still am all for that. But we are now using that resolution to go to war to have no geographic limit for drone strikes anywhere in the whole world; and not only no geographic limit, no temporal limit, which means no

timeline. There is no end to the war in Afghanistan. The war will never end.

If you have no geographic limit—many on my side say the battlefield is everywhere, and the battlefield is in the United States. It is one thing to say that, but realize what they mean by that. They say because the battlefield is here, the laws of war apply. That is what a drone strike is. A drone strike is not something you do domestically. They are saying the laws of war apply.

If you change the words around, what are the laws of war? Martial law. I think if you ask Americans are you in favor of martial law by the President, I don't think many would be. But many in this body would gladly give up their power, would gladly say America is now the battlefield so the laws of war should operate.

The laws of war are that there really is no due process in war. I am not arguing for due process in war; I think it is, frankly, impossible. If you have gone as an American to Afghanistan and you are fighting against us, you don't get due process. You don't get your Miranda rights. It is an impossibility to have the Constitution operating in a battlefield. So I am not for that.

But I am against defining the battlefield as being everywhere, including my house, my office, including everywhere in America. If it is a battlefield, you have no rights. The war zone is a zone where you do not get due process, you do not get Miranda rights, you do not get an attorney. But it should be different in our country. If our country is a battlefield, if our country is a war zone, what is left? I thought we were fighting to preserve our way. I thought we were fighting to preserve and protect our Constitution. What are we fighting for if we are not going to protect our rights at home?

The Bill of Rights is too important to scrap it. The Bill of Rights is too important to let any President, Republican or Democrat, simply come forward and say: Well, I have not broken the Constitution yet, and I do not intend to break the Constitution, but I might because they are everywhere and the battlefield is everywhere and we are so frightened that we must do anything.

I think it is good to be angry, upset, really to want vengeance sometimes against people who attack you. I was all for punishing those who attacked us after 9/11. But I think, also, at the same time we need to not let that get in the way of what is our way of life and what we are protecting here. When we look at this and we look at what is going on with terrorism, we need to keep in perspective that these people can do us harm, but they are incredibly weak people. They are incredibly cowardly, in a way. You know, they have no armies. They have the ability to inflict terrorism, which is what weak people

do. People who have no armies and no strength attack the civilians. It is a weak and cowardly way to attack your enemies. But it is not something that we should cower so much that we say: Gosh, someday they may come and blow up the Senate, which would be terrible.

I think the things terrorists do are terrible, but I am not saying that because we are so frightened of them coming that we should say: Why don't we just have camps again, you know? Why don't we just round up—the Japanese Americans were a threat in the war and we just rounded them up and, guess what. No Japanese Americans attacked us, so it must have worked. I think it was an abomination what we did, one of the worst and most tragic episodes in our history, and the fact that the courts upheld it. But are we so frightened we are going to give up on our Bill of Rights? Are we so frightened the next thing we are going to do is round up people of a different skin color because we think they have cousins who live in Lebanon?

We cannot really give up on what makes America special. What makes America special is the Bill of Rights. What makes us special is really that we are not a democracy. There are a lot of democracies around the world. We are a republic. We are a constitutional republic. We are a country that enshrined our rights, took care and deliberation and wrote down our rights, and they are not supposed to be usurped by any majority. So it is important that we know we are not a democracy, we are a constitutional republic. It is important for me to know and say that my rights came from my Creator. You don't have to agree with me on that. Some people think they came naturally to them, but they think there is a natural state of being that is free.

We do give up some freedom. We give up some freedom to pay taxes. If I work, all of my labor is mine, and I give up some of my labor and some of my wages to a government. To live in a civilized world you do give up a little bit. But what I have always argued for is that we should minimize what freedom we give up. That is why you should always minimize taxes. You should minimize the size of your government because everything you give up in taxes or everything you give up to your government is loss of your sweat equity, your labor. It is yours. It is nobody else's. So you give up the very minimum of it.

There is another argument. That is sort of the freedom argument for why we should keep government minimized. The other argument for why we should keep government minimized is more of an efficiency argument. This comes from Milton Friedman, but I think he put it very succinctly. He said nobody

spends somebody else's money as wisely or as frugally as you spend your own.

It is a simple statement, but I think in one statement, one simple sentence, it sort of brings forward something about government that is very true. People up here just do not spend it wisely. The reason they don't spend it wisely is because it is not theirs. In fact, they have a perverse and wrong-headed incentive that says: I need to spend all of my money or I won't get it next year, so government agencies incredibly want to spend all the money and more to make sure there is nothing left at end of the year.

If you listen to some people, they would say: Oh, no, government is just here to help people. Without government it would be—without this massive huge government—we have to have the debt because we need all the things we get from government. Will Rogers once wrote and said: "You're lucky you don't get all the Government you are paying for."

George Will recently wrote, and he sort of put a twist on it, and he said that used to be true, but now I think you are getting more government than you pay for. That is sort of the truth. We get a ton of government. Our taxes cover about 60 or 70 percent of what we spend up here. What kind of country gets rich borrowing 30 cents on every dollar? What kind of family can spend 30 percent more than comes in?

Some things are pretty simple. Wealth accumulation for you or wealth accumulation for a country is by savings. You don't get wealthy by spending more money than comes in. So as we look to these things, I think we need to be cognizant of the reasons we would want to have smaller, not bigger, government. But we would have smaller government if we paid attention to the rules.

The rules are very important, and when people talk about "oh, that would be a monarchy of the law," or they say "that would be too rigid to live under the laws, we need a living, breathing, evolving Constitution," I think things change over time. You get new technologies; drone strikes and things are new technologies. But I think what does not change are certain freedoms that are going to be the same now as they will be in 10,000 years.

I think the freedom for people to worship is something that I don't want majority rule to decide. You say: What does the freedom to worship have to do with drone strikes? It is hard to worship after a Hellfire missile has been launched on you.

So all of our rights—there is a panoply of rights that are all interconnected, and they come from the basic right to life. If you don't have the right to be secure in your person, you don't have any other rights. So as we diminish one right we attack at the

foundation. But if we are at a foundation where we are saying we can strike a person in America with no trial, with no accusation, I think we have come a long way from where we began.

I worry about it. I worry about it not just in the abstract sense, not just in the sense that these are a right in abstract and that we lose something we cannot actually touch or feel. I worry really about it in the sense that I don't know how you continue to exist as a country if you do not believe in some fundamental right, some fundamental right and wrong.

After ObamaCare passed and there were some questions about its constitutionality, they asked a Representative from the House side—he was asked: What about constitutionality? He said: Why would I care? Most of the things we do up here have no constitutional justification.

We have gotten to the point where people care more about having enough votes. They think it is right if you have a majority vote as opposed to that there are certain immutable rights and wrongs; that there are certain immutable rights that were there at the founding of our country that will be there in 100 years or 1,000 years from now: Your right to be secure in your person, the right that the government cannot take away these privileges.

This is not a new fight. Really, from the beginning of time there has been a struggle with the people versus the leaders. The leaders always want more. The amazing thing is it is sort of like a contagion. Not many people get to be President in this country. One person gets to be. We have had in the forties—44 or 45 Presidents. We have not had many Presidents. But there is something contagious about the office. It is that power corrupts, I think.

Lord Acton said it is not just that power corrupts, but that absolute power corrupts absolutely.

I think people can become intoxicated with power. I don't know if that is the explanation for President Obama's about-face. He was one who at a time when he was in this body believed in some restraint, believed in Senate authority, believed in—actually he did not even believe in raising the debt ceiling when he was here. The thing is, what we would hope for is someday we have a President who believes, even after assuming office, that the powers of the office should be protected. I think we run the risk, as we allow more and more power to gravitate to the President, we run the risk of living under an imperial Presidency.

I have said some inflammatory statements: that the President is acting like a king. Some of that is inflammatory and provocative, but some of it has some ring of truth to it or I would not get so much push-back. Kings operate by edict. They say it is so; make it so.

There is no give-and-take. There are no checks and balances between the legislature and the Presidency.

This has been going on for a long time. It is a titanic struggle and, frankly, I wish more people were interested in it. I wish we had a dozen people down here saying: No President should assume such authority. No President has the right to say he is judge, jury, and executioner. No President should be allowed to say that.

It is not enough for him to say: My motives are good. I don't intend to do so. I haven't done so yet, but I might.

If that is the standard we are going to live under, we have a great danger in our country. It is not enough. We live under the rule of law, and the law is quite explicit. The fifth amendment says no person shall be detained without an indictment or without due process.

I find the answer to be incredibly easy. I have asked the President an easy question. My question is, Can you kill an American on American soil, a noncombatant, with a drone strike? It should be an easy answer.

(Mr. HEINRICH assumed the chair.)

When a President will not answer a question or when they answer the question and it is an evasive answer, our concern is if they answer yes. I thought they would never answer the question, but they finally did. They said: Yes, we can conceive of situations when we might. The situations they conceive of, though, are attacks on the country, which I don't disagree with, so they are talking about things that are not controversial.

If planes are attacking the Twin Towers, New York or DC, there is not any question on either side of the aisle among almost anybody in the country or the universe who doesn't believe we can repel lethal threats. What we are talking about are the noncombatants who are either eating dinner, sleeping in their house or walking down the street. A large percentage of the drone strikes have been people who were not carrying arms or in combat.

Were they bad people? I am not positive I could say one way or the other, but I don't want that sort of standard to be used in America. I don't want the standard to be that if someone is close to a bad person who happens to be a male between the ages of 16 and 50, that they are no longer a civilian but actually a militant. Is that the standard we are going to use in America?

I don't want the standard to be sympathizing. Has anybody ever been on the Internet? Has anyone ever seen crackpots who are on the Internet and say all kinds of crazy things? If someone is saying crazy things and they happen to be against our government, is that enough for a Hellfire missile to come down on their house? Is sympathizing enough? People have written and talked about this. During the Vietnam war there were some people who

probably were treasonist and probably should have been tried for treason. Having said that, I would not kill them without some sort of due process or trial. The idea of a right to trial by jury has been the basis of our history for hundreds and hundreds of years. It is the basis of a foundational principle for our country. I cannot imagine we would be so cavalier as to let it go.

As we move forward with this nominating process, I have decided to occupy as much time as I can on the floor to bring attention to this issue. Ultimately, I cannot win. There are not enough votes. There would be if there was truly an uprising of bipartisan support that would come to the floor and say: It is not about John Brennan. It is about a constitutional principle and we are willing to delay this until the President can explicitly say non-combatants in America will not be killed with drone strikes. I think that is pretty easy to answer, but it has been like pulling teeth.

I have written letter after letter for weeks and weeks trying to get an answer on this and we have not had much luck. There have been people who have written about the lawfulness of these lethal operations directed against citizens, and there is a question both in the country and outside the country of what the standard will be. Will it be the same standard? Some say there is no standard once we get outside the country and that anybody can be killed whether they are an American citizen or not.

Frankly, I don't like the idea of no standard. For example, the most prominent American who was killed overseas was al-Awlaki. His name was publicly known to be on a kill list for months. I see no reason why he could not have been tried in a Federal court expeditiously—if he didn't return home, he would still be tried—given representation, and tried for treason. These are not frequent cases that occur overseas, so I see no reason why we would not use a Federal court. The Federal courts are adapted in such a way that we can go into secret session if there is classified material. The Federal courts in Washington, DC, Philadelphia, and New York have done this on occasion. I think we could do this in Federal court. We have convicted quite a few terrorists—I think that they number up to several hundred—in the United States in our courts.

The main thing I object to is people becoming so fearful they cavalierly give up their rights. We had two terrorists in Bowling Green, KY, my hometown, which has 50,000 people. Who would have thought we would have two terrorists? They were conspiring to either buy or send Stinger missiles to Iraq. I am glad they were caught and punished. They were tried in a court.

Many people said let's just send them to Guantanamo Bay forever. Once we

go down that path where we are not going to have any due process—our courts have done a pretty good job. In fact, I think we have not let off anybody from one of our courts that should have been kept here and tried.

I do have a question as to how the terrorists got into the country. That goes back to the issue of not wanting terrorism to occur, but how should we combat it? Is it best if we combat it in Yemen, Mali, Somalia, Afghanistan, Pakistan or should we combat terrorism by knowing who is coming into and leaving our country?

For example, we have allowed 60,000 people from Iraq to come into this country in the last 2 or 3 years. Frankly, I think that is a lot. They come here under asylum. The problem with asylum is I thought asylum is when a county was escaping a dictatorship. We won the war in Iraq. They have a democratic government over there, and I would not understand why they would want to leave a democratic government. Also, the 60,000 who leave—other than maybe the two we captured in Bowling Green, we presume that most of them are pro-Western—are the people we want to run Iraq. There are all kinds of reasons to stay in Iraq to run the country.

In letting so many people come in, we didn't do a very good job because the two terrorists who were allowed to go to Bowling Green had their fingerprints on an IED that was in a warehouse somewhere. They did not find a match on any of the fragments with their fingerprints on a database until after we caught them. Once we knew their names and had their fingerprints, we checked some fragments for their fingerprints that had been in a warehouse for years and years. So we are not quite doing the job.

Sometimes we want to analyze so much information that we get overwhelmed with the information too. We collect millions and millions and billions of pieces and bits of information, but it cannot all be analyzed. Some of it, I fear, goes against our rights to privacy. Any of our e-mails that are over 6 months old can be looked at. We found out about this recently when we had an adulterous affair in our military.

I believe our third-party records are ours. I had an amendment recently on this, and I told people my Visa bill is pretty private. Just because I use my Visa card doesn't mean I have given up my information and that the government gets to look at my Visa bill every month, but that is what we have done. A lot of these things have been slipping away from us for a long time. It is not just President Obama; it is 40 or 50 years of court cases.

Thirty, forty or fifty years ago, we decided that once a third party had your records, they were not private anymore. I think that is absurd. Think

of the age we live in and how a lot of people don't use cash at all. Our Visa cards have everything on it. We can look at a person's Visa card and find out if they have seen a psychiatrist, what kind of medicines they are on, what kind of magazines they get, what kind of books they get. We can look at a person's Visa bill and find out if they gamble or drink or what their travel plans are. We can find out a ton of information on a person's Visa bill.

Should people be allowed to look at a Visa bill, without asking a judge, and then say: We think he is involved in this. We are not saying we cannot do this for a terrorist, but what we should do is go to a judge and present some evidence and say we think he is a terrorist and we want to look at his Visa bill. People in America should not be able to have their Visa bill open to scrutiny, and that is basically what we have now. Our banking records, our Visa statements, and all our records that are held by a third party are not protected.

Some people may have heard about how they want to have cyber security. Everybody wants their computers to be secure, including the computer companies. They work nonstop trying to keep hackers out of computers, but the law they want to pass gives immunity to the computer companies. A lot of us don't think much of it. We check off the confidentiality button and hope that after we have signed the contract, they will not share it. They share it in a way that is anonymous, and we put up with that in order to get a search engine. I am OK with that.

What I am concerned about is when we pass the cyber security bill, we cannot sue them if they breach the policy. So then everybody's computer, searches, and reading habits are open to the Federal Government. Because we are fearful of people coming at us and fearful of attacks, we give up our rights. I thought we were fighting to preserve our rights.

So what are we fighting for? These battles are going on and on throughout the government. The interesting thing about these battles is that they are not always Republican v. Democrat. These are battles that are sometimes coalitions of people from the right and people from the left who have gotten together and fought over these issues.

In the case of trying to get the President to acknowledge he will not do drone strikes, there have been people on the Democratic side of the aisle who have aligned with me and helped me get this information. The President probably would have refused until Hell froze over to give me anything, but the fact is we had Democrats ask to get information also. Suddenly we were able to get a coalition and get the information, but it has not been easy. The fact that they don't want to acknowledge limitations as to the President's power

worries me that they believe in an expansive Presidential power. In order to stop that, we have to be protective of our rights. We have to be able to not so easily give up on our rights.

There is a white paper that was written, and the title of it is "The lawfulness of a lethal operation directed against a U.S. Citizen who is an operational leader of al-Qaida, foreign associated forces," and this is from the Department of Justice. This white paper sets forth a legal framework for considering the circumstances for which the U.S. Government could use lethal force. One of the things they do in the document—this was leaked repeatedly—is they tell of the criteria for when they can kill people overseas.

We don't know the criteria for killing people in this country. They make a contention that the rules will be different, but no one is acknowledging exactly whom they can kill or what the rules will be. For the people who are killed overseas by drone strikes, the thing they come up with is that they say it has to be an imminent threat, but it does not have to be immediate.

To my thinking, only a bunch of government lawyers could come up with a definition for imminent threat that says it is not immediate, so that is the first problem with it. Is that going to be the standard that is used in America, that there has to be an imminent threat, but it doesn't have to be immediate?

My next question is: What does that mean? Does that mean noncombatants who we think might someday be combatants are an imminent threat? It is a pretty important question. What is imminent. There is no question of what imminent lethal force is. If someone is aiming a gun, a missile or a bomb at you, there is an imminent threat, and no one questions that. No one questions using lethal force to stop any kind of imminent attack. We become a little bit worried when the President says imminent doesn't have to mean immediate. When that happens—and then we see from the unclassified portion of the drone attacks overseas—many of these people are not involved in combat. They might someday be involved in combat, they might have been involved in combat, but when we kill them, most of them are not involved in combat. So even overseas there is some question of this program, but my questions are primarily directed toward what we do in this country.

It says the U.S. Government can use lethal force in a foreign country outside the area of active hostilities. That is, once again, the point. We are not talking about a battlefield. But because the battlefield has no limits—since the battlefield is not just Afghanistan. The battlefield has no geographic limits so the battlefield is the whole world, and many in this body say

the battlefield is the United States. So once we acknowledge and admit that the battlefield is the United States, this whole idea of what is imminent versus what is immediate becomes pretty important because we are talking about our neighbors now.

The other thing about this is we need to try to understand who these terrorists are. Members of al-Qaida. There are no people walking around with a card that says "al-Qaida" on it. There are bad people. There were bad people associated with the terrorists—and we have killed a lot of them—who were in Afghanistan training and part of the group that attacked us. But there are terrorists all over the world who are unhappy with their own local governments—some of them are unhappy with us too—but to call them al-Qaida is sometimes a stretch and sometimes open to debate as to who is and who isn't.

Then they use other words, and words are important. They are either a "member of al-Qaida" or "associated forces." I don't know what that means. Does one have to talk to al-Qaida or commit terrorism or does a person have to be in a country where we are supporting the government and people are attacking the government? It is not always clear.

The other question we get to when it is either al-Qaida or people associated with al-Qaida is that now we get to the United States and we have the government defining what they say as terrorism. So the government has put out some documents, one by the Bureau of Justice, to warn us of who might be a terrorist. In fact, the government has programs where they want people to inform: If you see someone, tell someone. If you see these people, you are supposed to inform on them. So some of the characteristics of the people who might be terrorists—and I don't know, they don't have to be an imminent threat or an immediate threat, but some of these people might be terrorists. I don't know. If the President is going to kill these people, he needs to let them know. Some of the people who might be terrorists might be missing fingers. Some people may have stains on their clothing or some people may have changed the color of their hair, some people may have accumulated guns, some people may have accumulated weatherized ammunitions, which might be half the hunters in the South this time of year, or people who might like to pay in cash, or people who have seven days of food on hand. I know people who just for religious reasons are taught to keep food on hand. In fact, government Web sites sometimes tell us to keep food on hand for hurricanes. If you live along the coast, one government Web site says keep food on hand, and another one says if you do, you might be a terrorist. They are not saying you are, but if these are the charac-

teristics of terrorism, would you not be a little concerned that if the government is putting this list out, we are going to drop Hellfire missiles from drones on people in America who might be on this list? I am particularly concerned about that.

So I think we can't be sloppy about this. We can't allow ourselves to be so I guess afraid of terrorism or afraid of our enemies that we give up on what makes us Americans. What makes us Americans are our constitutional rights that are enshrined in our Constitution. It is why we have gone to war, to defend these rights. Will we think the war still has purpose if we are no longer able to enjoy these rights at home?

The problem as I see it as we go forward is that I wish I could tell people there is an end to this, that there would be a grand battle for our constitutional rights or for what rights we lose overseas, what rights we lose here if we travel. The problem is they don't see an end to the war. They see perpetual war, perpetual war without geographic limits, and they see the battlefield here, so they want the laws of war to apply not only there but here. In other words, what they are saying is the laws of war are martial law. These are the laws of war. These are the laws that are accepted in war.

We accept a lot of things on the battlefield that we don't want to accept here. I acknowledge we accept that we don't get Miranda rights on the battlefield. We don't get due process. We don't get an attorney. If they are shooting at us, we shoot back and kill them. But the thing is if a person is sitting in a cafe in Houston, they do get Miranda rights, they do get accused of a crime, they do get a jury of their peers. That is what we are talking about here. The President should unequivocally come forward and state that noncombatants—people not involved with lethal force—will not have drones dropped on them.

The other thing he should acknowledge is the law—not only the constitutional law but the law since the Civil War—has said the military doesn't operate in the United States. There is a reason for the military not operating in the United States. Why? The military operates under different rules of engagement than policemen. The rules are stricter for policemen. We do it because we are not in a war here so the policemen have to call judges. A lot of people don't think this through, though, and they will say, These people are terrible, awful people who would cut your head off. They are right; they really are bad people. We have really bad people in our country too sometimes. We have murderers and rapists. But tonight at 4 a.m. if there is a rapist going around the neighborhood and you get to a house and there isn't an imminent thing going on but you are told he

might be in this house, before the door is broken down, they call on a cell phone, they get a judge out of bed, and they say, we have chased him into this neighborhood, no one is answering, we want to break the door down, can we have a warrant. Most of the time the police have to call for a warrant. We have a process. But when he is arrested, they don't just string him up. We don't have lynchings in our country. We don't let mobs decide who is guilty and who is not.

I don't question the President's motives. I don't think the President would purposefully take innocent people and kill them. I really don't think he would drop a Hellfire missile on a cafe or a restaurant as I have been talking about. But it bothers me that he won't say he won't. It also bothers me that when he was a Senator in this body and when he was a candidate, he had a much higher belief and standard for civil liberties and he seems to have lost that since he has been the President.

I think this is an important issue. It goes beyond John Brennan. It goes beyond the President. It goes to an issue that rises above I think all other issues we consider here. I have voted for three of the President's nominees, not because I agreed with them politically; in fact, I disagreed with the vast majority, but I disagree with the President on a lot of political issues. I voted for his nominations because I think the President does get some prerogative in deciding who his political appointees are. I have chosen to make a stand on this one and not so much because of the person but the principle of this. I have nothing personally against Brennan. I have nothing personally against the President. But I have a great deal of concern about the rights that were enshrined in the Constitution. I have a great deal of concern about this slippery slope of saying there won't be accusations, there won't be trials, that we will summarily execute people, and the question is, will we execute non-combatants. If he is not going to, he ought to say so.

In this white paper that was released, they talked about the three different conditions. One of them was imminence, but then they qualified it by saying imminent doesn't have to be immediate. Another one was feasibility. They said it is not feasible to get some of these people overseas and so we kill them. But feasibility, to a certain extent, could be defined as convenience. So the question is, in America, what if they live up in the Rocky Mountains and there are no roads leading up to where they are; they are not very accessible; it is not very feasible; so we are going to do strikes based on convenience. Is that going to be the standard?

When we talk about standards, they say they have a process in place, but the process is very important. The

standard is important, but it is also important that one group of people, one political group of people or one politician doesn't get to decide that standard. And part of the way the process in our country works is that there are checks and balances between the three branches of government so that one branch of government doesn't get to unilaterally decide what these standards are. Because some of the standards are a little bit loose—whether you are near someone. Apparently, we are not counting civilians who are killed by drone strikes if they are males between the ages of 16 and 50. If they were close to the people we are targeting, we just count them as other militants. Are we going to do that in the United States?

If you are eating with 15 of your family members and one of them may or may not be communicating by e-mail with somebody in a Middle Eastern country, can we kill all 20 of them, and because some of them are within the right age group, that is fine? Let's say you are eating with your cousin who is communicating with somebody in the Middle East and that person may or may not be a bad person, and then when you leave—let's say you are going to a wedding and you are going from a party and there are 20 cars all going to the wedding and they know or they think they know there may be a bad person among the group; why don't we just strike the caravan? These are called signature strikes. The Wall Street Journal said that the bulk of our drone strikes overseas are signature strikes. That is a good question for the President: Are signature strikes going to be the standard for killing Americans in America?

The President simply says the rules will probably be different for inside than outside. Well, I frankly don't think that is good enough. He says he has no intent to kill Americans in America. I frankly don't think that is good enough. I don't think it is good enough for the President to say I have no intention of breaching the fifth amendment. Intending not to is not the same as saying I won't. His oath of office says I will not—no, it says: I will protect, defend, and preserve the Constitution. It doesn't say I intend to protect, defend, and preserve the Constitution except for when it is infeasible or inconvenient. That is not what the rules are about. I think the rules are pretty absolute.

The rules are the Bill of Rights and they are ours. We got them from our Creator. They were enshrined in the Constitution. Nobody gets to take them from us. Nobody. No President from any party gets to be judge, jury, and executioner.

This decision to let this go, to let this nomination go without an answer is a big mistake for us. If we do this—if we let this nomination go without a

debate, without significant opposition, without demanding more answers from the President—the problem is we are never getting any more answers. There will be some in this body who say, Well, just let it go. The snow is coming and we want to go home. The problem is that he is never going to answer these questions unless he is forced to. I suspect George Bush would have been the same. I suspect a lot of the Presidents would be the same. And I think it is unfortunate that they see their power and their sphere of power as being more important than our constitutional rights. But we won't get this by just the glad hand and the winning smile. That is not going to get any information from the President.

The only way this President would ever give us information is if we were to stop this nomination. I am not even saying stop it personally. My objection really is not so much to Brennan being in charge of the CIA as my objection is to the program and to the President not admitting that he can't do drone strikes in America.

I will continue to do what I can to draw attention to this and we will see where things lead. But I am disappointed in the President. I am one who while I am a Republican—I didn't vote for him in 2008 or 2012—I am one who has admired certain aspects of his policy. I admired his defense of civil liberties. I admired him in 2007 when he said Americans shouldn't be involved in torture. I admired him when he said we should follow the rule of law and we should have warrants before we tap people's phones and that we shouldn't be trolling through people's records. But I find a great irony and, frankly, a great hypocrisy in someone who would defend getting warrants before we tap your phone but won't defend a trial before we kill you. Tapping one's phone is a breach of privacy and it should only be done if a person has been accused of a crime and evidence has been presented and a judge grants a warrant. But killing someone with no due process, with no judicial oversight—some are saying, Oh, we will get to it. We are eventually going to set up a court, maybe a FISA court. Unfortunately, a FISA court probably won't be good enough because it will be in secret and a person should have a chance to confront their accusers and have a public trial if a person is going to be killed. Typically what I am talking about is American citizens, but there needs to be some oversight. But the problem of waiting to do this and saying, Oh, we will do this sometime, we will get to it eventually, never happens. The same way with saying, Oh, we will get to—we will keep asking the President for more information, but it never happens. If we do not take a stand for something we believe in, it is going to slip away from us. I think our rights are gradually eroding. I think they are

gradually slipping away from us. I think the understanding of the Constitution as a document that restrains the government, that restrains the size and scope of the government, has been lost on a lot of people. I think it is something we shouldn't give up on.

When the President goes through his three different items that were leaked through this memo, he says there has to be an imminent threat. He says their capture has to be inconvenient or infeasible. And he says the operation of killing the person has to be conducted within a manner consistent with the applicable law of war.

Here is the problem. That sounds fine if you are in Afghanistan and in the mountains fighting a war. But I am talking about downtown Washington, DC. I am talking about living in the suburbs of Houston or Atlanta. Are we going to have drone strike programs in America consistent with the applicable law of war?

See, the other way to put "law of war"—and this is not a stretch, this is just turning the words around—"martial law." Now people, if you put it that way, might have a little different impression. Do we want martial law in our country?

If you go back to the battle we had over indefinite detention last year, where they are saying they can take a citizen without a trial and actually send them from America to Guantanamo Bay if they are accused of terrorism—accused, not convicted; accused of terrorism—you start to worry about some of the stuff happening in our country, that this could actually happen.

One of the sort of ironies of looking at different governments and looking at what makes people unhappy—in Tahrir Square in Cairo, there have been hundreds of thousands of people protesting. It is interesting what they are protesting. One of the large things they are protesting is something called an emergency decree, which I believe went in place by Mubarak 20-some-odd years ago. So you get leaders who come in, and they use fear to accumulate power, and you get a decree. So you get martial law. The martial law, ironically enough, in Egypt allows detention without trial. They do have the right to trial, but there is an exception, and it has been accepted for the last 20-some-odd years, and the people are hopping mad over it. So we get involved in their country and their politics and give them money and weapons, and we have some of the same debate and problems here at home—whether or not you can indefinitely detain.

The President's response to this was also pretty disappointing. It would not have become law without him. I think he threatened to veto it, and then he signed it anyway. Empty threats are of no value, and he struck no great blow for America or for American freedoms

by not vetoing this. But when he signed it, he said something similar to what he is saying now. He said: Well, I have no intent to indefinitely detain people.

Am I the only one in America who is a little bit underwhelmed by the President saying he has no intent to detain somebody but he is going to sign it into law saying he has the power to? That is the same thing we are getting now in this drone strike program: Don't worry. Everything is OK. I am your leader, and I would never detain you. I would never shoot Hellfire missiles at noncombatants. I will not do that.

I can take him at his word, but what about the next guy and the next guy? In 1923, when they destroyed the currency in Germany, they elected Hitler. I am not saying anybody is Hitler, so do not misunderstand me. I am saying there is a danger, even in a democratic country, that someday you get a leader who comes in, in the middle of chaos, and says: Those people did it. Those people are the mistake. Those people are who we need to root out.

If the laws have been removed that prevented that from happening, if the laws have been removed and they say: We can indefinitely detain—in Hitler's case, he said: The Jews, those bankers, the Jews did this to us. And they were indefinitely detained. Now, am I saying this is going to happen in our country? Unlikely. I cannot imagine any of our leaders, for all of our disagreements, doing that. But if you do not have the law to protect you, you do not have that protection because you do not know who the next guy is and the next guy or the next woman.

When Madison wrote about this, he was very explicit. He said: We have these rules in place because we do not have a government of angels. If we had a government of angels, we would not need these rules.

I will never forget the discussion with somebody about the Kelo case. The Kelo case was a case where the government took private property and gave it to a richer person who had private property who wanted to develop it. Ironically, the justification they used was blight. So they take it from one middle-class person and give it to a rich corporation, and they say they are doing that to rectify blight. But when they did that and when they came down with the ruling, it was concerning the logic of the way they get to this ruling, that basically they really do not have this right to your property.

When the Kelo decision came down, it really bothered me. But I remember we started having the battle in our local government. In our local government, there was a battle over a resolution. The resolution said—it was in the city council—the resolution said the local city government cannot take private land and give it to another person. It was really like so many other

things. The intention of eminent domain was to have highways and thoroughfares that you might not get otherwise, but it was never intended to take from a private owner and give to a corporation. That is what they did with the Kelo decision.

So, anyway, local governments began talking about this, and I was talking to one of my local government officials—this is probably 20 years ago, 15 years ago—and their response was, but I would never do that. I would never take private land through eminent domain and give it to another corporation. I would never do that.

And I believed that person. And I really, frankly, give the President the benefit of the doubt. I do not question his motives. I do not think he probably will kill noncombatants. But I certainly do not want him to claim that he has the authority to kill noncombatants. So this is a big deal. It is a huge deal.

So with the eminent domain, we finally passed it in our local commission. It was like 3 to 2, but in my town in Kentucky, you cannot take private property with eminent domain and give it to another private individual, because it is not about the individuals involved, it is about the fact that we do not always have angels running our government. We do not always know whom we are going to get.

If we ask the question, Do you want a government that is run by majority rule or a government that is restrained by its documents, it is a pretty important question. Ultimately, there are ramifications to majority rule, to basically whatever the majority wants.

One, the majority can vote upon minority rules they do not pass on themselves. In fact, Martin Luther King wrote—this is one of my favorite quotes from him—he said: An unjust law is any law that a majority passes on a minority but does not make binding on themselves. I thought it was a great statement because you could probably almost apply that to any law written on any subject. If the law excludes certain people and is not applied to everyone, then by definition it is an unjust law. What a great way to put it succinctly and a great way that we should look as far as trying to write rules.

But you have to decide as a country whether you want majorities or politicians to decide things or whether you want reliance on documents and on a process and on a rule of law that protects you.

If we rely on, basically, the whims of politicians, I think it is a big mistake. If we are going to rely on the politician basically sitting in the Oval Office going through flashcards and a PowerPoint presentation to make the decision on life and death for Americans in America, I think it is a huge mistake.

Any people who watch trials and court cases realize that even courts are not perfect. It is actually amazing how we even get it wrong with courts and trials and juries. Many States and even many people who were for the death penalty have questioned their support of the death penalty because of the imperfection of our courts. Through DNA testing, we have found we do not always get it right even with that. I think in Illinois they stopped the death penalty after having so many DNA testings that showed there was an incorrect diagnosis of who had committed the crime.

So the question becomes, even with all the checks and balances of the court, are you worried at all about having one politician accuse, secretly charge, I guess—if you can call it a charge—and then execute Americans? I am incredibly troubled by that. I cannot imagine we as a free country would let that stand. I think it is an insult to every soldier in uniform fighting for American freedom around the world that we would just give up on ours at home, that the President would cavalierly or incorrectly or without forethought, without sufficient forethought, not tell us, not go ahead and explicitly say: This will never happen in America.

His answer to me should not have been, no, we will not kill noncombatants. It should be, never—no, never. We will never in America come to that. Under my watch, we will never, ever allow this to happen in America.

It is incredibly disappointing. It should be disappointing to all Americans or anyone who believes in this. We have to realize that trying to figure out guilt or innocence is very complicated. Anybody who has ever served on a jury realizes how difficult it is to determine guilt. And sometimes you are unsure. Some cases are actually decided by, gosh, the evidence was so equal, but there was not a preponderance. I could not become completely convinced, and this person is going to be put to death?

Contrast the feeling a juror has and what a juror is trying to do in finding innocence or guilt and letting someone be punished by death with our current standard. Our current standard for killing someone overseas is that you can be sympathizing, you can be close to people who we think are bad, you can be in a caravan that we say bears the signature of bad people.

Now, there is another debate that can be had about whether those are sufficient standards for war. And the standards are different for war in our country. But we have to adamantly and unequivocally stand up and say to those who would say this is a battlefield: The hell it is a battlefield. This is our country. If you want to say this is a battlefield—if you say we are going to have the laws of war here, we are going to

have martial law here—by golly, let's have a debate about it. Let's have a discussion in the country. Let's have everybody talking about, are we the battlefield? Is this a battlefield? Is our country a battlefield? Because what that means is that you get no due process in a battlefield.

I am not here to argue and say that you get due process in a battlefield. I am here to argue that we cannot let America be a battlefield because we cannot say that we are no longer going to have due process, that we are no longer going to have trial by jury, that we are no longer going to have presentment of charges and grand juries. It is impossible in a battlefield. In Afghanistan, it is impossible to say: Hey, wait a minute, can I read you your Miranda rights? It is impossible. We are not arguing for that. We are not arguing for a judge or a jury or anything else. If people are shooting at our troops, they can do everything possible, including drone strikes. It is not even the technology so much that I am opposed to, but the technology opens doors that we need to be concerned with.

Defense of our soldiers in war—there is no due process involved with that. But realize the danger to saying America is at war, America is the battlefield, because also realize the danger that these people—they are Republicans and Democrats—these people do not believe there is any limit to the war, there is no geographic limit, and there is no temporal limit. It is a perpetual war. And many of them—if you prompt them or provoke them—will open up and say: Oh, yes, America is a battlefield. We need the laws of war. And you ask them: When is the war going to end. When will we win the war, they will admit it—some of them will frankly admit it. They will say the war may go on for a long time. Some have talked about a 100-year war, 100 years being in these countries. But basically we are talking about perpetual war. We are talking about a war with no geographic limit, no temporal limit, and a war that has come to our country.

There will be bad people who come to our country whom we need to repel. We are not talking about that. If planes are being flown into the Twin Towers, we have the right to shoot them down with our military. That is an act of war. No one questions that. If someone is standing outside the Capitol with a grenade launcher, we have a lot of brave Capitol policemen. I hope they kill the person immediately. Lethal force to repel lethal force has never been questioned by anybody and is not even controversial.

But they want to make the debate about that and not about killing non-combatants driving in their car down Constitution or sitting in a cafe on Massachusetts Avenue. There may be bad people who are driving in their car,

and there may be bad people sitting in cafes around the country. If there are, accuse them of a crime, arrest them and try them.

The battlefield coming to America or acknowledging that is an enormous mistake. So there are some big issues, some issues that we as a country gloss over. We watch the nightly news. There is sometimes so much hysteria about so many issues, so many people yelling back and forth. But this is an issue that I think if we could get a frank discussion—I have proposed to the leadership—I have not had much luck with this—but I proposed for a constitutional debate or a debate of importance that everybody come, and instead of hearing me all day, we take 2 or 3 minutes and we go around the room and everybody speaks, it is limited, but there is some kind of debate and discussion—less speechmaking and more debate.

I proposed we have lunch together. I have asked to come to the Democratic lunch. I have not gotten the invitation secured yet. It has only been 2 years so it may happen, but there are many reasons for discussion. There are many reasons why we should have civility. There are reasons why people on both sides of the aisle can agree to this. If we were to have a vote, maybe not on the nomination but a vote on restricting drones—there is a bill out there that we are working on that would restrict drones to imminent threats. It does not even get into the distinction of the military—things in the country would be the FBI; it would not be the military because that is the law. There is an important reason for the law.

But we have a bill we are going to come forward with that we are working on that would simply say there has to be a real imminent lethal threat, something we can see. Then I think people could agree to that because it is not so much the drone we object to. If some guy is robbing a liquor store 2 blocks from here and the policemen come up and he comes out brandishing a gun, he or she can be shot. Once again, they do not get Miranda rights. They do not get a trial. They do not get anything. If you come out brandishing a weapon and people are threatened by it, you can be shot.

So it is important to know what we are talking about. We are not talking about the guy coming out of the liquor store with a weapon. Even a drone could kill him if the FBI had drones. So my objection to drones is not so much the technology. There may be a use for law enforcement here, but there is also potential for abuses.

Many government agencies have drones. These hopefully will remain unarmed drones. This is a different subject. But it is a subject that sort of dovetails from this into the next subject, which is, should you have protection from the government snooping—

from the government looking through your bedroom windows? I remember that issue when I read "1984" when I was in high school. It bothered me, but I could not quite connect. I felt somewhat secure in the sense that we did not have two-way televisions. This was back in the 1970s. We did not have the ability to look at people. The government could not look at me in my house 24 hours a day.

So you kind of get the feeling for how terrible it would be for that to happen. But technology was behind that. Actually "1984" was written, I think, in 1949. So talk about—he was truly being able to foresee the future. But now fast forward another 30 or 40 years and look at the technology we have now. We have drones that are less than an ounce, presumably with cameras—it is hard for me to believe that—but less than an ounce with a camera. It is not impossible to conceive that you could have a drone fly outside your window and see what your reading material is.

It is not impossible to say they could not send drones up to your mailbox and read at least what kind of mail you are getting or where it is from. It is not inconceivable that drones could follow you around. We had an important Supreme Court case last year, though, that was a blow for privacy. This was a Supreme Court case that had to do with GPS tagging. Everyone knows what GPS is. But what they were doing is the police were shooting them to cars or tagging them when you were not with your car and then following you around waiting for you to commit a crime. If you tag everybody's car and wait for them to speed, we are going to have a big deal on fines. There is going to be a problem. There is also a problem with following people around waiting for people to commit a crime. So the Supreme Court ruled, I think it was unanimously, that you have to have a warrant to do that.

The thing about surveillance is those of us who believe in privacy are not arguing against any surveillance. What we are arguing is that you have to have a reason to do it and you have to ask a judge for permission. So it is not a society where there is no surveillance or a society where you have absolute privacy. If you commit a crime, the police go to the judge and ask for permission to do this.

But there are some worrisome things about the direction of drones. For example, the EPA now has drones. The EPA is flying drones over farmland. I think some of this may be even in the defecation patterns of the cows. I do not know exactly what they are looking for because manure in streams is said to be a pollutant and, actually, frankly, thousands of animals might.

But the whole idea, if you think someone is dumping anything in a stream—I am not opposed to having laws stopping that, get a warrant,

search them or get a warrant and spy on them with a satellite or drone or whatever you want to do. But you have to have some kind of probable cause they are committing a crime. Because you can imagine that we would devolve into a society where every aspect of our life would just be open to the government to watch what we are doing.

They say there is something called an open spaces concept. They say: You have 40 acres. The land is open so it is not private anymore. I think that is absurd. I think that is sort of analogous to the whole banking secrecy, such as you gave your records to your bank so you do not care if anybody looks at them. That is absurd. I have a 40-acre farm. I go hunting out there. I am supposed to not care if people watch me, everything I do once I am outside my house. My privacy is only in my house and not in open spaces?

I disagree with that. One of the interesting things about the right to privacy, and you actually get some disagreement from people on the right about this. There was a case called the Griswold case. It had to do with birth control. A lot of conservatives objected to it because they saw it as a building block for *Roe v. Wade*. I am pro-life and did not like the decision in *Roe v. Wade*, but I actually do not mind the decision in *Griswold* so much. The reason is, going back to a little bit of the discussion we had earlier on *Lochner*, is that with *Griswold*, what I see is they talked about a right to privacy.

Some said—the conservatives who are worried about the judiciary coming up with new things or creating things—they thought the right to privacy was not in the Constitution so you do not have it. I think that is a mistake in notion. Because, for example, the right to private property, that is not in the Constitution either, but I do not think any of the Founding Fathers or most of us today would argue you do not have a right to private property. In fact, I think it is one of the most important parts. In fact, there was some debate about having it in there. But I think the right to privacy, the right to private property, they are part of what I would call the unenumerated rights. The unenumerated rights are basically everything else not given to the government.

You gave the government—or we give the government, through the compact of the Constitution, we give the government enumerated powers. There are about 17 to 19, depending on how you count them. But as Madison said, they are "few and defined." When you talk about the rights, though, the 9th and 10th amendment will say those rights not specifically delegated to the Federal Government are left to the States and the people respectively. They are not to be disparaged.

So the interesting thing about your rights is there is not sort of a list of

your rights. In fact, when the Founding Fathers were putting together the Bill of Rights, one of the objections to the Bill of Rights was they said if we put the Bill of Rights together, everybody will think that is all of their rights. They will say, if it is not listed, you do not get it.

So the 9th and 10th amendments were an important part of it. In fact, I do not know I would have voted for the Bill of Rights' inclusion if you did not have the 9th and 10th. I like all the others, of course. But then the 9th and 10th protect all those not mentioned.

So it is an interesting thing that some on the right disagree. In fact, the majority does not like the *Griswold* decision. But I actually kind of like it because I think your right to privacy is yours, the same as I think your right to private property is yours. It was not delegated, it was not taken, it was not given to the Federal Government. It is yours.

It gets back to the sort of the primacy of liberty, the primacy of your individual freedom that you did not get that, you were not given your freedom by government. It was yours naturally or, as many of us believe, it is comes from your Creator. So your rights are national and inborn. They were enshrined in the Constitution, not given to you but enshrined and protected. As Patrick Henry said, it is not that the Constitution was instituted among men to protect the government, they were to protect the people from the government.

It was to limit the size of government, to try to restrain the size of government, to try to allow for a government that lived under a rule of law. When Hayek said nothing distinguishes an arbitrary government from a constitutional government more clearly than this concept of the rule of law, the important thing about the rule of law is also that the rule of law is something that—it gives a certainty. Businessmen have talked about certainty.

Without relinquishing the floor, I would like to hear a few comments from Senator LEE.

Mr. LEE. The issues we are discussing are of profound importance to the American people for the reasons Senator PAUL has identified. Americans have every reason to be concerned anytime decisions are made by government that impair one of the fundamental God-given protected rights that Americans have.

Anytime the government wants to intrude upon life or liberty or property, it must do so in a way that comports with time-honored, centuries-old understandings of due process. The rule of law, in other words, must operate in order to protect those God-given interests to make sure they are not arbitrarily, capriciously deprived of any citizen.

We are talking about the sanctity of human life. When the interest at stake

is not just liberty or property but life itself, we have to protect it. We have to take steps to protect that. So I think it is important we carefully scrutinize and evaluate any government program that has the potential to deprive any American citizen of his or her life without due process of law.

I was concerned, as was Senator PAUL, recently, when the Obama administration leaked what was characterized as a Department of Justice white paper outlining the circumstances—outlining the legal criteria that this administration would use in deciding when and whether and under what circumstances to snuff out human life, the human life of an American citizen no less, using a drone.

The memorandum started out with certain somewhat predictable or familiar concepts. The memorandum started out by explaining an imminent standard, explaining that certainly could not happen absent an imminent threat to American national security, an imminent threat to American life, for example. When we think of imminence, we think of something that is emergent, we think of an emergency, something that is going on at the moment, which unless interrupted presents some kind of a dangerous threat.

Significantly, however, this is not how the Department of Justice white paper actually read. Although it used the word “imminence,” it defined imminence as something far different than we normally think of, than we as American citizens use this kind of language, certainly in any legal or constitutional analytical context.

If I could read from that memorandum, I would point out this condition of imminence is described as follows.

It says: The condition that an operational leader—an operational leader of a group presenting a threat to the United States—presented imminent threat of violent attack against the United States does not require the United States to have clear evidence that a specific attack on U.S. persons and interests will take place in the immediate future.

Wouldn't it be the Senator's understanding if something is imminent, it would need to be something occurring immediately?

Mr. PAUL. Yes. I think there is really no question about using lethal force against an imminent attack. I think that is why we need to make the question we are asking the President very clearly. The question is if planes are attacking the World Trade Center, we do believe in an imminent response. We do believe in an imminent defense for that. The problem is we are talking about noncombatants who might someday be involved. If they are in America, I see no reason why they shouldn't be arrested.

Mr. LEE. If we are dealing with something that is imminent, we are

talking about something that is about to occur, and it is urgent. That typically is the standard any time government officials in other contexts, law enforcement, for example—sometimes regrettably and tragically, law enforcement officers need to make a spur-of-the-moment judgment call in order to protect human life. Sometimes in doing that they have to do something they wouldn't ordinarily do. It always turns on some kind of an imminent standard. It always turns on some kind of an emergent threat, something that is about to occur, that is occurring at the moment.

Yet we are told in black and white right here in this white paper this condition, imminence, does not require the United States to have clear evidence that a specific attack on U.S. persons and interests will take place in the immediate future. That begs the question, what then is the standard. Who then makes this determination? Presumably it is the President of the United States. Perhaps it is others reporting up in the chain of command to the President of the United States.

If actual imminence isn't required as part of this ostensibly imminent standard, what then is the standard? Is there any at all? If there is a standard, is it so wide, is it so broad you could drive a 747 right through it? If that is the case, how is that compatible with time-honored notions of due process, those notions deeply embedded in our founding documents, those notions we understand come from God and cannot be revoked by any government?

I wish I could say the imminence standard problem in the Department of Justice white paper is the only problem. It is not. We look to the very next page, the page dealing with feasibility of capture. One of the other standards outlined in the Department of Justice white paper outlining the circumstances in which the government of the United States may take a human life using a drone in a case involving a U.S. citizen is that the capture must be infeasible, and the United States must be continuing to monitor whether capture becomes feasible at some point.

As to this standard on page 8 of the Department of Justice white paper, it says:

Second, regarding to the feasibility of capture, capture would not be feasible if it could not be physically effectuated during the relevant window of opportunity or if the relevant country were to decline to consent to a capture operation. Other factors such as undue risk to U.S. personnel conducting a potential capture operation could also be relevant. Feasibility would be a highly fact-specific and potentially time-sensitive inquiry.

In other words, they are saying it has to be something that could not be physically effectuated during the relevant window. What is the relevant window? The white paper makes absolutely no effort whatsoever to define what the relevant window is. Who then

makes this determination, and according to what factors is that determination made?

Here yet again we have a standardless standard. We have a standard that is so broad, so malleable, so easily subject to so many varying interpretations, no one can reasonably look into this and decide who the government may kill with a drone and who the government may not kill with a drone. That is a problem, and that, it seems to me, is fundamentally incompatible with time-honored notions of due process. Would the Senator not agree with that assessment?

Mr. PAUL. Absolutely. I think that is where the crux comes down to this, talking about having an imminent standard. This is part of the problem in the sense he doesn't want to talk about it. If we are going to do something so dramatic as to no longer have the fifth amendment apply in the United States, to have no accusation, to have no arrest, no jury trials for folks who are to be killed in the United States, it is such a dramatic change that you would think we would want to have a full airing of a debate on this.

Mr. LEE. Would the Senator from Kentucky yield for a question?

Mr. PAUL. I won't yield the floor, but I will allow the Senator to make comments.

Mr. LEE. If the Senator will yield for a question, I will ask if the Senator was aware of the exchange some members of the Senate Judiciary Committee had with Attorney General Holder this morning on the subject.

Mr. PAUL. Yes.

Mr. LEE. Was the Senator aware of the fact some of us asked Attorney General Holder for a more robust analysis than the series of memoranda authored by the Office of Legal Counsel, the U.S. Department of Justice's chief advisory body, and the fact that so far the Department of Justice has declined to make those available to members of the Judiciary Committee?

Mr. PAUL. Yes, I am aware of that. I think we have a transcript of some of the conversation from this morning.

Mr. LEE. If I may supplement that question by describing what I encountered in connection with that, I expressed frustration to the Attorney General over the fact that members of the Senate Judiciary Committee—who have significant oversight responsibilities with regard to the operation of the U.S. Department of Justice—have not had access to that memorandum. This is part of our oversight responsibilities. This is something we ought to be able to see, and so far it is not something we have been able to see. I encouraged the Attorney General to make available to members of the Senate Judiciary Committee those very documents, which he claimed add some additional insight and would give us some additional analysis above and beyond what this white paper is saying. I

thought that might be relevant to the Senator in addressing my question.

Mr. PAUL. Absolutely. At this point, I will entertain comments from Senator CRUZ and a question.

The PRESIDING OFFICER (Mr. COONS). The Senator from Texas.

Mr. CRUZ. Would the Senator from Kentucky yield for a question?

Mr. PAUL. I will not yield the floor, but I will acknowledge a question to the Chair.

Mr. CRUZ. I wish to ask the Senator's reaction to the testimony Attorney General Eric Holder gave the Senator this morning in the Senate Judiciary Committee. I wish to describe that testimony for the Senate and ask the Senator's reaction to that testimony.

I would begin by saying that Senator after Senator on the Judiciary Committee invoked the leadership of the Senator from Kentucky on the issue of drones and asked Attorney General Holder about the standards for drone strikes in the United States. Indeed, although the Senator does not serve on the Judiciary Committee, it was as if he were serving in absentia, because the Attorney General was forced over and over again to respond.

I would note the Senator's standing here today, like a modern "Mr. Smith Goes to Washington," must surely be making Jimmy Stewart smile. My only regret is there are not 99 of our colleagues here today standing with the Senator in defense of the most fundamental principle in our Declaration of Independence and our Constitution; namely, each of us is endowed with certain unalienable rights by our Creator and that first among them is life, the right to life, and the right not to have life arbitrarily extinguished by our government without due process of law.

At the hearing this morning, Attorney General Holder was asked about the letter he sent the Senator in which the Senator asked him whether the U.S. Government could use a drone strike to kill a U.S. citizen on U.S. soil. As the Senator knows, Attorney General Holder responded in writing he could imagine a circumstance where that would be permissible. The two examples he gave were: No. 1, Pearl Harbor; and No. 2, the tragic attacks on this country on September 11, 2001. In the course of the hearing, Attorney General Holder was asked for more specifics. In particular, both of those were military strikes on our country with imminent and, indeed, grievous loss of life that flowed from it. Few, if any, disagree that the U.S. Government may act swiftly to prevent a military attack which would mean immediate loss of life. The question Attorney General Holder was asked three different times was whether the U.S. Government could take a U.S. citizen, who was suspected of being a terrorist, on U.S. soil, who was not engaged in any

imminent threat to life or bodily harm, simply sitting at a cafe—could the U.S. Government use a drone strike to kill that U.S. citizen on U.S. soil.

Three times when asked that direct question, Attorney General Holder responded that in his judgment that was not "appropriate."

The first question—and if I may, I wish to ask a series of questions—does it surprise the Senator the Attorney General would speak in vague, amorphous terms of appropriateness and prosecutorial discretion rather than the bright lines of what the Constitution protects, namely, the right of every American to have our life protected by the Constitution?

Mr. PAUL. Mr. President, I am quite surprised, although I guess I shouldn't be, that we don't get direct responses. It is a pretty direct question. It is the question I have been asking all morning. It is the question I have been asking for a month and a half. I am talking about situations where you have a noncombatant, someone not posing an imminent threat, who they think make may someday pose an imminent threat because that is what we are doing overseas. If that is the standard overseas, I am asking is that going to be the standard here? It amazes me.

Part of the reason we are here today in the midst of a filibuster is because they won't answer the question directly. I applaud the attempts to try to get a more specific question. I am not terribly surprised we have had trouble getting a direct answer.

Mr. CRUZ. Would the Senator yield for additional questions?

Mr. PAUL. As long as I do not yield the floor.

Mr. CRUZ. After three times declining to answer a direct question, would killing a U.S. citizen on U.S. soil with a drone strike when that U.S. citizen did not present an imminent threat, would that be constitutional—after three times of simply saying it would not be appropriate, finally, the fourth time Attorney General Holder responded to vigorous questioning—in particular during the course of the questioning, the point was made that Attorney General Holder is not an advice columnist giving advice on etiquette and appropriateness. The Attorney General is the chief legal officer of the United States. I will note I observed it was more than a little astonishing the chief legal officer of the United States could not give a simple one-word, one-syllable, two-letter answer to the question: Does the Constitution allow the Federal Government to kill with a drone strike a U.S. citizen on U.S. soil who is not posing an immediate threat? The proper answer I suggested at that hearing should be no. That should be a very easy answer for the Attorney General to give.

Finally, the fourth time around, Attorney General Holder stated: Let me

be clear. Translate my appropriate to no. I thought I was saying no. All right? No. Finally, after three times refusing to answer the question whether it would be constitutional to do so, the fourth time the Attorney General answered.

The question I want to ask is the Senator's reaction to this exchange. In particular when Attorney General Holder on the fourth time finally stated his opinion—and I assume the opinion of the Department of Justice—that it is unconstitutional for the Federal Government to kill a U.S. citizen on U.S. soil who does not pose an imminent threat, when he stated that, my response was I wish he had simply said so in his letter to the Senator at the beginning. I wish John Brennan in his questioning the Senator provided had said so in the beginning.

Indeed I then said: The Senator from Kentucky and I are going to introduce legislation in this body to make clear that the U.S. Government may not kill a U.S. citizen on U.S. soil if that individual does not pose an imminent threat of death or grievous bodily harm. I observed that if the Attorney General's view was that it was unconstitutional for the U.S. Government to do so, then I assumed he would be supporting that legislation. I would welcome the Senator's reaction to that exchange.

Mr. PAUL. Well, Mr. President, the response is a little bit troubling; that it took so much work and so much effort of cross-examination to finally get an answer.

I will note, in his final answer, I don't ever see the words "constitutional" or "unconstitutional." He is responding to Senator CRUZ's word of "constitutional" when he says: Let it be clear and translate my "appropriate" to "no." I thought I was saying no. All right. No.

Well, words do make a difference, and I would feel a little more comfortable if we would get in writing a letter that says he doesn't believe killing people not actively engaged in combat with drones in America, on American soil, is constitutional. That sure would have short-circuited and saved quite a bit of time.

I will say, though, that I will believe a little more of the sincerity of the President and of the Attorney General if we get a public endorsement of the bill that says drones can't be used except under imminent threat, and define that as an imminent threat where you actually have a lethal attack underway. If we could get to that, I think this is something that both parties ought to be able to unite by. It is such a basic principle, I can't imagine we couldn't unite by this. And it would have gone a long way to getting these answers.

But what still disappoints me about the whole thing is that it takes so

much work to get people to say they are going to obey the law. It takes so much work to get the administration to admit they will adhere to the Constitution. This should be a much simpler process.

I commend the Senator from Texas for not letting go and for trying to get this information. I would welcome any more comments that he has.

Mr. CRUZ. If the Senator would yield for one final question, is the Senator from Kentucky aware of any precedent whatsoever—any Supreme Court case, any lower court case, the decision of any President of the United States, beginning with George Washington up to the present, the stated views of any Member of this Senate, beginning with the very first Congress up to the present—for the proposition that this administration seems willing to embrace, or at least unwilling to renounce explicitly and emphatically, that the Constitution somehow permits, or at least does not foreclose on, the U.S. Government killing a U.S. citizen on U.S. soil who is not flying a plane into a building, who is not robbing a bank, who is not pointing a bazooka at the Pentagon, but who is simply sitting quietly at a cafe, peaceably enjoying breakfast?

Is the Senator from Kentucky aware of any precedent whatsoever for what I consider to be the remarkable proposition that the U.S. Government, without indicting him, without bringing him before a jury, without any due process whatsoever could simply send a drone to kill that U.S. citizen on U.S. soil?

Mr. PAUL. Mr. President, I am aware of no legal precedent for taking the life of an American without the fifth amendment or due process. What is troubling, though, is that Attorney General Eric Holder is on record as actually arguing that the fifth amendment right to due process is to be determined and is to be applicable when determined solely by the executive branch.

I would appreciate the comments and opinions of the Senator from Texas on the idea that the executive branch gets to determine when the Bill of Rights applies.

Mr. CRUZ. If I may give my views on that question and then ask for the Senator's response to my views on whether the executive may determine its own limitations, I would suggest the genesis of our constitution is found in the notion that the President is not a king, that we are not ruled by a monarchy, and that no man or woman is above the law. Accordingly, no man or woman may determine the applicability of the law to himself or herself.

For that reason, the Framers of our Constitution won not one but two revolutions. The first revolution they won was a bloody battle for our independence from King George, and a great

many of them gave the ultimate sacrifice so that we might enjoy the freedom we do today. But the far more important war they won was the war of ideas, where for millennia men and women had been told that rights come from kings and queens and are given by grace, to be taken away at the whim of the monarch. What our Framers concluded, instead, is that our rights don't come from any king or queen or president; they come from God Almighty, and sovereignty does not originate from the monarch or the President, it originates from we the people.

Accordingly, the Constitution served, as Thomas Jefferson put it, as chains to bind the mischief of government. And I would suggest that anytime power is arrogated in one place—in the Executive—that liberty is threatened. And that should be a view that receives support not just from Republicans, not just from Democrats or Independents or Libertarians, that should be a view that receives support from everybody; that none of us should want to live in a country where the President or the Executive asserts the authority to take the life of a U.S. citizen on U.S. soil without due process of law and absent any imminent threat of harm.

I would suggest the idea that we should simply trust the Attorney General, trust the Director of the CIA, or trust the President to exercise an astonishing power to take the life of any U.S. citizen, in my judgment, is fundamentally inconsistent with the Bill of Rights. And I would, therefore, ask the Senator from Kentucky for his reaction and whether he shares my understanding that our rights are protected not at the whim or grace of the Executive, but they are protected by the Constitution and, ultimately, they are rights that each of us was given by our Creator, and we are obliged to protect the natural rights to life, liberty, and property that every man and woman in America enjoys?

Mr. PAUL. Well, Mr. President, this is what makes this debate so important. This debate is about the fundamental rights that we—most of us, or many of us—believe derive from our Creator and that it is important we not give up on these; that we not allow a majority vote or one branch of government to say we have now decided you don't get all these rights anymore.

Our Founders really wanted to make it difficult to change things, to take away our rights. So this is an important battle and one in which I think we should engage because the President needs to be more forthcoming. The President needs to let us know what his plans are, if he is going to overrule the fifth amendment and if the Attorney General is going to decide when the fifth amendment applies. That is a pretty important distinction and change from the history of our country.

Mr. President, at this time I would like to ask for any comments, without yielding the floor, from the Senator from Utah.

Mr. LEE. In response to Senator PAUL's question, I would like to add to the Senator's remarks and those of the junior Senator from Texas the fact that in the concluding paragraph of the Department of Justice white paper on this issue, the Department concludes as follows:

In sum, an operation in the circumstances and under the constraints described above would not result in a violation of any due process rights.

It is a rather interesting conclusion, in light of the fact that two out of the three analytical points outlined above in the memorandum, in the white paper are themselves so broad as to be arguably meaningless or, at a minimum, capable of being interpreted in such a way as to subject American citizens to the arbitrary deprivation of their own right to life.

First, as I mentioned earlier, by proposing an imminent standard that leaves out anything imminent—in other words, it is not just peanut butter without the jelly; it is peanut butter without the peanut butter. There is no “there” there—they define out of existence the very imminent standard they purport to create and follow. That is not due process. It is the opposite of due process.

Secondly, they outline a set of circumstances in which this attack may occur, where capture is infeasible, and then they define an understanding of feasibility that is so broad as to render it virtually meaningless.

So at the conclusion of the memo—and the memo says:

In sum, an operation in the circumstances and under the constraints described above would not result in a violation of any due process rights.

It is describing constraints that are not really constraints, and that is a problem. That amounts to a deprivation of due process.

In light of these circumstances, I think it really is imperative the American people, or those who serve in this body—at a minimum, those who serve on the Senate Judiciary Committee—be given an opportunity to review the wholesale legal analyses identified by the Attorney General today that have been prepared by the Office of Legal Counsel of the Department of Justice. This is the chief advisory body within the U.S. Department of Justice. It is the job of the fine lawyers in the Office of Legal Counsel to render this advice, and we ought to have the benefit of that. At a minimum, we ought to have the benefit of that within the Senate Judiciary Committee.

So when I asked the Attorney General this morning whether he would make those available, I was surprised and a little frustrated when he declined

to offer them immediately. He said he would check in with those he needed to consult with. I reminded him he is the Attorney General, and he does, in fact, supervise those who work in the Department of Justice.

I hope that is satisfactory and in response to the Senator's question.

Mr. PAUL. Yes, I agree with the comments of the Senator from Utah.

The whole problem is that if the President says my plan has due process, that would be sort of like me saying I have passed my law, and I think it is constitutional. Well, the same branch of government doesn't get to judge whether it is constitutional. That is the whole idea of the checks and balances.

We pass a law in the Senate and the Supreme Court can rule on whether it is constitutional. So the President gets to decide that he is going to abrogate the fifth amendment or abbreviate the fifth amendment or do certain things, and then he says: Oh, I am really not because the way I interpret it, I am applying the fifth amendment to my process.

Well, he can't do that. He can't be judge, jury, executioner, and Supreme Court all rolled into one. That is an arrogation of power we cannot allow.

Mr. President, at this time I would like to entertain comments or a question from the Senator from Kansas without yielding the floor, if I may.

Mr. MORAN. Mr. President, I thank the Senator from Kentucky, and I would like to ask a series of questions.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. First, let me outline a thought I had in listening to this conversation and ask the Senator a question about it.

We have seen the actions of our President to be determined unconstitutional in a recent case in the court of appeals in the District of Columbia—a case in which the President made the determination he could determine the definition of a recess in the Senate—and so we now have a court that has declared the President's conclusion in that regard to be unconstitutional.

I don't know that we want to get into the magnitude or evaluating what constitutional violations are most damaging to the American people or to our rights and liberties, but I would ask the Senator to compare the consequences of the President being wrong once again in regard to the constitutionality of utilizing a drone strike to end the life of an American citizen. Again, I am suggesting that we have seen precedent where the President acts unconstitutionally. Fortunately, the legal process is there to make certain a determination is made as to the constitutionality of that act.

In this case, what would be the consequences of a drone strike as compared to whether an appointment to an

administrative body under the recess clause is constitutional?

Mr. PAUL. Mr. President, I think the analogy is apt. The difference is a recess appointment you get to make your appeal to a court while still living, which makes a big difference. In the case of the recess appointments, the President decided he could determine when the legislative branch was in session or out of session. So you have the same sort of conflict again.

The President has a sphere and we have a sphere, but now he is saying he controls our sphere also; that he can tell us when we are in session or out of session, and he can basically do what he wishes. The Supreme Court rebuked him pretty sternly.

So I agree with the Senator from Kansas. There is a great deal of similarity between the two because it is, once again, the executive branch or the President acting as if the checks and balances between the Legislative and the executive branches don't exist; that he basically made the decision for us that he has decided we are in recess.

But the Senator is correct, the Supreme Court gave him a pretty stern rebuke and said that would be unconstitutional.

Mr. MORAN. Mr. President, to the Senator from Kentucky, what is the logical extension of a decision that it is constitutional to utilize a drone by our military to strike at the life of an American citizen in the United States?

And I would say, if the Senator would agree with me, most Americans would find it repulsive, unconstitutional, and a terrible violation of public duty if a military officer on the streets of Wichita, KS, pulled a gun and shot an American citizen.

Really, is that not the logical extension of the idea that a drone strike from above results in the death of a U.S. citizen without due process? Is that any different than the ability to kill somebody in any other manner that I think most Americans would recognize today as prohibited without due process of law by our Constitution?

Mr. PAUL. Mr. President, the analogy that the Senator from Kansas brings up I think is appropriate.

We have had rules on the books since the Civil War saying the military doesn't act in our country. So it is not just a drone; it is any sort of law enforcement in the United States. We recognize that.

We respect our soldiers. We are proud of our soldiers. But we have limited their sphere to the sphere of war. Within the United States, for our security we have the police and we have the FBI. It is because the rules of engagement are different. It is different being a soldier. It is a tough job being a soldier. But it is just not the same on the streets of Wichita or the streets of Bowling Green, KY. So we have different rules and we have made it different.

But the Senator is right. I think people would understand that it would be wrong for a military officer to shoot someone on the streets in America. It is prohibited for a good reason; not because our soldiers are bad people, but it is because there are different rules for soldiers. That is what is most troubling about many of these people who say, oh, Wichita is the battlefield. And if it is the battlefield, they don't understand why the military can't act in Wichita or Houston or Bowling Green, KY. So it does delve into the problem that we have to debate: Is there a limitation to where the battlefield is?

If the Senator has another question, I would yield for a question without yielding the floor.

Mr. MORAN. Mr. President, I have an additional question, and I believe it is my final question.

I would ask the Senator from Kentucky, through the President—we are here at this point in time in the juncture of the Senate with the issue of whether to confirm a particular individual to a particular office, an administrative appointment. I would ask the Senator if he doesn't believe the issue of the due process rights of American citizens is of such a magnitude that the real issue that ought to be before the Senate is not the confirmation of an individual, but we ought to resolve the issue of whether the Senate believes it is constitutional for the due process rights of an American citizen to be taken by a drone strike in the United States, and the opportunity now presents itself that it would be a reason not to grant cloture.

Let me ask it as a question. Would it not be a reason to grant cloture on this nomination until we resolve this issue?

Mr. PAUL. Mr. President, I think it is very reasonable. It is more important than just the nomination of one individual.

When we are talking about whether the Bill of Rights is going to be changed, when we are talking about whether you will have the due process to be tried in a court, or whether you could be killed—summarily executed without a trial—that is an important change in the history of our country.

The Senator's response also made me think of something else. Another way to resolve this, where we could conclude this debate and get on to the nomination, would be for the majority party to come forward with a resolution that says: You know what. We are not going to kill noncombatants in America with drone strikes; we are not going to use the military; we are going to reaffirm the law.

So there is a resolution that both parties could come forward—and it would be a wonderful resolution to this process to say: The Senate goes on record in a bipartisan fashion as saying we are not going to overturn the fifth amendment. If you are an American

and you live in America, you will not be killed without being accused of a crime, tried by a jury, and convicted by a jury. I think that would be a reasonable resolution to this, and I would entertain it if the other side were interested.

Mr. MORAN. I thank the Senator from Kentucky for responding to my questions.

Mr. CRUZ. Mr. President, would the Senator from Kentucky yield for a question?

Mr. PAUL. Mr. President, without relinquishing the floor, I yield to the Senator from Texas for a question.

Mr. CRUZ. Mr. President, I ask the Senator his reaction as to the possible justification for the administration's repeated reluctance to answer what should be a very straightforward question.

I find myself genuinely puzzled that both Mr. Brennan and Attorney General Holder, when asked whether the U.S. Government may kill a U.S. citizen on U.S. soil with a drone strike, absent an imminent threat of harm to life or grievous bodily injury—I find it quite puzzling that both of them did not simply respond: Of course not. Of course we can't. We never have in the history of this country, and we never will. The Constitution forbids it.

In my understanding of the Constitution, that was not a difficult question the Senator asked, and I find it quite remarkable that they treated it as a difficult question.

To be clear, there is no dispute—at least no serious dispute—that if an individual poses an imminent threat of harm—if an individual is robbing a bank, there is no dispute that law enforcement, a SWAT team, can use deadly force to prevent the imminent threat to life or limb.

What this issue is about is an individual who is not posing an imminent threat—a U.S. citizen on U.S. soil—and the administration's continued reluctance to say: The Constitution forbids killing that U.S. citizen without due process of law.

So what I want to ask the Senator about is efficacy.

Let's take a hypothetical individual whom the U.S. Government believes to be a terrorist, who is sitting at a cafe enjoying a cup of coffee, not posing an imminent threat to anybody. The question I would like to ask about efficacy—and if I might, I would like to ask a couple of questions.

No. 1, if it turns out the intelligence is incorrect, that this individual the U.S. Government suspects of being a terrorist is not in fact a terrorist, that they have the wrong guy; and if a drone strike is used and that individual is killed, is there an effective remedy to correct that tragic mistake?

Mr. PAUL. Mr. President, I think the question is well put.

The first aspect of the question is, What is the President thinking? Why

would the President not respond to us? Why would the President not answer a pretty easy question and say that non-combatants in the United States will not be killed with drones?

I think the reason is complicated—and it is conjecture because I can't get in his mind. But I would say it is sort of a contagion or an infection that affects Republicans and Democrats when they get into the White House. They see the power the Presidency has. It is enormous. They see themselves as good people, and they say: I can't give up any power because I am going to do good with that power.

The problem they don't see is that the power itself is intoxicating, and the power someday may be in the hands of someone else who is less inclined to use it in a good way. I think that is why the power grows and grows, because everybody believes themselves to be doing the right thing.

With regard to exactly what would happen in the situation when there is not an imminent threat, it boggles the mind when we can't answer that question. And I don't have a good understanding as to why exactly we can't get a response.

I would yield for a response from the Senator from Texas.

Mr. CRUZ. Mr. President, if I could ask the second question, in the instance where the intelligence was wrong and a U.S. citizen was killed by his or her government without due process of law, there obviously would be no remedy. But I would ask about the alternate scenario.

If it were the case that this individual was in fact a terrorist, was involved in a plot to threaten the lives and threaten the safety of other Americans; if this U.S. citizen sitting in a cafe is killed with a drone strike—focusing on efficacy—once he is killed, am I correct that you can't interrogate him further; you can't find out who else was in the terrorist plot with him; you can't find out what methods he had put in place; you can't find out if there is an imminent threat planned that he may know about? But if a drone from the sky simply kills him, that knowledge perishes with him at that cafe and so undermines the legitimate efforts of our government to protect the safety and security of all Americans.

Mr. PAUL. Mr. President, I think it is an excellent question and really gets to the root of the whole problem we are talking about because we are talking about people who may not all be good people. They may be bad people and they may be plotting to do something bad to America, and they may be in a cafe. So there may be all kinds of reasons to arrest and punish them, but there may be all kinds of reasons to try to get more information from them. Particularly if they are not involved in combat, it is hard to imagine why you would want to kill them. If they are

not involved in combat, why not capture them and try to get some useful information out of them?

So it is a little bit difficult to understand why the President wouldn't say what is obvious: Why would we want to kill noncombatants in America?

The reason we keep asking the question is, of the drone strikes overseas—which we are not privy to all of the details because some of it is classified. But the details that have been in the press are that a lot of these people being killed overseas are not in combat.

So the real question is, If you are going to take this drone strike overseas and it has no geographic limitations, and you are bringing it home to America, does the President not think it is incumbent upon him to say: Well, yes, we are bringing it home, but we are not going to kill noncombatants?

What an important question. I think the Senator has phrased it appropriately and I would anticipate or respect any other response he would like to give.

Mr. CRUZ. One final question for the Senator from Kentucky.

I am aware the Senator from Kentucky is originally from the great State of Texas. As the Senator is no doubt aware, today is the 177th anniversary of the fall of the Alamo.

One hundred eighty-two men were stationed at the Alamo, and after 13 days of a bitter siege, fighting an army of thousands, those patriots gave their lives for freedom. They put everything on the line to stand against tyranny and to stand for the fundamental right of every man and woman to breathe freely, to control our own lives, our own autonomy, to make decisions about what our future would be.

If I may presume to speak on behalf of 26 million Texans, I would say I have no doubt that Texans are proud to see the distinguished Senator from Kentucky, as a native-born Texan, fighting so valiantly for liberty and serving as such a clarion voice for liberty at a time when sometimes liberty has few champions.

Indeed, I would suggest if those brave patriots of the Alamo were here, William Barrett Travis and Davy Crockett and Jim Bowie and each of the others who gave their lives for freedom, they would be standing side by side with the Senator and would be proud to call him brother.

Mr. PAUL. Mr. President, I would like to say that I appreciate the remarks of the Senator from Texas. If the filibuster goes on long enough, we would like to hear a recitation of William Barrett Travis's last words at the Alamo. We had to memorize that as a kid, and I am afraid my memory has gone a little dusty. But the Senator is younger and may remember that for us.

The issue at hand is an issue that goes beyond party politics. It goes beyond nominations. It goes beyond the

President is a Democrat and I am a Republican. I voted for three of the President's nominations, much to the chagrin and much to the criticism of some on my side. But I have done so because I think the President does have some prerogatives—that is just my personal viewpoint—on choosing appointees. This is a political appointee, but I do not consider this debate to be about the appointee. I think this debate is more about a constitutional issue, and I think it rises to a level above the individual and it is something to which we need to draw attention and about which we need to have a good healthy discussion in our country.

I don't think it has to be a bitter partisan battle. I have met the President personally. I have flown on Air Force One with him. I respect him, I respect the office. I think he and I could have a reasonable conversation on this issue. In fact, I think if he were here today, he might actually agree with much of what I am saying. What I am disappointed in—and I do not know if it is the muddle of a large government and not getting a message forward, but what I am disappointed in is that it is so hard to get him to agree with what I think he should already and probably already agrees with. But when we are talking about doing something so different, when we are talking about changing the way we adjudicate guilt, changing the way we decide someone's life or death, it is too important to just say: Oh, Mr. President, go ahead and do it. As long as you tell me you have no intent of breaking the law or no intent to kill Americans, that is enough.

It just simply is not enough. It is not enough to say: I have not done it yet. I do not intend to kill anybody, but I might.

He came up with some circumstances where he might use the drone strikes in America. Then, in the cross-examination of Senator CRUZ in the committee, we have gotten him to admit—under duress, I think, but to admit that they are not talking about people in a cafe.

Some might say he has never mentioned people in a cafe. The reason it comes up, of people not involved in combat, is that a lot of the people who have been the victims or have been killed by these drone strikes were not involved in combat when they were killed. They were riding in cars, walking down the street, traveling in caravans. I am not saying they are good people. I am just saying, regarding the standard for whom we kill overseas, we have to ask the question, and I don't think we are doing our job if we do not ask the President: Are you going to use the same criteria for how you kill people overseas? Is that the same criteria over here?

And it should not be: I will tell you later. It shouldn't be, I don't intend to do it and I probably won't, but I might.

That is just not enough.

We are talking about basic protections that we fought our Revolution over and really, in a way, when I see the wars that we have gone to—and not every war has been perfectly justified or that we should have, but when our soldiers fight, I see them fighting for the Bill of Rights, and I think they say that too. No matter where they are around the world, I see them fighting for the Bill of Rights and our Constitution. But if we are giving that up, if we are not going to adhere to the fifth amendment, it takes the wind out of the sails.

Can you imagine being a soldier in Afghanistan or Iraq or in far-flung places around the world and you are told you were fighting for the Bill of Rights minus the fifth amendment? Or when we say we are going to indefinitely detain people, we are going to fight for the Bill of Rights minus the sixth amendment? It is pretty important. These things are what we are fighting for, so we really should at least have a robust debate over the magnitude of these changes, over how these will be set up, over exactly what will happen, how this process is going to work. I am just saying that "I am not intending to do so" is not enough.

Mr. President, I, without yielding the floor, would like to allow a question from the Senator from Texas.

Mr. CRUZ. If the Senator from Kentucky would allow this question, I would like to respond to his very gracious invitation and ask if the following letter gives the Senator from Kentucky encouragement and sustenance as he stands and fights for liberty? This letter was written February 24, 1836, and it begins as follows:

To the People of Texas and All Americans in the World:

Fellow citizens and compatriots;

I am besieged, by a thousand or more of the Mexicans under Santa Anna. I have sustained a continual Bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken. I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat. Then, I call on you in the name of Liberty, of patriotism & everything dear to the American character, to come to our aid, with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor & that of his country. Victory or Death.

William Barret Travis

My question is, Does that glorious letter give you encouragement and sustenance on this 177th anniversary of the Alamo?

Mr. PAUL. Mr. President, I think what Travis's letter at the Alamo talks about is that there are things bigger than the individual. At the time he

wrote that, I don't think they had much hope of surviving, and he died at the Alamo, as well as other volunteers, some from my State of Kentucky. But there was an issue bigger to them at the time, that they saw as bigger than the issue of the individual. I think that is what this debate is about.

This is not really about the person of John Brennan. This really is not about the person of Barack Obama. This is about the body of the Constitution, it is about our respect for it, and it is about whether we will hold these principles so dear and we will hold these principles so high that we are willing to try to enjoin a debate, to try to get both sides to talk about this and to try to admit it, because we don't want innocent people to be killed in America. We want to have the process that has protected our freedoms for a couple of hundred years now to remain in place, and we are unwilling to diminish that simply because of fear.

FDR said, "There is nothing to fear but fear itself." I think we should also say that we should not let fear be so great that we allow the loss of our freedoms. I think that is where we are, that sometimes terrorists are everywhere and they are trying to attack us, but we need to remember that it is our freedom that is precious, and we need to try to do everything we can to uphold that.

At this time, I would entertain a question, without yielding the floor, from the Senator from Oregon.

Mr. WYDEN. Mr. President, the issue of American security and American freedom really does not get enough discussion here in the Senate. It is my view that the Senator from Kentucky has made a number of important points this day, and I would like to take a few minutes to lay out my views on this issue and then pose a question to my colleague from Kentucky. We have talked often about these issues. I always learn a great deal.

Of course the Senate will be voting on the nomination of John Brennan, the Deputy National Security Adviser, to be the Director of the Central Intelligence Agency. I voted in favor of Mr. Brennan during Tuesday's Intelligence Committee meeting, and I intend to vote for Mr. Brennan on the floor. Virtually every member of the Intelligence Committee now, in my view, believes Mr. Brennan has substantial national security expertise and experience, and it is certainly my hope that he will be the principled and effective leader the CIA needs and deserves.

I think Senator PAUL and I agree that this nomination also provides a very important opportunity for the U.S. Senate to consider the government's rules and policies on the targeted killings of Americans, and that, of course, has been a central pillar of our Nation's counterterror strategy.

For several years now, I and colleagues—Senator PAUL as well—have

been seeking to get more information about the executive branch's rules for conducting targeted killings of Americans. I am pleased that after considerable efforts—efforts really that should not have to have been taken to get documents that the Intelligence Committee has been entitled to for some time—the committee has now received those secret legal opinions.

To be clear—and this is a point Senator PAUL made in the course of this discussion—targeted killings of enemy fighters, including targeted killings that involve the use of drones, can be a legitimate wartime tactic. If an American citizen chooses to take up arms against the United States, there will absolutely be circumstances in which the President has the authority to use lethal force against that American.

But I think it has been our view—a view that I hold and that I know Senator PAUL holds—that the executive branch should not be allowed to conduct such a serious and far-reaching program by themselves without any scrutiny because that is not how American democracy works. That is not what our system is about. Our unique form of government is based on a system of checks and balances that will be here long after the current President and individual Senators are gone.

From time to time, the Senator from Kentucky and I say we ought to have something that we call a checks and balances caucus here in the Senate. Those checks and balances depend upon robust congressional oversight, and frankly they depend on bringing the public into this discussion as well, that there be public oversight.

We share the view that details about individual operations do need to be kept secret, but the Congress and the public need to know what the rules for targeted killings are so they can make sure, as the Senator has touched on in the course of this day, that American security and American values are both being protected. It is almost as if we have a constitutional teeter-totter: we want both our security and our liberty. This is especially true when it comes to the rules for conducting targeted killings of Americans.

What it comes down to is every American has the right to know when their government believes it is allowed to kill them. Now the executive branch has gradually provided Congress with much of its analyses on this crucial topic, but I think more still needs to be done to ensure that we understand fully the implications of what these heretofore secret opinions contain and we have a chance to discuss them as well.

In his capacity as Deputy National Security Adviser, John Brennan has served as the President's top counterterrorism adviser and one of the administration's chief spokesmen regarding targeted killing and the use of

drones. He would continue to play a decisive role in U.S. counterterrorism effort if he is confirmed as Director of the CIA, and the Intelligence Committee is charged with conducting vigilant oversight of these particular efforts.

A number of colleagues on the Senate Intelligence Committee of both political parties I think share a number of the views that Senator PAUL and a number on this side of the aisle have been expressing today and in the past few days. I would especially like to express my appreciation to the former chairman of the Intelligence Committee, Senator ROCKEFELLER. There is no one more committed to the principles the CIA stands for. There is no individual more committed to the principles the CIA stands for than Senator ROCKEFELLER, and he believes more needs to be done to ensure that Congress has the power to do responsible oversight. Senator UDALL, Senator COLLINS, and Senator HEINRICH are all ones who share that view as well. In doing that, we recognize that we have a responsibility and that ultimately it is up to American voters to decide whether Congress is fulfilling its obligation to conduct vigorous oversight of the executive branch's actions and activities.

Let me then turn to the question that has received most of the attention today and is really about what I would like to explore for a moment or two with my colleague from Kentucky. The President has also said—I was encouraged by a number of his comments, including the State of the Union Address—that with respect to counterterrorism efforts, no one should take his word for it that the administration is doing things the right way. As part of that, he said he was going to engage the American people in a discussion of these kinds of issues. When it comes to continuing the public debate about the rules for conducting targeted killings, there are a number of questions which need to be explored. One question I will address to Senator PAUL involves the question he and I have been interested in for some time, and that is the question of the geographic limitation with respect to the use of lethal authority.

Senator PAUL and I—as well as others—have been asking for some time: What are the limits with respect to these lethal authorities, and in particular whether they can be used inside the United States?

I have listened to a bit of the comments made by Senator PAUL concerning the confirmation hearing tomorrow. The point the Senator has made this afternoon is an issue I and others have asked of the Attorney General for some time, and we have not been able to get an answer.

In recent weeks Senator PAUL has sent a number of letters on this topic. He has received two responses and he has shared them with me. For purposes

of this question, I think the response from John Brennan—and he stated his view on this quite clearly—was quite constructive. He said the CIA does not conduct lethal operations inside the United States, and most importantly—as per the conversations the Senator from Kentucky and I have had—Mr. Brennan said the CIA does not have the authority to conduct those operations.

He was unequivocal with respect to what would happen if he was confirmed as the head of the CIA, that he would not have the authority to conduct those operations. So for purposes of anybody who is kind of keeping score, I just say that Mr. Brennan—on the questions the Senator from Kentucky and I have been interested in—was clear and forthright. I have been interested in this for some time. I am glad the Senator from Kentucky has asked the question. We have now gotten an answer that is unequivocal from Mr. Brennan.

That brings us to the second response from Attorney General Holder. This letter repeated the statement that the U.S. Government has not carried out any drone strikes inside the United States and that the Obama administration has no intention of doing so. It goes on to say that the Obama administration “rejects the use of military force where well-established law enforcement authorities in this country provide the best means for incapacitating a terrorist threat.” I would certainly agree with this position. It is clear to me that prosecutions in Federal court provide tough effective means for dealing with terrorist suspects, which is why there are a great many terrorists who are now sitting in American prisons today locked behind bars and exactly where they belong.

The Attorney General went on to state:

It is possible . . . to imagine an extraordinary circumstance—Such as Pearl Harbor or the 9/11 attacks—in which it would be necessary and appropriate under the Constitution and . . . laws of the United States for the President to authorize the military to use lethal force within the territory of the United States.

This is what I wish to unpack a little bit with my colleague from Kentucky after asking this question a number of times and thinking a lot about what the answer ought to be. On this particular issue it seems to me the Attorney General has certainly moved in the direction of what we wanted to hear. I want to kind of outline it, and I think we agree on most of it, but I want to have a chance to exchange some thoughts.

One of the core principles of American democracy is that we do not ask our military to patrol our streets. It was important to me to hear the Attorney General emphasize that principle. I know there are some who believe the military ought to be given more domestic counterterrorism responsibilities

such as capturing and detaining terrorist suspects inside the country. I do not share that view, and I know the Senator from Kentucky does not share that view. I am grateful the Obama administration has now said they don't share that view either. In fact, as I have talked about with a number of colleagues, I actually voted against the annual Defense authorization bill for the past 2 years because I was concerned that those two bills didn't adequately address that particular principle.

The Attorney General suggested what I think we would all consider an unlikely scenario, the Pearl Harbor and 9/11 attacks, in which it would be lawful and appropriate for the President to use military force inside the United States. As I read that statement—and this is the point of my question to my friend from Kentucky—it sounds a lot like the language that is in article 4 of the Constitution which directs the U.S. Government to protect individual States from invasion. In my judgment, if the United States is being attacked by a foreign power, such as the 1941 attack on Pearl Harbor, the President can indeed have the military power to use the military to defend our country.

The reason I have been asking this question and have been interested in exploring it with my colleague from Kentucky is that I think it is extremely important to establish that unless we have an extraordinary situation, such as Pearl Harbor, the President should not go around ordering the military to use lethal force inside the United States. Our military—we are very proud of them—plays a vital role in efforts to combat terrorism overseas, but here at home we rely on the FBI and other law enforcement agencies to track down the terrorists, and they do their job well.

I thought it was helpful to see the Attorney General, as part of what has been discussed here, clarify and establish that the President can only use military force inside the United States in extraordinary circumstances such as the Pearl Harbor attack. The Senator from Kentucky and I have had discussions over this, and I thought about it overnight and thought about our discussions. My sense is that the Senator from Kentucky doesn't believe the Attorney General's response was clear enough. I very much respect his view on this point.

One of the reasons why I wanted to walk briefly through a little bit of history is that I think there are some issues still to be debated. My colleague has certainly been correct in asking valid questions because the Attorney General has left open the possibility of using military force inside the United States outside of the extraordinary Pearl Harbor circumstance I have mentioned.

So, through the Chair, I ask the Senator: I think the Senator is raising some important questions. In fact, my friend has asked some of the most important questions that we could be asking here on the floor of the Senate. It seems to me the Attorney General has ruled out using military force inside the United States except in cases of an actual attack by a foreign power. I understand why my colleague from Kentucky would say we ought to be engaging more with the administration and asking for additional insight. I want it understood that I have great respect for his effort to ask these kinds of questions and force them to be debated on the floor. Senator PAUL has certainly been digging into these issues in great detail. Frankly, on the question of how we balance American security and American liberty, we have worked together often, and we are certainly going to be working together in the future on these issues in the days ahead.

I wish to allow the Senator from Kentucky to respond to my question. I ask that my friend recognize that while we might differ a bit on the aspect of the Attorney General's response which I have cited this afternoon where there would be an instance of an extraordinary threat to our country, I do see—almost as part of what article 4 is about—the President's ability to defend us in those kinds of situations. I know my colleague from Kentucky may see it differently, and, frankly, he is raising important issues. I am interested in his thoughts on that this afternoon.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Kentucky.

Mr. PAUL. Mr. President, I thank the Senator from Oregon for coming to the floor and being a champion for the Bill of Rights. We get a lot of grief in Washington about a lack of civility—people yelling and screaming at each other. In my dealings with Senator WYDEN—who is on the other side of the aisle—I think it is evident that people can be from different perspectives, find common ground, and try to get to a point which is not a partisan point. I have tried to make it not so much about red as it is about principles. I voted for two or three of the President's nominations, and I think he deserves some latitude with his political nominees. I think the Senator from Oregon said it well when he said we have use of authorization of force in Afghanistan. Most people think that was going toward Afghanistan. It has been so broadly interpreted that it means worldwide war basically forever, and that is sort of why we get into some of these problems. Not only is it worldwide, which is a big debate in and of itself, worldwide means at home too. The battlefield is here.

I agree with the Senator from Oregon that Brennan was very forthright. It was a little bit onerous getting the re-

sponse, but once we got the response, it was exactly what was appropriate. He said he would obey the law, and the law was very clear: The CIA does not operate in the United States. The problem is not with his response but that the Department of Defense is the one directing the drone programs and it doesn't answer the final question.

As far as Holder's response, if it would have been written as the Senator from Oregon states it, there probably wouldn't be much of a problem. I think maybe recounting the letter gives it a little more strength than the letter actually possesses in its own words. If he were to say we were ruling out all strikes other than extraordinary strikes, that would actually be a pretty good letter. Instead he says he can imagine this under certain circumstances, and he lists a couple of circumstances. The interesting thing is that a lot of us agree that in a situation such as Pearl Harbor and 9/11—probably the Senator from Oregon and probably me—we can repel a military attack. The reason we asked the next question, and the reason I am concerned about the next question—and I have only seen the unclassified version of these—but the unclassified versions of the drone attacks indicate that a significant amount of them are not killing people with a weapon. People like to talk about taking up arms. Well, a lot of people are not carrying around arms. It doesn't make them good people, but they are not carrying around arms. They are not actively shooting our soldiers or us. At the particular time they kill them, they look like noncombatants. If we have somebody sitting in a cafe in our country—even if it is a bad person—most of us would probably rather arrest that person. If they were arrested, one, they would get the due process of our country; and two, if they were bad people, we might actually get information from them. So I wish to see a little bit better wording.

The last thing I would say—and I would appreciate hearing the Senator's response—is the Attorney General was in the Judiciary Committee this morning. He was asked a bunch of questions on this. I looked through the transcript of a couple of them and it is still like pulling teeth. He was asked four times: Do you think it is constitutional to kill someone in a cafe in Seattle or Houston or Louisville? He kept saying it wasn't appropriate, but language is important when we are talking about this. Appropriate is not strong enough. It is sort of like the President is saying: I have no intention. We want him to say he won't, rather than not having intention.

He didn't quite put it together in his response, but in his response—combined with the questioning—we can get the opinion that maybe he thinks it is

not constitutional to kill noncombatants having dinner. Wouldn't it be easier if they just said that? At this point, I would entertain a question without yielding the floor.

Mr. WYDEN. Mr. President, just responding to the point of the Senator from Kentucky and noting the fact he would not be giving up the floor in the process, I think the Senator from Kentucky is making an important point, and the way I read it, it would focus on ensuring that our country would be protected against those kinds of exceptional circumstances.

I would just like to leave the discussion here by noting that I think both of us feel this is just the beginning of this debate. The nature of warfare has changed so dramatically—and I particularly appreciate the chance to work on this in a bipartisan way—we are going to have to be continually digging in and trying to excavate more information about how all of this actually works without in any way jeopardizing sources and methods and ongoing operations. I think we can do it.

With respect to how I read particularly that part of the letter—and I thought a lot about it—I think the two of us and others can be part of what we can call the “checks and balances caucus,” so we can just make sure people understand this is about liberty and security, and I think we can flesh this out more in the days ahead. I know I have had four sessions now with the classified documents that were made available as a member of the Intelligence Committee and I still have a lot of questions. Some of those I think we will have to ask in a classified way, but I think others of them we can ask in a public way, and the two of us can work on that together.

I also think there is a very strong case for beginning to declassify some of the information with respect to these drone policies, and I think that can be done as well, consistent with protecting our national security.

So I think the Senator from Kentucky has made a number of important points this afternoon. I thank him for the chance to work with him on these issues and I look forward to continuing this discussion in the days ahead and I appreciate the time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, a lot of the process by which we are getting this information wouldn't have happened without the Senator from Oregon as well as the senior Senator from Georgia both working together to get information. It is the way the system ought to be working. One of the good things about the body is both Republicans and Democrats working together to get information from—not necessarily adversarial but in a way adversarial—another branch of government. We are a branch of government, but it is not

partisan against partisan, it is bipartisan working for the power of the checks and balances to try to ensure a leveling. I thank the Senator from Oregon for helping to get the information to make this a much fuller debate.

Without yielding the floor, I will entertain a question from the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. I thank my colleague for the opportunity. Let me begin by—I have been here a while. Let me give my colleague some free advice: Keep some water nearby. It is handy. Trust me.

Anyway, I thank the Senator for entertaining my question. Let me just begin by saying my question is about the motivation for being here on the floor today. What brought me here is I have been reading some of the accounts of what is going on and people are talking about the involvement of the Senator from Kentucky in a filibuster and some are already characterizing it as another Republican filibuster of one of the President's nominees. Just to be clear because, as I understand, the only thing I have heard the Senator from Kentucky say leading up to now about the primary issue in coming to the floor today is that the Senator from Kentucky asked a very straightforward question on an issue of constitutional importance. Yet he has not received a straightforward answer. Not only has the Senator from Kentucky not received an answer, but we saw testimony earlier this morning that, quite frankly—I watched the video two or three times and I personally do not understand why it was so difficult to basically just say yes or no.

So I wish to start out by asking, just to be clear, the motivation to be on the floor today is not to deny the President a vote on one of his nominees but the motivation is that the Senator from Kentucky has asked this administration a very important and relevant question and has been unable to receive a straightforward answer to that question?

Mr. PAUL. Mr. President, my response to that is yes. In fact, I have actually voted for several of the President's nominations. My trying to draw attention to this issue is because I believe it is an incredibly fundamental issue; that is, how we would kill people—Americans—on American soil, whether the Constitution applies, whether the fifth amendment applies.

So my motivation in doing this is not partisan. It is something that has to do—and I have said, frankly—and I truly mean this—if it were a Republican President today I would still be in the same place because the American people deserve answers on this.

There are different rules in war than there are here. We need to acknowledge and separate ourselves and say we are not completely—we are not in the mid-

dle of a battle zone. We still do have Miranda rights and we still get an attorney in the United States. It is not the same as a battlefield, but if he is bringing battlefield strategy home, we need to know before he starts doing it and at least we need to know the rules. Does the Constitution apply?

I would entertain a further question from the Senator from Florida without yielding the floor.

Mr. RUBIO. Without yielding the floor, the followup question I have—because I think this is actually a very useful exercise for the folks who have been snowed in today and there is nothing better to watch than C-SPAN and for the people who are able to be here today to actually understand the structure of our government and how it was designed, because it is my personal opinion we have gotten away from some of that.

Let me describe for a second my position that leads up to the question I am going to ask. I am actually a member of the Intelligence Committee, which means we reviewed this nomination. I have questions that I care about that were somewhat different than the valid ones the Senator from Kentucky is raising. As a member of that committee, I asked those questions and I am going to seek answers to those questions.

We have a job to do. I think that is important for people to understand. Members of the Senate have an important constitutional role to give advice and consent on these nominations. We have an obligation not just to pass these folks through but to actually ask serious questions to determine if they are qualified for the position they are going to hold. We want our Senators to be doing that in both parties, no matter who the President may be.

So I undertook that effort as far as the Intelligence Committee. I asked my questions. I got answers to my questions. I believe the nominee is qualified and I believe the President has a right to his nominees, even if they are not the people we would nominate. I believe ultimately these nominees deserve a vote. That is why I voted yesterday to move this nomination on.

Just as the President has a right to his nominations and ultimately to have a vote on those nominations, so, too, do Members of the Senate have a right to their role and, in particular, to ask relevant questions on issues of important public policy and get answers from the administration. This is not—I think sometimes this is being lost. We have different branches of government, but they are coequal branches of government. The Presidency, the executive branch, is it important? Absolutely, it is important. It is the Commander in Chief. It is the top single office in the Nation. But the legislative branch is a coequal branch with a job

just as important. In order to do that job, we have to have access to information, the ability to ask relevant questions, and to get straight answers. To be frank, sometimes I feel when we ask questions of this administration, they feel as though it is beneath them to answer questions from us, from time to time. I think that is very unfortunate.

My question is—when the Senator from Kentucky is here today raising these issues, it is my opinion—and I would like to hear what the Senator has to say—this is more than just an issue of the constitutionality of this particular program, it is a defense of this institution. It is a defense of the legislative branch. It is a defense of the Senate as an institution. Irrespective of how one feels about the nomination or the program or where the Senator falls on this constitutional issue, it is a defense of this institution, and it is a constitutional—not a constitutional right, a constitutional obligation to ask relevant questions of public policy and to get answers, to ask questions so the people back home will know the answers to these questions. If we are not going to ask these questions, who is going to ask them? The press? Maybe in a press conference, but that is not what they are paid to do; that is what we are paid to do. That is what we were elected to do.

So I would like to hear the Senator's views on that, because my belief and what I am picking up from everything Senator PAUL is saying, the Senator is actually on the floor today standing for the obligation this institution has to ask questions such as this and to be able to get straight answers to these questions.

Mr. PAUL. Mr. President, I think the Senator from Florida has it exactly right. This is about checks and balances, it is about the coequal branches of government, and it is about how we limit usurpation of power by checking and balancing each of the different powers.

So when Montesquieu wrote that there can be no liberty when you combine the executive and the legislative, they were separated for a reason. When the Constitution says Congress declares war not the President, it was separated for a reason. So when we look forward to these things—and the Senator from Kansas brought this up earlier—when the President says, I have the ability to determine when you are in session or not and I can do recess appointments when I think you are out of session, that is a great usurpation of power to one branch and we should fight it as an institution, Republican and Democrat, and not make these partisan issues.

So I agree with the Senator from Florida. I believe there is a need for those checks and balances. By the body not struggling to get as much information as they can—not even in this case

as much about the individual as about the policy—then I think it is a mistake for the body not to. I agree with the Senator from Florida completely. It is something that should be defended. It is not something to be derided as partisan because I don't see it as partisan at all. I see it as a defense of the separation of powers and of the checks and balances.

At this time I yield, without yielding the floor, for another question.

Mr. RUBIO. This will probably be my last question. Before I get to it, let me say that all the other Senators—I know some of my colleagues have already come to the floor and some might be watching or some might be nearby. I would just say this, to think about this for a moment. One may or may not agree with the position of the Senator from Kentucky on this issue. Maybe a Senator saw the Attorney General's answer and saw his testimony this morning and that Senator is satisfied with it. Maybe another Senator is not that concerned about this issue at all. I don't think that is the issue. I think what we need to remember is that all of us have something we care deeply about or multiple things we care deeply about, and the day will come when something you care about or some issue you are involved in or some question you have, you will try to raise that question, and it may be under a different administration. I think we have to remember the President will not be President forever. There will be a new President in 3½ years and after that and so forth and some folks may still be here. At some point in the future, all of us will have questions we want answered and we will have an administration or some other organization of government that refuses to give us straight answers. When that moment comes, you will want your colleagues to rally to your side, even if they don't agree with you, and defend your right as a representative of the people of your State to ask important questions, particularly questions of constitutional importance, and get straight answers to those questions.

It is my feeling—and the Senator may comment on this—if he had just gotten a straight answer to that letter, if he had just gotten a straight answer in the testimony today, this would not have been necessary. If they would have taken in the question, which I think is a pretty straightforward question, and answered it in a straightforward way, all of this could have been avoided and this nominee could have had a vote. But, instead, they decided to go in a different direction and it baffles me.

Here is a question I have. I think this is important also for the people watching back home. Often, they may say: Why do you have to do it this way? Why can't you just answer the question and not have to do this process of

starting and stopping things from moving forward? My view is—and I want to share it with the Senator and get his impressions—twofold. No. 1, these are the tools that are at our disposal. That is why the system was created and designed this way. One of the things the Senate has at its disposal to preserve and protect its prerogative to ask important questions are the rules we have set up here. They don't protect just one Senator but every Senator here, even if I don't agree with others. One of the things that gives us the ability to ask and have questions answered is this role we have of confirming nominees.

Secondly, I would say this is not the Secretary of the Treasury, this is not some other unrelated Cabinet position, this is the Central Intelligence Agency, which is directly related to the program the Senator from Kentucky has relevant questions about. So I guess I wanted to hear from him a little bit more about why he chose this particular nomination and why and how it is relevant to the larger question he is asking.

Mr. PAUL. The answer to the question is that we have tried the normal channels and have been for a month. We sent the standard letters. We sent three different letters to John Brennan and we didn't get any response. But when the leverage became used or the leverage became apparent that both Republicans and Democrats on the Intelligence Committee were asking for more answers, then we finally began to get answers. The answers unfortunately didn't quite answer the question.

As the days wore on, we have actually gotten more answers. Since I have been standing here this morning, we have now gotten the report of the Attorney General's testimony before the Judiciary Committee. In that, under withering cross-examination, I guess is the best way to put it, he finally owns up and says: Well, maybe somebody in a cafe, it wouldn't be appropriate to kill them in America.

The Senator from Texas wanted to go one step further. We don't want you to say whether it is appropriate; we want you to say whether you think you have the power to do it, whether you think you have the constitutional authority to kill someone who is a noncombatant in a restaurant or in their house or in their church or wherever. Do you think you have the power to kill noncombatants? It is a pretty important question. I think we may have eked out some of the answer from Attorney General Holder.

It would be nice if we would actually get that in clean language, where the Attorney General would now say this is our policy. But, see, this comes from allowing the executive branch so much power. If you allow them the power to make the rules, to make the decisions without any kind of oversight or scrutiny, the danger is that there will be no

process. So the thing is right now we have a program going on where we kill people around the world with drone strikes, and there are criteria and standards for how we do it.

The obvious question is: You are going to do that in America? Under what standards? We have had at least allegations, we have had some who have said the bulk of the drone strikes around the world have been signature killings, which means the people are not identified who are being killed, that it is a long line of traffic and we blow up the line of traffic.

Now, we can debate whether in war we may have a looser criteria for whom we are blowing up, but I would think that in America we would not blow up a caravan going from a wedding to a funeral, from a church to a house, from a political meeting back to their home. We would have different rules in America. If you are accused of a crime, if they think you are somehow a terrorist, then they would arrest you, particularly if you are in a noncombat opportunity. Why in the world would the President take the position that if you are eating in a cafeteria, you are eating at a restaurant, you are at home asleep, that you could not be arrested?

So it is a real easy question, and the President should, very frankly, answer the question: I will not kill noncombatants in America. I cannot imagine why the President cannot answer an easy question.

There have been people on both the right and the left who have been asking these questions. Glenn Greenwald writes a lot about this issue. This is a pretty interesting proposition that he puts forward. He says:

If you posit that the entire world is a "battlefield," then you're authorizing him to do anywhere in the world what he can do on a battlefield. . . .

That has been my point. If the United States is the battlefield, and we are going to have the laws of war—or another way it can be put is martial law—in America, if we are going to have that in America, you need to know about it because martial law—living under martial law—is the way they live in Egypt. That is why they just had a rebellion in Egypt and overthrew Mubarak. Because they had, by martial law, indefinite detention.

So those who say the battlefield is here, we need to live under the laws of war in our country—and they tell you to shut up if you want an attorney—by golly, be careful about that. Be quite careful if you are going to let us go to that sense.

So Greenwald says:

If you posit that the entire world is a "battlefield," then you're authorizing him to do anywhere in the world what he can do on a battlefield: kill, imprison, eavesdrop, detain—all without limits or oversight or accountability. That's why "the-world-is-a-battlefield" theory was so radical and alarming (not to mention controversial). . . .

He also quotes from Esquire, from Charles Pierce, who said:

This is why the argument many liberals are making—that the drone program is acceptable both morally and as a matter of practical politics because of the faith you have in the guy who happens to be presiding over it at the moment. . . .

So you will remember, many of these people did not like George Bush, and they railed and railed about wiretaps, and now they are suspiciously quiet when we get to a killing program.

But he says: If you have so much confidence because you like the guy, the President in charge of this—he says—that "is criminally naive, intellectually empty, and as false as blue money to the future."

He goes on to say:

The powers we have allowed to leach away from their constitutional points of origin into that office have created in the presidency a foul strain of outlawry that (worse) is now seen as the proper order of things.

If that is the case—

And the author says he believes it is—

then the very nature of the presidency of the United States at its core has become the vehicle for permanently unlawful behavior.

This is coming from a liberal.

Every four years, we elect a new criminal because that's become the precise job description.

So we have to ask some important questions. I am not asking any questions about the President's motives. I, frankly, do not question his motives. I, frankly, do not think he will be killing people in restaurants tonight or in their house tonight. But this is about the rule of law. It is not so much about him. It is not so much about John Brennan. It is about having rules so that someday, if we do have the misfortune of electing someone you do not trust—electing someone who might kill innocent people or who might kill people whom they disagree with politically or they might kill people whom they disagree with religiously or might kill people of another ethnic group—we are protected. That is what these protections are about. But they are not so much about the individuals involved now.

But there is a program that is going on around the world that is killing individuals with drones, and it is done in a warlike fashion. The thing is, in war you do not get due process. So these people around the world do not get Miranda rights, and I am not arguing for that. If you have a gun leveled at an American in Afghanistan, you are going to be killed with no due process. I am not arguing for that. But I am arguing it is different if you are in Afghanistan pointing a weapon at us or here pointing a weapon at us. It is different if you are eating dinner or if you are in your home at night.

So I think there are clear and distinct differences, and there is no excuse for the President not giving us a clear-cut answer.

There is a writer by the name of Conor Friedersdorf who writes for *The Atlantic*. I will get into that in just a minute.

At this time, I would like to, without yielding the floor, stop for a question from the Senator from Georgia.

Mr. CHAMBLISS. I thank the Senator from Kentucky.

First of all, let me say, I appreciate the Senator's passion. I appreciate the fact that, as he knows—and he and I have had some discussions about this issue over the last several days and weeks—the Senator is bringing this to the forefront, as he has done.

We have talked about the Senator's question that he submitted to Mr. Brennan for answering. This is not a rocket science question. This is a question that is perfectly reasonable, perfectly rational, and a question that ought to be able to be addressed by the administration in a very quick, simple, direct response. I have been dumbfounded, as the Senator from Kentucky knows, about the fact that he did not get a straightforward, simple answer immediately.

But the fact of whether a drone attack—and I am one of those who thinks we need to detain and interrogate folks as opposed to just firing drones at everybody because we are losing a lot of valuable information from folks whom we take shots at versus folks whom we are able to detain and interrogate—but still, I know the Senator from Kentucky agrees with me that at the end of the day, we need to take out bad guys, guys who seek to do us harm. The Senator's position all along has been that with due process that ought to happen.

My question to the Senator is, with the administration not giving him a straightforward answer—and I understand the Attorney General, in response to some questions today in the Judiciary Committee, again was very evasive on the question, in spite of having given the Senator a letter just yesterday on this issue—that there still is not a straightforward, black-or-white, as it appears to me they could give you, answer to this question; am I correct about that?

Mr. PAUL. Mr. President, the Senator from Georgia is correct. I also, while he is on the floor, want to thank him for getting some of this information to come forward. Because it has been a very onerous task, and without his leadership on the Intelligence Committee, as well as Republicans and Democrats asking for more information, we would not have gotten anywhere. With that input, we have been able to get some answers.

The answers have not all been good. Brennan has answered, with the appropriate answer: The CIA does not work within the United States. That should be pretty obvious because everybody knows that and that is the law. The

problem is, it does not answer the final question because the drone program is under the Department of Defense, and if we are going to bring that home to America, I think the Intelligence Committee, as well as the whole body, ought to be not just waiting for the President to tell us how he is going to use it in America. We have civil law in America and we ought to be part of that process. But I do not think we can allow it to go on without our input.

Mr. CHAMBLISS. Let me, Mr. President, if I could, ask the Senator again a little different question to make sure I understand exactly what the Senator has asked for.

The Senator's position, as I understand it, has been all along that if we have had guys flying airplanes into a tower or if we have folks who are firing missiles or tanks or weapons of any sort in the United States, seeking to carry out an act of war, an act of terrorism, taking those guys out is not a problem.

Mr. PAUL. Yes. Mr. President, the idea of combating lethal force I think is questioned by very few, if anybody. If planes are flying into the Twin Towers, we obviously send up F-16s. We have missiles. We do whatever we can to stop an attack on America.

What I am concerned about—the same way if it is a domestic terrorist. If there is someone outside the Capitol with a grenade launcher, we do not give them Miranda rights. We kill them. That is the way it works. If you are exerting lethal force against American soldiers anywhere in the world or in our country, you use lethal force to stop that. Sometimes you cannot stop to even ask permission from Congress. You do that. Imminent threats are repulsed.

But because of all the drone attacks—and I am not saying they are necessarily wrong the way they are done—it is just that they are done at people who are not in the middle of a battle. So if we transfer that to America, I do not think that is acceptable for America.

It is a different debate on whether it is always a good idea, whether we should do it, what the rules should be overseas. But the rules we have currently I do not think are appropriate for the United States.

Mr. CHAMBLISS. Again, Mr. President, if I could direct a question to the Senator: The fact is that from a pure oversight standpoint—Armed Services, Intel—these committees that have jurisdiction over the issue of fighting the war on terrorism need to have the right kind of information so we can ask the right questions. Getting the right kind of information out of this administration has been worse than having a root canal and more difficult than having a root canal.

I again am appreciative of the Senator being forceful in asking the ques-

tion, and I think at the end of the day, again, he has had no issue relative to ultimately having a vote on Mr. Brennan.

I am not supportive of the nomination of Mr. Brennan, but I think he ought to have a vote, and I intend to express myself in much greater detail on it a little later. But from the standpoint of simply moving the issue forward, if the administration had come to the Senator with a direct answer days or weeks ago, when he asked the question, we probably would not be here now.

Again, I thank the Senator for his comments on this issue.

Mr. PAUL. Mr. President, I wish to thank the ranking member of the Intelligence Committee and also say this could come to a close anytime if the President will sort of say what Attorney General Holder was trying to say this morning, and put it into actual words, that he thinks he has the military authority to reject imminent attack. I think we all agree to that. But if he says he is not going to use drones on people who are not engaged in combat in America, I think we could be done with this debate—I think one phone call from the President to clarify what his position is or from the Attorney General to actually write out what his position is.

But I guess the reason I am kind of alarmed is, we have a quote from the Attorney General saying the executive branch will decide when and if to use the fifth amendment.

I understand in times of war and on battlefields that is a different story. I am talking about in the United States. I do not think the executive branch gets an option of whether to adhere to the fifth amendment in the United States. But if they could be more clear on that, I think we could be done with this debate at any time.

I have never objected to a vote on Brennan, on the nominee for the CIA. But I have objected to the idea that basically we are just going to throw out the baby with the bathwater and the Bill of Rights becomes something of lesser importance.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, would my friend yield without losing the floor for a unanimous consent request?

Mr. PAUL. Without yielding the floor, I would be happy to yield.

UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 43; that the cloture motion at the desk be reported; that the mandatory quorum under rule XXII be waived; that there be 90 minutes for debate, with 30 minutes under the control of the chair and

1 hour under the control of the vice-chair of the Intelligence Committee, with 30 minutes of the vice-chair's time under the control of Senator PAUL; that following the use or yielding back of that time on the nomination, the Senate proceed to vote on the cloture motion; that if cloture is invoked, the Senate proceed to vote on the confirmation of the nomination, without intervening action or debate; further, that the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

Mr. President, before I hear from my friends on the consent, I have no problem if people want to talk for a long time, no problem. I have done it a time or two in my day. But I think that the rest of the body needs to know if we are going to finish tonight or tomorrow or the next day. So my consent request is pretty direct. We would have 90 more minutes of debate, an hour under the control of the Senator from Georgia, and 30 minutes under the control of Senator FEINSTEIN or their designees.

The PRESIDING OFFICER. Is there objection to the majority leader's consent request?

Mr. REID. Mr. President, I would simply say, if there is objection, we will come back tomorrow.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, reserving the right to object, let me, if I may, direct a question to the majority leader through the Chair. As I understand what the Senator is asking, for 90 more minutes—30 minutes to Senator FEINSTEIN and 30 minutes for me, and Senator PAUL would have 30 minutes—it would start right now, basically?

Mr. REID. Yes, basically.

Mr. CHAMBLISS. Continuing to reserve the right to object, I guess, then, I would direct a question to the Senator from Kentucky since he has the floor. What amount of time does the Senator think he wants to utilize?

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. PAUL. Mr. President, reserving the right to object, I would be happy with a vote now. I have talked a lot today. But the only thing I would like is a clarification. If the President or the Attorney General will clarify that they are not going to kill noncombatants in America—he essentially almost said that this morning.

He could take his remarks, that he virtually agreed ultimately with Senator CRUZ, and put it in a coherent statement that says the drone program will not kill Americans who are not involved in combat.

I think he probably agrees to that. I do not understand why we could not

put that into words. But if he does, I want no more time. If not, I will continue to object. If the administration and the Attorney General will not provide an accurate answer, I object.

Mr. REID. Mr. President, I am not in a position to talk for the Attorney General. We will just finish this matter tomorrow.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, everyone should plan on coming tomorrow. We are through for the night.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, at this time, without yielding the floor, I would like to entertain a question from the Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I want to thank the Senator from Kentucky for raising a very important issue. I would just like to have a little bit of clarification so that I understand exactly what has transpired and the exact question to which the Senator from Kentucky would like a response.

My perception, my understanding, is this seems like a very simple and basic request. So I am surprised that we did not have a simple and straightforward answer. So I wonder if the Senator from Kentucky would just summarize briefly for me, so that I understand clearly the exact request that he made to the administration.

Mr. PAUL. Mr. President, in late January we sent a letter to John Brennan, the nominee for the CIA, asking a bunch of questions. Included among those questions was, Can you kill an American in America with a drone strike? We got no response and no response and no response.

Thanks to the intervention of the ranking member on the Intelligence Committee, as well as members from the opposite aisle on the Intelligence Committee, we finally got an answer about 2 days ago. The answer from John Brennan was that he acknowledges the CIA cannot act in the United States. That is the law. That was nice. But the Attorney General responded and said they do not intend to. They have not yet, but they might.

Mr. TOOMEY. Am I correct in understanding that is currently the state of play? That is the most recent response the Senator has gotten in writing from the administration?

Mr. PAUL. Mr. President, that is the only direct response I have gotten. I have also read the testimony from the Judiciary Committee where the Senator from Texas cross-examined the Attorney General, who responded indirectly to my question by saying: It was inappropriate, we probably would not do that.

But he would not answer directly whether it was unconstitutional. It appears at the end that he may have said that it would be unconstitutional, say, to kill noncombatants.

It should be a pretty simple answer really. That is all I am asking. I can be done anytime if I could just get a response from the administration or the Attorney General saying they do not believe they have the authority to kill noncombatants in America.

Mr. TOOMEY. Further clarification: If the administration seems to be unwilling to state unequivocally that they recognize they do not have the legal authority to kill a noncombatant American on American soil, did they suggest under what circumstances they would?

Did they suggest a process by which they would identify an American citizen noncombatant on American soil who might be subject to being killed by a drone strike?

Mr. PAUL. Well, there has been a white paper that was released that goes through a series of things. They do have a step or a process they go through in determining whom to kill. The problem I have is that in foreign countries—I do not know the exact number because it is classified, but in foreign countries many of the people being killed are not actively engaged in combat.

I am not saying that is right or wrong or making an opinion on that matter. But I am saying that is not a standard I can live with in the United States. So let's say one-third of the drone strikes are going against people who are eating dinner with their family or walking down the road or sleeping in their house. If that is our standard and we are going to do drone strikes in America, I could not tolerate or live with myself if I would accept a standard in the United States that would allow that to happen.

Mr. TOOMEY. Mr. President, judging from the response, what I understand is that there is a standard that applies overseas. But we have not gotten—correct me if I am mistaken—a definitive word as to whether that same standard would apply domestically to American citizens. If we have not gotten a definitive answer, then we, it seems to me—again, correct me if I am wrong—but then it would suggest to me that we have no idea what standard would be used. I cannot imagine that we would find it acceptable to be in a situation where an administration would suggest that using a drone to kill an American noncombatant on American soil, without even disclosing the process by which they would determine that was appropriate—this is kind of hard to understand. Am I understanding it incorrectly?

Mr. PAUL. Well, the interesting thing about this is for many years, no one would talk about the drone strike program at all. Then, recently, one of the former spokesmen for the President said he was instructed to never say it existed. But now that it is in the open, the President, a week ago, was

asked at Google when he was there for an interview: Can you do this?

His answer: Well, the rules would probably have to be different inside than outside.

That implies he thinks he can do it in America. Then the question becomes, What are those rules? This is as much about the checks and balances of—you know, they say we have the ability to advise and consent. This is some friendly advice I am giving to the President today that he ought to think about or we should think about as a body whether we are a check and balance to the power of the Executive, whether it is Republican or Democratic.

I think it is immaterial. No President should have the power to make these decisions unilaterally.

Mr. TOOMEY. Mr. President, I will finish. I just want to make two points: One is I think we ought to have a robust debate about the circumstances under which we would use drone strikes overseas and understand the implications. Think about this. We have what is still, to the United States, a relatively new threat in the form of these nonstate actors, these terrorist organizations that are sometimes affiliated with each other, sometimes not, scattered around the globe. This is new.

In addition, we have new technology we never had before. It was not terribly long ago the idea of flying an unmanned drone and using it to kill a person who could be hundreds or thousands of miles away, that was completely implausible. Now, of course, we have the ability to do it. When new circumstances and new technology come to bear, we ought to have a discussion about when and whether and how it is appropriate to use that.

When we are talking about American noncombatants on American soil, I think the starting point ought to be, we are not going to do that. The onus ought to be on whoever has an explanation for when and whether and why and under what circumstances we would, and that ought to be debated very, very carefully and thoroughly. Until such time, I think it ought to be easy to acknowledge this is not going to take place.

If we cannot get a direct answer to that question, then I have to say I think the Senator from Kentucky is performing an important service in putting a spotlight on this. I commend him for doing it. I thank him for doing it. I am finished with my questions.

Mr. PAUL. I thank the Senator from Pennsylvania for asking his questions and being part of the debate. I think that ultimately we could get this straightened out in the sense that it is not so much about the debate about the person as it is about the issue.

If we could get the administration or the Attorney General to put their answer in a succinct form and simply say

they believe they have the authority to repel an attack, which most of—I think all of us agree to that, but they do not have the authority to kill someone in a restaurant, to kill someone at home in their house, to kill someone when they are eating dinner; that, really, if you want to say that you can use drones in America to strike people, not only would it have to be remarkably different, it could not be anything like the way we use drones around the world, which brings up some other important questions.

The thing is this has brought us to a much bigger and important debate. When people tell you that America is a battlefield, when they tell you the battlefield is here, realize what they are telling you. They are telling you your Bill of Rights do not apply because in the battlefield, you really do not have due process. I am not arguing for that. I am not arguing for some kind of silly rules for soldiers to ask for Miranda rights and do all this. War is war. War is hell. But we cannot have perpetual war. We cannot have war that has no temporal limits. We cannot then have war that is a part of our daily life in our country; that we are going to say from now on in our country, you do not have the protections of the Bill of Rights.

So I think it is incredibly important. We have been kind of blasé about this whole drone strike program. It should come home to where we can really think about it because that is what they are asking to do. They are asking to bring the drone strikes to the homeland.

So I think we need to be careful. We need to ask important questions. I think at the very least we need to be asking the question: Can you do this with no due process? Are we not going to have an accusation? Are we not going to have a public accusation or charge? Are we not going to have a trial by jury?

I started out today reading from “Alice in Wonderland.” I would like to go back to “Alice in Wonderland,” because it sort of points out the absurdity of where we are at this point. We think of Lewis Carroll as being fiction. Of course it is fiction. We think Alice never fell down a rabbit hole. Of course she did not. She is not real. The white queen and her caustic judgments are not really a threat to us. But there is a question: Has America the beautiful become Alice’s Wonderland? We can hear the queen saying: No. No. But her response is, Sentence first, verdict afterwards.

Well, that is absurd. How could we sentence someone without determining first whether they are guilty or innocent? Only in Alice’s Wonderland would you sentence someone before you try them. Would you sentence someone to death before you accuse them? Do we really live in Alice’s Wonderland? Is

there no one willing to stand up and say to the President: For goodness’ sake, you can’t sentence people before you try them. You can’t sentence people before you determine whether they are guilty.

There has been discussion in our country about whether even the courts can sometimes make mistakes. Some States have gotten rid of the death penalty because they have made mistakes and through DNA testing they have found that sometimes they convicted the wrong person. Can you imagine, with all the checks and balances of our court system—which I think is the best in the entire world, with attorneys on both sides whether you can afford them or not. There is an argument back and forth, and there are all of these procedural protections, and you may appeal, and still sometimes we get it wrong.

If we can get it wrong in the best system in the world, do you think one politician might get it wrong? You will never know because nobody is told who is going to be killed. It is a secret list. How do you protest? How do you say: I am innocent. How do you say: Yes, I e-mail with my cousin who lives in the Middle East, and I didn’t know he was involved in that. Do you not get a chance to explain yourself in a court of law before you get a Hellfire missile dropped on your head?

It amazes me that people are so willing and eager to throw out the Bill of Rights and just say: Oh, that is fine. Terrorists are a big threat to us, and I am so fearful that they will attack me that I am willing to give up my rights. I am willing to give up on the Bill of Rights.

I think we give up too easily.

The President has responded, and he said he hasn’t killed anybody yet in America. He says he doesn’t intend to kill anyone in America, but he might. I, frankly, just don’t think that is good enough.

The President’s oath of office says “I will,” not “I might” or “I intend to,” the President says “I will protect, preserve, and defend the Constitution.” He doesn’t say “I will do it when it is practical” or “I will do it unless it is infeasible, unless it is unpleasant, people argue with me. I have to go through Congress, and I can’t get anything done, then I won’t obey the Constitution.” It is out there. It is a rule. He doesn’t get to choose.

Recently he made some choices where it appears as if he believes he does have some sort of superpower, some power that sort of exceeds the other branches of government. Recently he told the body of the Senate that he decides when we are in recess, he decides when we are working. The court rebuked him. The court told him it is unconstitutional, and they reversed his decision. Do you know the people he appointed through a recess—

do you know what they are doing right now? They are still at their post. They are still working in defiance of the court. This will have to go to the Supreme Court. I guess it will take another year or so to go up there, but he has been told what he did was illegal.

I guess what disappoints me most about this, though, is that the President, when he ran for office, was actually someone for whom I had a great deal of respect on the issues of civil liberties. I work with many on the other side of the aisle because, frankly, many on the left and some on the right—we truly do believe in civil liberties and in protecting the individual. I think the President was one of those when he was in the Senate.

The President, when he ran for office, often talked about, it isn’t American to torture people. I agree with him. He said it isn’t American to give up on the right to privacy, to say you don’t need a warrant to tap someone’s phone. I agreed with him, and I respected that about him. I can’t for the life of me understand how he goes from that kind of belief where he believes so much in the constitutional protections to your phone, but he is not willing to stand up for the constitutional protection to your life? It doesn’t make any sense at all. And if he does, why won’t he say it?

I have my own sort of theory on this, and this applies both to Republicans and Democrats. My theory is that it is sort of a contagion, it is sort of an infection that you get when occupying the Oval Office. They think, oh, I am a good person, so more power for me would be a good thing.

Lord Acton said that power corrupts, and absolute power corrupts absolutely. There is a danger when someone has so much power that they think more power, more power and more power—I will do good with that power. The problem is that even if that is a good person, someday someone occupying that office may not be a good person. Someday you may get someone in the Oval Office who says: What about those people? They look different from us. What about those people? They have different color skin. What about those people? They have a different color ideology than I have. What about those people?

The danger is also that we have already defined some of the people who we think might be terrorists. The Bureau of Justice came out with a list of characteristics, and they said: If you see this, report on it. If you see this, tell someone. They want you to inform on your neighbor, so you need to know which one of your neighbors is a terrorist. They gave you some descriptions of people to be worried about. They said people missing fingers, people with colored stains on their clothes, people who have weatherized ammunition, people who have multiple guns, people who like to use cash. If

that is the criteria or the criterion for who is a terrorist, I would be a little bit worried if you are one of those people—you might have a drone attack in your bed tonight.

This has gone on in more than one place. The fusion centers they developed were supposed to be a liaison between the Federal Government and the local government. In these fusion centers, for example, in Missouri, they also came up with some characteristics of people who might be terrorists. They actually send it out as a memo to all the police officers. Can you imagine if you are one of these people—people who are pro-life, people who are for secure borders, people who support third-party candidates? The big irony of all is people who belong to the Constitution Party. If you believe in the Constitution too much, you might be a terrorist. They say it was a mistake, and they eventually apologized. Now they don't—they try not to have their memos become public, I think.

The point is, if this is what we are getting to and this is the criterion for who is a terrorist, you would think—you really would think you would be worried about giving your President the authority to kill Americans on American soil without any kind of due process. I find it quite alarming.

I think the answer he could have given is pretty simple. I think there is a possibility he may actually even agree with some of the things we are saying here today. Why won't he give it? I think Presidents, Republican and Democratic, don't give the answer because they are afraid of constricting their authority. They believe in some sort of inherent power, which is not listed anywhere, but they think they have it. They don't want to give up any of it. They jealously guard this power. They have this power, and they don't want to give it up. That is why they won't answer us with a straight answer.

You get things. The only word I can think of is gobbledygook. You get this craziness that comes from attorneys that doesn't make any sense.

He was asked: What is an imminent threat?

These people we are going to kill with drones have to be an imminent threat.

His attorneys say "imminent" doesn't have to mean "immediately." That is the only way he can justify this because probably half of these drone attacks are people who really aren't engaged in any kind of combat. That is a different debate. You can argue right or wrong whether we should be killing these people not involved in combat because there is evidence they are conspiring to hurt us and to attack us. That is another argument, but it is a pretty low standard. You can argue that, well, that is war over there, and that is a lower standard, and I can ac-

cept it, but for goodness' sake, could there be any question that in America we are going to accept a standard so low, a standard that basically says that if we think you might someday be engaged in hostilities, we can kill you? We need to be careful because the criteria for the drone strike program overseas really is something that I think most Americans wouldn't accept for their fellow citizens.

Overseas, one of the most famous American citizens they killed was al-Awlaki. Before he was killed, he was primarily thought of as someone who they said was a sympathizer. I think there is no question he was a sympathizer. I think he denounced his citizenship. He was a bad guy. He sympathized with our enemies. I think he could have been tried for treason. I think if I were on a jury, from what I have read of nonclassified information, I would have voted his guilt and for his death. The thing is, some kind of process might be helpful.

His son, though, 16 years old, was killed 2 weeks later in a separate drone strike, and he was on nobody's list that I know of; they won't respond. I think the response by the President's spokesman is reprehensible. It really should be called out. It is really sort of this flippant response that I think shows absolutely no regard for individual rights or for Americans. He said: Well, the kid should have chosen a more responsible father. Think about that. Is that the standard you wish your government to operate on in America? We have a lot of criminals in our country. We have a lot of bad people. If you happen to be the son of a bad person, is that enough to kill you?

The other thing is that people killed overseas who are not the target—they don't call them civilians because they say anybody between the age of 16 and 50 who is a male is a potential combatant. Are we going to use that same standard here in our country? Are we going to use the standard in our country that if you just happen to be a male and you happen to be standing near somebody we have judged to be a problem, that we are going to go ahead, and, oh, I guess that is not even collateral damage; that person was probably a bad person because he was standing close to this person?

I think there are different standards for war than there are within our country. It is not always going to be perfect, and there is a legitimate debate over what the rules should be in a war, where a war is overseas, and exactly what happens. I think good, honest people can disagree on some of that. What I worry about are the people who say America is a battlefield because when they say America is a battlefield, they say they want the laws of war to apply here. The reverse of that is basically, if you reverse the laws of war, they are talking about martial law, is

what they are talking about, law that is acceptable under extreme circumstances.

I don't think what we have in our country right now is a circumstance where I would accept martial law, but we have already instituted some of the things you will see in other countries under martial law. In Egypt, they have indefinite detention. That is their emergency decree that occurred back in the 1970s, and it went on and on to the present. They have martial law, and they are very unhappy about having martial law, indefinite detention. You saw it last year. We have indefinite detention in America.

The President's response again was inadequate. What did the President say to having indefinite detention in our country? He said: Well, I don't intend to use it. I would rather have a President who has the chutzpa to not sign the legislation and send it back and say: Take it out or I won't sign it. I would have a lot of respect for someone like that.

Mr. President, without yielding the floor, I would be happy to entertain a question from the Senator from Texas.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Texas.

Mr. CORNYN. Mr. President, I wanted to come to the floor to pose a few questions to my colleague from Kentucky. First, I would say that I admire his fortitude and his willingness to ask appropriate and reasonable questions of the administration on a matter of grave importance. This is a matter no less important than our constitutional government itself that does not give sole power to the administration to make these decisions but recognizes that the Congress is a coequal branch of government. Indeed, we have important oversight responsibilities in the Department of Justice, the Department of Defense, and there isn't a more delicate and important matter than the limitations placed on the government when it comes to dealing with our own citizens.

I would like to ask the Senator from Kentucky whether he is aware of some of these issues.

First of all, shortly after President Obama took office, the Holder Justice Department declassified and released detailed, previously top-secret legal memos attempting to explain the legal rationale for the enhanced interrogation program the Central Intelligence Agency used during the Bush administration. These memos were written by the Office of Legal Counsel at the Department of Justice, which is frequently called the lawyer for the executive branch, which issues those authoritative memos. President Obama, Eric Holder presumably decided that they would release those previously classified memos that explained the legal rationale for the enhanced interrogation program.

I would further ask the Senator if he recalls that when the Obama administration made these legal memos—highly classified legal memos—public documents, does he remember the Attorney General made some specific comments? In fact, he said: We are disclosing these memos consistent with our commitment to the rule of law. Yet today, that same Justice Department refuses to release to Members of Congress—including this Senator, the Senator from Kentucky, and other Members who have oversight responsibilities—the very same legal rationale in this case for the drone strikes the Senator from Kentucky is talking about.

So I wanted to ask, first of all, of the Senator from Kentucky whether he believes I have accurately recited the facts, but then to ask him whether he sees a double standard here on the part of the Obama-Holder Justice Department where on one hand they release these legal memos from the Office of Legal Counsel, and in this case, instead of releasing the legal rationale for the authority to make drone strikes, they issue what is, in essence, a white paper, or press release, that was linked to the news media.

I would ask the Senator from Kentucky to respond.

Mr. PAUL. Mr. President, the question from the Senator from Texas is a very good one, and there does seem to be a double standard going on here. There seems to be one standard for wiretapping of phones or interrogation, but there seems to be much less a standard for actually killing. It seems to be hypocritical and one would wonder why.

With regard to releasing the memos and how they come about their process, some of that was leaked. It is always curious to me that it is as if the leaks come out on purpose; as if they are intentional. The leaks happen right before a nomination process. I don't know the truth of that, but I do think that not only should we get the memos, but if there is going to be a drone strike program in America, perhaps we should actually be writing the rules and sending them to the President. That would be our job—not to listen to him and what he is going to do on drone strikes in America, but actually spelling out and having an open discussion. Because in America I don't think that should be a secret—how we are going to go about this in America.

I see no reason not only to get the drone memos, and I think it would be more consistent with their earlier position, but I think what we should do is be a part of the process of determining how we go forward, with whether we are going to have drone strikes in America and what the rules would be.

Mr. CORNYN. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I would ask a further question of the Senator from Kentucky. I believe the question he has asked—whether the President has the power to authorize lethal force, such as a drone strike against a U.S. citizen on U.S. soil and without trial—is a very clearly stated question and one, I believe, the Senator and the rest of the Members of Congress are entitled to a very clear answer on.

I was in the Senate Judiciary Committee hearing with the Attorney General this morning where we attempted to ask him on a number of occasions what his answer would be to this question. Yet he equivocated and he was ambiguous. He seemed to be ambiguous when a clear answer would serve him just as well, a point the Senator from Kentucky has made.

The question I have for the Senator is: Wouldn't in all likelihood the legal rationale or justification issued by the Office of Legal Counsel at the Department of Justice include a discussion which would illuminate and elucidate the answer to the Senator's question?

In other words, I would assume, without having seen that classified memo, that it would go through a rather lengthy analysis of the hypothetical situations under which these drone strikes might be used and would, in all likelihood, I think, shed some light on and clarify the answer to the Senator's question. Wouldn't that be a reasonable way to answer what is a very straightforward and reasonable question?

Mr. PAUL. Mr. President, piecing together what I have heard of some of his testimony, I actually think he did finally admit to some things that I think are consistent with what I am saying. They haven't put it in writing previously. I would think he could almost take his testimony today—where he almost at some point seems to agree that it would be unconstitutional to kill noncombatants, people not actively engaged in combat—and if he would say that, I think he would answer my question, basically. Because I have never been talking about people engaged in lethal force. You don't get much due process there. If you are engaged in lethal force, lethal force is used against you. So one would think he could answer that simple question, similar to what he actually stated in his testimony today, but they won't give us a succinct answer, or any answer, really. So that is the answer we have been trying to get to all along.

Mr. CORNYN. If the Senator will yield for another question.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. To the Senator's last point, I am reading from a letter dated March 4. It is from the Attorney General to Senator PAUL, and he says:

The question you have posed is therefore entirely hypothetical, unlikely to occur, and

one we hope no President will ever have to confront.

But he goes on to say, in response to Senator PAUL's question:

It is possible, I suppose, to imagine an extraordinary circumstance in which it would be necessary and appropriate under the Constitution and applicable laws of the United States for the President to authorize the military to use lethal force within the territory of the United States.

In other words, to the Senator's point, on one hand he said it was a hypothetical question, unlikely to occur, and one we hope no President would ever have to confront; and then, on the other hand, he said it is possible to imagine a scenario under which it would happen. That would appear to cast a further lack of clarity on something that should be a straightforward yes or no.

Mr. PAUL. Mr. President, here is the interesting thing about saying it is hypothetical and it wouldn't happen. I could buy that, except for the fact that our foreign drone strike program—a significant amount of the drone strikes—are on people not actively engaged in combat. Whether that is right or wrong is another question, but since we already have an example of a significant amount of those being used on those not engaged in active combat, it is hard for him to say this is a rare, unusual, hypothetical thing that could never happen, because it seems as though it is a big part of the drone program overseas.

Mr. CORNYN. Mr. President, I said that was my last question, but I would ask the Senator to yield for this last question.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. It strikes me, Mr. President, that there is a clear double standard here. The Senator has asked a reasonable question, to which he has not gotten a clear answer, and one that is clearly within the purview of the Senate in our oversight capacity for the Department of Justice and as a co-equal branch of government. On one hand, the Obama-Holder Justice Department not only released a white paper but released previously classified legal memos from the Office of Legal Counsel on the enhanced interrogation program, saying it was consistent with their commitment to the rule of law, but today, in response to an eminently reasonable request, is giving the Senator from Kentucky what I think can appropriately be called the Heisman, or stiff arm, and denying him access to that.

So I wanted to come to the floor and make that point and ask those questions and say again that I admire the Senator's fortitude and willingness to stand up and challenge the administration on this issue. It would be easy to satisfy the Senator's request. He has made that very clear. He is not intending to block a vote on this nomination,

but he is intending to get the information he has requested, and he is entitled to it.

Mr. PAUL. Mr. President, the questions and points the Senator from Texas has made are very good points, and it also shows we are not that far apart in trying to find an answer to this, because, there is no ultimate ability for me to stop this nomination. I am already getting tired and I don't know how long I will be able to do this, so I can't ultimately stop the nomination. But what I can do is try to draw attention to this and try to get an answer. That would be something, if we could get an answer from the President. And I think we would all sleep better and feel more comfortable if he would say explicitly that noncombatants in America won't be killed with drones. The reason it has to be answered is because our foreign drone strike program does kill noncombatants. They may argue they are conspiring or they may some day be combatants, but if that is the same standard we are going to be using in the United States, it is a far different country than I know about. Ours is a country where dissent, vocal dissent, even vehement, vociferous dissent as far as whether our country should go to war, whether our country should raise taxes, lower taxes, has always been allowed. We allow a great deal of dissent in our country. But some of the people whom we have said we are targeting have been dissenters, probably traitors too, but they have also been people who have been vocalizing it more than they have been shooting anybody.

That is not to say you can't be a traitor even if you don't shoot anybody. But if you are going to be accused of treason or of being a traitor in the United States, I would think you would get your day in court, probably. It is particularly troublesome since some of the descriptions of who might be a terrorist are such that I would be a little bit concerned about the slippery slope to who is and who is not a terrorist. I can't imagine in America we would do that without an open accusation, without a trial by a jury, without a verdict.

I think it is important this discussion go on, and I am not ultimately setting the goal that I can stop this nomination. I am here today to draw attention to a constitutional principle, to try to get the administration to admit publicly they will not kill Americans who are not involved in combat. But it hasn't so much to do with Brennan or his nomination, it has to do with a constitutional principle. Ultimately, Brennan will be approved. He will be the head of the CIA. This will be a blip in his nomination process. I hope people will see it more as an argument for how important our rights are; that no one, no branch of government, no individual politician should be above the law, should be able to dictate and say what they think the law is.

We had some of this even under a Republican President. I was critical of President Bush for saying he had the ability to interpret the law; he had the ability to put signing statements, which were extensive sometimes, which gave his interpretation of what the law was or what he thought the law was. So I have been critical of both sides thinking they have more power than they have.

Our Founding Fathers were brilliant in the sense that they separated the powers and had these coequal powers of government, these branches of government that were somewhat pitted against each other. And by having equal power and by being able to judge the power of the other branch, no one branch could accumulate too much power. But in our country it has been going the other way for a long time. It hasn't been just Democratic Presidents or just Republican Presidents, it has frankly been both. For maybe 100 years or so power has been gravitating and gravitating to the Presidency. And not just the Presidency. When people talk about the bureaucracy, these are people who are within the executive branch—millions of them. When we passed ObamaCare, it was 2,000-some-odd pages, but there have been 9,000 pages of regulations written since. ObamaCare had 1,800 references to "the Secretary of Health shall decide at a later date." We gave up that power. We gave up power that should have been ours, that should have been written into the legislation. We gave up that power, and as a consequence we gave it to the executive branch. We gave it to people—many of them we call bureaucrats—who are unelected. So we gave away power. It is a struggle, and it should be a perpetual struggle, but we shouldn't give in on that struggle and give up that power.

There was mention the President should reveal to us drone memos on how he is making the decisions. We have had some leaks about that, but I would go one step further. Not only should the President let Congress know what he is doing, maybe we should tell him what to do. Maybe the Congress should be setting the rules for how we do drone strikes. Maybe the Congress should be protecting the American people from their government.

That sounds terrible, protecting you from your government. That is what the Constitution was about. The Constitution wasn't written to restrain your behavior, it was written to restrain your government's behavior.

A lot of people get confused when we talk about religion and the first amendment. But if you read the first amendment, it says Congress shall make no law. It doesn't say anything about your religious preferences. It is not supposed to limit your involvement in government. It is really not supposed to limit so much religious in-

volvement in government or even religion.

We have a prayer every morning in the Senate. You can't have it in your public school, but we have a prayer every morning. Explain that to me. We have the Ten Commandments around here. So does the Supreme Court. But you can't have it in your local school. I think we have gotten confused on things. It was really about government getting involved in your religion.

We didn't want to establish a church. We thought it was a bad idea to have an official church, and I still think it is a bad idea to have an official church because then the government would be telling the church what to do. But it is really all about the documents that we have protecting you from an overbearing government.

Your government was given a few defined powers, the enumerated powers. There are 17, 19—depends on how you want to count them—but there are not very many. They are few and defined. But your liberties are many—basically, unlimited and undefined.

When you read the ninth and tenth amendment, it says those rights not explicitly given to government are left to the States and the people. They are yours. They are not to be disparaged.

These are important debates we are having. When Montesquieu talked about the separation of powers and the different checks and balances, he said: There can be no liberty when you combine the executive and the legislative. Likewise, I would add to that there can be no liberty when you combine the executive and the judiciary.

So if you allow the President to tell you he can have drone strikes on Americans, on American soil, you are allowing him to be not only the executive, you are allowing him to be the judiciary. If he makes it secret, nobody can object.

I remember one time I was complaining to another Senator about these things called suspicious activity reports. Your bank is required to file them on you. In fact, if you pay your Visa bill through your bank, over the phone, you have done a wire transfer, and you can be part of a suspicious activity report. If you turn cash in to the bank or get cash out of the bank over a certain amount, you can get a suspicious activity report.

I was concerned about this because there have been 8 million filed since 9/11, and the Senator's response is he has never heard anybody complain about it. The reason nobody complains is they are secret. They don't tell you they are doing this.

So if you get on the kill list, it is a little hard to complain. We might have a kill list for a couple of years in the United States, on American citizens, and nobody might complain because it is secret. You don't know you are on the list.

So I think it is important that we have a big debate and discussion over this; that we let the President know he doesn't get to write all of these rules on killing American citizens; that the Constitution still applies in our country.

The reason this is a big debate is that when you are in a war, the Constitution doesn't always apply on the battlefield in another country. There is a debate over whether the Constitution is here or whether it extends beyond the borders. But the practical matter is we can't really enforce the Constitution beyond our borders. You sort of consent to your Constitution, you sort of consent to your government by voting. We have that arrangement in our country, but it doesn't happen in Mexico, Europe, or Afghanistan, and it certainly doesn't happen in the middle of hostilities. So you don't really get due process over there. That is the real danger. That is the problem. That is the rub.

This whole thing is about the use of authorization of force that was passed after 9/11 to go to war in Afghanistan. If you had voted on that—you didn't; your leaders did. But had you voted on that, you would have thought: I am going to war in Afghanistan to get the people who attacked us on 9/11.

I was all for it. I still am. I think that was something we needed to do. We couldn't let people attack us, but I don't think you would have thought, when you voted for that, you were voting for a worldwide war with no end that included America as part of the battlefield. That is the real problem.

The administration, John Brennan, who wants to be head of the CIA, and Eric Holder, the Attorney General, they all believe—and many here believe this also—there is no geographic limit to the war. It is not in Afghanistan. They say it is everywhere, but they say everywhere includes here.

Here is the problem: If you don't think you can apply due process in the middle of a war, what happens if they say the war is here? That means you don't get any protection. So if you are accused of a crime, I guess that is it.

I can't imagine that is what we want as Americans. I just can't imagine we would believe or acquiesce or allow the President to basically say he is going to make the decisions for us; that he basically would kill noncombatants in America.

I, frankly, think eventually he will admit—it would be nice if he would admit it tonight—that he is not going to do it. If anybody has a phone, give him a call. Let him know we would like to know an answer. And I think it would be appropriate.

When the Attorney General came this morning to the Judiciary Committee to answer questions, he was asked repeatedly this question: Can you kill noncombatants if they are sit-

ting and having tea somewhere in America? He kind of weebled and wobbled and went around the issue. Finally, we said: We want to know, is it constitutional? Do you think you can do this?

Instead of saying we might not, we don't intend to—and it sounds like he finally admits at the end that it is unconstitutional. But then why can't we get them to issue a statement? Why can't we get them to say explicitly: We are not going to do this? I see no reason. It would take them 5 minutes to jot this down on a piece of paper. If they don't intend to do it, why not tell us?

When your government won't tell you they are not going to do something, when they won't answer, no, they don't have the power, they are saying to you, yes, they have the power.

If they will not answer your question and say: No, I will not kill Americans who are not involved in combat here at home, if they cannot tell you that, they are saying, yes, they will kill Americans not involved in combat. It is a simple question.

Conor Friedersdorf writes for the Atlantic, and he writes:

Does President Obama think that he has the power to kill American citizens on U.S. soil? If he accuses a guy in the Arizona desert or rural Montana of being an Al Qaeda terrorist, is it ever kosher to send a drone over to blow him up, as was done to—

People overseas—

Or is it never okay to drone strike an—American citizen to death here in America?

It's an easy question.

Answering it wouldn't jeopardize national security in any way.

So why do Obama administration officials keep dodging it?

When the President was asked this question in a Google Plus interview last week, he said: Well we might have different rules inside the country than outside the country.

Well, that sort of assumes he thinks he can kill Americans here, and he might have different rules. He might have more protections, but he is not going to tell you. He says it is secret. I, for one, am not very comforted.

When the President says he hasn't killed any Americans yet and he doesn't intend to kill any Americans—but he might—that doesn't really comfort me so much. I don't think that is strong enough language.

The Presidential oath of office says, "I will preserve, protect, and defend the Constitution." It doesn't say: I intend to. It doesn't say: I intend to preserve, if it is convenient; I intend to preserve, protect, and defend the Constitution if it is convenient.

In his memo, he says he is only going to kill people if it is infeasible. To me, that sounds a little bit like, yes, it is tough. It is inconvenient, so I am going to preserve, protect, and defend the

Constitution as long as it is feasible. It just doesn't inspire me.

Friedersdorf goes on to say with regard to the President's answer in Google: "But he still didn't give a straight answer."

Counterterrorism adviser John Brennan—whose nomination we are talking about—won't answer either. He finally did answer, but only under duress. His answer was actually the appropriate answer. He said the CIA can't do this in America. But it begs the question—because the CIA is not in charge of the drone program; the Department of Defense is. So we need an answer from the Department of Defense, and we get an answer from Eric Holder that says they haven't done it yet, they don't intend to do it, but they might. He doesn't say specifically that they will not.

These answers have been out there for a while, and we have been through this and around this and asked questions. These are simple questions. These are questions I can't imagine why we can't get an explicit answer to—unless the answer is no. Unless the answer is that they don't want limitations on their power. Unless the answer is that they don't want to be constrained by the Constitution. Unless their answer is that the Bill of Rights doesn't apply to them when they think it doesn't apply to them. And that is the real danger.

Eric Holder—your Attorney General—was asked about this and asked about the fifth amendment. He was asked: Does it apply?

He said: Well, it applies when we think it applies.

What does that mean? I know it is a debatable question—overseas, American citizens, this and that—but I don't think it is a debatable question. In our country, does the fifth amendment apply? I don't know how you can argue the fifth amendment doesn't apply. I don't know how you can argue we have an exemption to the Bill of Rights when we want to.

But this is the President—the same President who argued he gets to determine when the Senate is in recess because he didn't get a few of his appointees last year, also argued that the Senate was in recess and said he could appoint anybody he wanted—and he did.

It went to court, and the court rebuked him. The court said: You don't get to decide all the rules for all of government. The Senate decides when they are in recess; you decide when you are in recess, but you don't get to decide the rules for the Senate.

They struck him down. Has he obeyed the ruling? Has he listened to what the court did? Has he been chastised and rebuked by the court?

The people he appointed illegally are still doing that job. All of their decisions are probably invalid. So for the last 2 or 2½ years—however long these

recess appointments have been out there—all of these decisions are going to be a huge mess. They have made all these decisions, and it is going to be uncertain whether the decisions are going to be valid. All of this happened because for some reason he thought he had power he doesn't actually have. I think there are some analogies to what we are talking about.

Now, one of the rules he said he would adhere to, as far as the drone strikes overseas, was that there has to be an imminence to the threat. Then his team of lawyers followed up and concluded: Well, it has to be imminent, but it doesn't have to be immediate. I think only a gaggle of government lawyers could come together and say "imminent" doesn't mean "immediate."

Spencer Ackerman wrote, in *Wired*, about this. The title is, "How Obama Transformed an Old Military Concept So He Can Drone Americans."

"Imminence" used to mean something in military terms; namely, that an adversary had begun preparations for an assault. In order to justify his drone strikes on American citizens, President Obama redefined the concept to exclude any actual adversary attack.

It is important to get that and to register that he has defined a potential imminent attack to mean that it excludes any actual adversary attack. So you are under imminent attack but there is no attack. It is a bizarre logic, but it is done to widen what they can do to grant them more power.

Ackerman goes on to say:

That's the heart of the Justice Department's newly leaked white paper—

These drone memos—

first reported by NBC News, explaining why a "broader concept of imminence" (.pdf) trumps traditional Constitutional protections American citizens enjoy from being killed by their government without due process. It's an especially striking claim when considering that the actual number of American citizens who are "senior operational leader[s] of al-Qaida or its associated forces" is vanishingly small. As much as Obama talks about rejecting the concept of "perpetual war" he's providing, and institutionalizing, a blueprint for it.

This is what we are talking about. Don't think if you give the President the power to kill Americans, that it is a temporary power.

The use of authorization of force, they say, has no geographic limit and no temporal limit. There is no end to the war. There is no end to the lessening or the abrogation or the giving up of your rights. If you give up your rights now, don't expect to get them back.

Ackerman goes on:

Imminence has always been a tricky concept. It used to depend on observable battlefield preparations, like tanks amassing near a front line, missile assemblage, or the fueling of fighter jet squadrons. Even under those circumstances, there has been little consensus—

internationally about various wars that we have had in the past.

President George W. Bush contended that the U.S. had to invade Iraq not because the government knew Saddam Hussein was about to launch an attack upon America, but because it didn't.

Because it was unknown, because we fear things we don't know—we don't know so we conclude yes, and we preemptively attack.

Bush contended that the uncertainty about Saddam's weapons of mass destruction augmented by 9/11's warnings of shadowy terrorist groups plotting undetectable attacks redefined "imminence. . . ."

So when I say this is not a partisan battle, I am true to my word. President Bush started this. President Obama is expanding this.

The real irony, though, is President Obama ran as the anti-Bush candidate. He ran as the guy with the real moral umbrage at what President Bush was doing and in the end he is taking Presidential power to a new level beyond what President Bush could have ever imagined. So Bush contended that they could invade because they were uncertain about what Saddam could do. He:

. . . redefined "imminence" to mean the absence of dispositive proof refuting the existence of an unconventional weapons program. . . .

Imminence is the absence of proof that you don't have something. So you have to prove a negative, you have to prove you don't have something, or you are an imminent threat.

That would be sort of like saying to Mexico: Prove to us you don't have a nuclear weapon or we are going to bomb Mexico City. It is a bizarre notion of imminence. So Mexico is now an imminent threat to the United States because they are unwilling to prove they don't have a nuclear weapon. You can see the convoluted logic that occurs here.

But when U.S. troops invaded, they learned that Saddam did not possess what Bush or Condoleezza Rice famously termed a smoking gun that could come in the form of a mushroom cloud.

The undated Justice Department white paper, a summary of a number of still-classified legal analyses, redefines imminence once again. Al-Qaida leaders are "continually planning attacks," the undated white paper says, and so a preemptive attack "does not require the United States to have clear evidence that a specific attack on U.S. persons and interests in the immediate future."

Realize what this means. First of all, nobody has an al-Qaida card. I think we say every terrorist in the world is in al-Qaida because then they have to prove otherwise. So nobody has an al-Qaida card. Everyone is in al-Qaida. So we say that unless you can prove that you are not attacking us, because we know the history of al-Qaida is to continue to attack us, we can preemptively attack you.

But now we are talking about bringing that kind of gobbledygook, jumbled logic to the United States. Are these going to be the standards by which we kill Americans?

Ackerman goes on:

For an adversary attack to be "imminent" and a preemptive U.S. response justified, U.S. officials need only "incorporate considerations of the relevant window of opportunity, the possibility of reducing collateral damage to civilians, and the likelihood of heading off future disastrous attacks on America."

So if we say al-Qaida is always attacking us and we say you are part of al-Qaida, then we can kill you. But the thing is, that is an accusation. If you are a U.S. citizen, you live in San Francisco or Houston or Seattle and someone says you are a member of al-Qaida, should not you get a chance to defend yourself? Shouldn't you get to go to court? Shouldn't you get a lawyer? Are these not things that we would want in our country?

Ackerman goes on. He says:

There is a subtlety at work in the Justice Department framework. It takes imminence out of the context of something an enemy does and places it into the context of a policymakers's epistemic limitations.

So really we are not looking to say someone has a rocket launcher on their shoulder. We are saying because we think that these people do not like us and will continue to attack us, we can preemptively kill them.

Realize that this kind of logic is being used overseas, and that is debatable. But now they are going to bring this logic to America. So when you read stuff like this, that imminence is out of the equation and in its place we are going to put a "policymaker's epistemic limitations" or estimation—that is how we are going to decide who is going to be killed in America? All we know is what we have in the foreign drone program.

We have no evidence yet because no one has told us. They just told us they have not killed anyone yet, they don't intend to, but they might—but they haven't told us what the rules are they are going to use in this context—what rules are going to be used in America? If you are going to kill noncombatants, people eating dinner in America, there have to be some rules. Does the Constitution apply?

When Eric Holder was asked about the fifth amendment, he said the fifth amendment applies when they think it applies. He says the executive branch is very careful and they are very conscious of the fifth amendment and they do try to apply the fifth amendment when they can.

I mean, it is a different story when you are talking about a war overseas and you are talking about people who live in our country. You don't get the option of determining when the fifth amendment applies.

Ackerman goes on to say:

If there is a reasonable debate about what imminence means in an era of terrorism, and what standards ought to be accepted for defining it as an international norm, that framework—

where they talk about that they are thinking about what the terrorist is thinking rather than what the terrorist is doing basically preempts the whole idea of determining or trying to discuss or figure out what imminence really means.

Ackerman goes on:

All that matters to justify a drone strike attack is for the U.S. to recognize that it can't be all-knowing.

So interestingly it's not intelligence that drives the attack, it's you saying I don't know but I am worried that these people do attack us continuously, so by me not knowing their plans, that is a justification for an attack. Realize, that could be the standard in the United States.

It's the logical equivalent of the CIA's signature strikes, which target anonymous military-age males in areas where terrorists operate—

This should be the thing that should just scare the you-know-what out of you. If we are killing people overseas who we don't know their name because we think they are in a caravan going from a place where we think there are bad people to another place where there are bad people, that is a fairly loose standard. So, let's say there are people going from a Constitution Party meeting to a Libertarian Party meeting. Both these groups don't like big government. They hate big government. They are opposed to government. They are nonviolent as far as I know, but they were on the Fusion List for potential terrorists. Are we going to kill people in a caravan going from one meeting to the next? Are we going to have to name the person we kill in the United States?

You say, oh, that is absurd. We would never do that. Well, what about whose phone we tap? Do we have to name that person? It used to be the requirement. It has gotten less so over time. We have gotten to the point where the fourth amendment protections to name the person, place, and what you want to look at have become looser over time. I think it is a legitimate question. If you are going to target Americans on American soil, are you going to name them first? Are you going to tell us who is on the list? The list overseas is secret so the question is, is the list going to be secret in the United States? How do you get your due process if you don't know you are on the list? It is a little bit late after the drone attack to say: Hey, it wasn't me. I didn't really mean what I said in that e-mail. I should not have made that comment on line.

Some liberals think they have had a double standard on this and haven't been very good. Some have been more honest in their criticism of the President being hypocritical. The President seemed to be concerned at one time about warrants for wiretaps. He seemed to be concerned about Americans and

torture. He seems to have lost a little bit of that when we talk about whether to kill Americans on American soil.

Eugene Robinson, whom I would consider a liberal pundit, wrote an article printed in the San Antonio News called "Judicial Review Needed For Drone Hits Of Citizens." He begins this way. He says:

If George W. Bush had told us that the "war on terror" gave him the right to execute an American citizen overseas with a missile fired from a drone aircraft, without due process or judicial review, I'd have gone ballistic.

These are Eugene Robinson's words. If he had heard this about George Bush, he would have gone ballistic. To his credit he says:

It makes no difference that the president making this chilling claim is Barack Obama. What's wrong is wrong.

Robinson goes on to say:

The moral and ethical questions posed by the advent of drone warfare are painfully complex. We had better start working out some answers because, as an administration spokesman told me recently, drone attacks are the "new normal" in the ongoing struggle against terrorist groups such as al-Qaida.

These attacks have become normal. They have become commonplace. They have become the rule rather than the exception. But at least Eugene Robinson is someone who is consistent in his application of criticism. He says he would have gone ballistic had George W. Bush done exactly what President Obama is doing and his response is, "It makes no difference that the president making this chilling claim is Barack Obama. What's wrong is wrong."

The question of when we get due process, whether it applies to you here or overseas, is a big question. But under our concept of government, it is not a question that should be left up to one branch of government. You know, should one branch of government get to decide that you don't get due process? That the fifth amendment doesn't apply to you? This is an incredibly important question. John Brennan and the nomination today pale in comparison to that question. Does the President alone, unilaterally, get to decide whether the fifth amendment applies to you? Or can he say that he is going to secretly accuse you of a crime and that the fifth amendment doesn't apply to you?

This is worrisome because the Attorney General has been asked about the applicability of the fifth amendment to the drone program. He said the fifth amendment applies when they think it applies. He says they try to give some kind of process. It is not due process. Due process involves a jury and a judge and public trial and an accusation. By process, they mean they get together and look at a PowerPoint presentation. They go through some flash cards and they decide who they are going to kill. That is the process. They may say you are demeaning the process by treating

it flippantly, about whether they are serious about the process. Is that the process you want for someone in America? Do you want in America, for the process for you being accused of a crime, to be a PowerPoint presentation by one branch of government, maybe in a political party you are part of, maybe in a political party you are not part of?

There are things in politics that are partisan. I don't think I would want Americans to be subject to any partisanship with determining whether you get the fifth amendment, whether you get a jury trial. I can't imagine anybody would. I don't care whether it is a Republican or Democrat, I don't want a politician deciding my innocence or guilt; it is as simple as that. The President should say unequivocally we are not going to kill non-combatants, we are not going to do PowerPoint presentations in the Oval Office on Tuesdays. We are not going to have Terrorist Tuesdays for Americans. He should say that. I don't think it is that hard. It is an easy question to the President.

Mr. President, are you going to have Terrorist Tuesdays for Americans?

Are they going to put flashcards of Americans up and pass them around the table in the Oval Office with pictures of Americans on them and decide who is going to die and who is going to live? Are they going to publicly charge people or are they going to secretly charge people? Are they going to have any kind of trial or any kind of representation? Does anybody get a chance to say: Hey, it wasn't me. I didn't do it. Does anybody get a chance to represent or have representation?

This is an article we found interesting also by Noah Shachtman. This was also printed in "Wired." It is called "U.S. Drones Can Now Kill Joe Schmoe Militants in Yemen." This is not quite about the domestic issue so much and a little bit about the foreign issue. However, there is a linkage between the foreign drone attacks and what will become the domestic drone attacks.

Why? Because those are the only drone attacks we know and we have not been told that there will be an American plan for killing Americans and a foreign plan for killing Americans or foreigners overseas. We have not been told that. We have not been told anything. We have been told to go and sit in a corner—including the Senate and Congress—and be quiet. They have a process. They have a PowerPoint presentation, and they have flashcards. I don't think that is adequate.

Noah Shachtman writes in "Wired":

In September, American-born militant Anwar al-Awlaki was killed by a U.S. drone strike in Yemen. In the seven months since, the al-Qaida affiliate there has only grown in power, influence, and lethality. The American solution? Authorize more drone attacks—

It kind of brings me back to that quote from the CIA agent. He said drone attacks are like a lawnmower, but when you quit mowing the lawn, the terrorists come back; sometimes they may be more numerous. The question is, Can they kill them all? Can they kill every terrorist in the world? For every terrorist they kill, maybe 3 or 4 pop up—maybe 10 pop up. What happens to the families who happen to be the ones whom we make mistakes on or happen to be in the wrong place at the wrong time?

I know the President's spokesman found it cute to say: Oh, they should have chosen more responsible parents. I don't find that endearing or cute. I find it reprehensible to say that is the standard. We have to ask the question: Is that going to be the standard in the United States? Are we going to kill people because they are related to bad people and then flippantly say they should have chosen better parents after we kill a 16-year-old? Shachtman goes on to write:

The American solution? Authorize more drone attacks—and not just against well-known extremists like Awlaki, but against nameless, faceless low-level terrorists as well.

A relentless campaign of unmanned airstrikes has significantly weakened al-Qaida's central leadership in Pakistan.

I am not saying we should not use drones. I am not saying they are not a valuable weapon that has helped us to decimate our enemies. I am just saying it is different in a warzone than it is in our country. If the President cannot acknowledge that being in battle somewhere is distinctly different than walking down the street in Washington or Baltimore or Philadelphia, it is beyond me how we can let him get away with that.

. . . militants were chosen for—

These drone strikes—

robotic elimination based solely on their intelligence “signatures”—their behavior, as captured by wiretaps, overhead surveillance and local informants.

We don't know the names of the people who were killed in these drone strikes except to know it was largely in the tribal areas of Pakistan. We are targeting people and we do not know their names. We cannot know much about them if we don't know their names. We are targeting them by their signatures, where they go, and whom they visit.

Probably, inevitably, the milkman or the doctor has to go to the terrorist camp. Maybe some of them are complicit, but some of the people who may not be quite the people we think we are after are in a caravan going from city to city. Maybe they are in the local food distribution business and make good money selling it. But the question is whether that is the kind of standard we would like to have in America. Would a signature strike be

acceptable in America? These are questions that ought to be asked and the President ought to answer.

These people are being targeted by their signature. Their behavior is captured by wiretaps, overhead surveillance, and local informants.

Shachtman goes on to say:

A similar approach might not work in this case, however.

In Yemen, where we have a lot of drone strikes, he says:

Every Yemeni is armed.

It is going to be kind of hard to tell who is friend or foe when they are all fighting and they are all mad at each other.

So how can they differentiate between suspected militants and armed Yemenis?

Shachtman goes on to say:

What's more, al-Qaida in the Arabian Peninsula—the Yemeni affiliate of the terror collective—“is joined at the hip” with an insurgency largely focused on toppling the local government, another official told the Washington Post last week. So there's a very real risk of America being “perceived as taking sides in a civil war.”

The Yemeni drone campaign—actually, two separate efforts run by the CIA and the military's Joint Special Operations Command—will still be more tightly restricted than the Pakistani drone war at its peak. Potential targets need to be seen or heard doing something that indicates they are plotting against the West, or are high up the militant hierarchy.

“You don't necessarily need to know the guy's name. You don't have to have a 10-sheet dossier on him. But you have to know the activities this person has been engaged in,” a U.S. Official tells the Journal.

Gregory Johnsen, a Yemen specialist at Princeton University, believes that these “signature” strikes—“or something an awful lot like them”—have actually been going on for quite a while in Yemen.

He goes on to say that he thinks that “Awlaki's son was killed just a month after his dad,” in a signature strike. He says he thinks “. . . there have been 13 attacks in Yemen in 2012.”

When we talk to people around here, they say there are no signature strikes. What are we supposed to believe? A lot of people are saying they have evidence and have heard there are signature strikes. Those in power who have the secret say we are not. It is hard to know what to believe.

I think one thing that is easy to understand, though, is that I cannot imagine we would allow such a standard in the United States where we don't name whom we are killing and that we kill people involved in a caravan. I think it should be pretty easy for the President to say there will be no signature strikes in America.

Shachtman goes on to say:

Many of them have hit lower-level militants, not top terror names. This authorization only makes targeting killings legally and bureaucratically kosher.

But despite the increased pace of strikes—those 13 attacks are more than they were in all of 2011—al-Qaida in the Arabian Penin-

sula. . . In fact, White House counterterrorism adviser John Brennan last week called it the terror group's “most active operational franchise.”

All of which leads Micah Zenko at the Council of Foreign Relations to wonder where this drone campaign is going. “By any common-sense definition, these vast targeted killings should be characterized as America's Third War since 9/11,” he writes. “Unlike Iraq and Afghanistan—where government agencies acted according to articulated strategies, congressional hearings and press conferences provided some oversight and timelines explicitly stating when the U.S. combat role would end—the Third War is Orwellian in its lack of cogent strategy, transparency, and end date.”

“Since these attacks are covert, the administration will offer no public defense, he adds. But “it begs [CIA director David] Petraeus' haunting question at the onset of the Iraq war in 2003: “Tell me how this ends?”

That is a question I have for the President: How does the war end? How do we win? How do we declare victory and when will the war end? The problem is we have come up with a scheme that basically has no geographic limitations on where the war is fought. It is harder to defeat an enemy if the entire war is the battlefield. It is not only a problem with determining victory, it is a problem with ultimately coming home.

The other problem with having no geographic limitations to this is saying that war is here; the war is in America and the battlefield here at home is one where we are going to have rules or the laws of war are going to apply in our everyday life.

Before we were talking about drone strikes in America, the Center for Constitutional Rights has been concerned even about American citizens overseas. On September 30, they put out this release which said:

Today, in response to the news that a missile attack by an American drone aircraft had killed U.S. citizen Anwar Al-Awlaki in Yemen, the Center for Constitutional Rights, which had previously brought a challenge in federal court to the legality of the authorization to target Al-Awlaki in Yemen, released the following statement: “The assassination of Anwar Al-Awlaki by American drone attacks is the latest of many affronts to domestic and international law” . . . “The targeted assassination program that started under President Bush and expanded under the Obama Administration essentially grants the executive the power to kill any U.S. citizen deemed a threat, without any judicial oversight or any of the rights afforded by our Constitution. If we allow such gross overreaches of power to continue, we are setting the stage for increasing erosions of civil liberties and the rule of law.”

Now what they have said there is not completely noncontroversial, and I might even take some issue with the fact that they are saying the Constitution applies everywhere. Some argue it applies to U.S. citizens whether here or at home, and I think there is some debate as to that. I think the only place we can guarantee that the Constitution

applies is in our country. The only border we ultimately control is in our country. The courts we ultimately control are here. However, the entity doing the killing is the American military killing a citizen overseas. So I personally have been of the belief that what we should do is try people for treason. It is one of the four crimes in the Constitution that is actually labeled, displayed, and given to the Federal courts.

There are specifics on what is actually treason. I personally don't think it would be that hard to try people for treason. I think we could do it without—we could start at the very top court and not have appeal after appeal.

I think there was evidence that al-Awlaki could have been tried in Federal court for treason and then targeted.

People say: Why would we want to give any protection to people who have denounced their citizenship, who hate America, and who are conspiring with the enemy?

I guess the way I would respond is that I don't like murderers and rapists either. I don't like violent people who commit crimes in our country. But because we prize our system so much and because we want to make sure we arrest, convict, and possibly execute the right person, we have trials. So we think it is pretty important that we have trials. So I agree when people say these are bad people. Yes, these are bad people. Many of them deserve what they get. The problem is, if we give up on the process of how we do it, if we give up on the Constitution, or if we say that kind of standard is going to be brought back to the homeland, or if we say America is a battlefield, there is a real problem. There is a problem in doing that because I think if we do that, the standard becomes so loose, we really won't have what we really expect as Americans.

The Center for the Constitutional Rights goes on with this comment by Pardiss Kebriaei, a senior staff attorney. They went to the court, and they asked for information on some of these drone strikes, and they were denied. She responds:

In dismissing our complaint, the district court noted that there were nonetheless disturbing questions raised by the authority being asserted by the United States.

There certainly are disturbing questions that need to be asked again and answered by the U.S. Government about the circumstances and the killing and legal standard that governs it.

In October 2012 there was an article by Greg Miller in the Washington Post. It was entitled "Plan for Hunting Terrorists Signals U.S. Intends to Keep Adding Names To Kill List." The editor notes that this project was based on interviews with dozens of current and former national security officials, intelligence analysts, and others who

have examined and were examining the U.S. counterterrorism policies and the practice of targeted killings.

This is the first of three stories that appeared:

Over the past 2 years, the Obama administration has been secretly developing a new blueprint for pursuing terrorists, a next-generation targeting list called the "disposition matrix."

The matrix contains the names of terrorism suspects arrayed against an accounting of the resources being marshaled to track them down, including sealed indictments and clandestine operations. U.S. officials said the database is designed to go beyond existing kill lists, mapping plans for the "disposition" of suspects beyond the reach of American drones.

Although the matrix is a work in progress, the effort to create it reflects a reality setting in among the nation's counterterrorism ranks: The United States' conventional wars are winding down, but the government expects to continue adding names to kill or capture lists for years.

Among senior Obama administration officials, there is a broad consensus that such operations are likely to be extended at least another decade. Given the way al-Qaida continues to metastasize, some officials said no clear end is in sight.

"We can't possibly kill everyone who wants to harm us," a senior administration said. "It's a necessary part of what we do . . . We're not going to wind up in 10 years in a world of everybody holding hands any saying, 'We love America.'"

That timeline suggests that the United States has reached only the midpoint of what was once known as the global war on terrorism. Targeting lists that were regarded as finite emergency measures after the attacks of September 11 are now fixtures of the national security apparatus. The rosters expand and contract with the pace of drone strikes but never go to zero.

Meanwhile, a significant milestone looms: The number of militants and civilians killed in the drone campaign over 10 years will soon exceed 3,000 by certain estimates.

We have heard an estimate recently by a Member of the Senate who said 4,700 have been killed.

The Obama administration has touted its successes against the terrorist network, including the death of Osama bin Laden, as signature achievements that argue for President Obama's reelection. The administration has taken tentative steps toward greater transparency, formally acknowledging for the first time the United States' use of armed drones.

Less visible is the extent to which Obama has institutionalized the highly classified practice of targeted killing, transforming ad hoc elements into a counterterrorism infrastructure capable of sustaining a seemingly permanent war.

Spokesmen for the White House, the National Counterterrorism Center, the CIA and other agencies declined to comment on the matrix. Privately, officials acknowledge that the development of the matrix is part of a series of moves, in Washington and overseas, to embed counterterrorism tools into U.S. policy for the long haul.

White House counterterrorism adviser John O. Brennan is seeking to codify the administration's approach to generating capture/kill lists, part of a broader effort. . . .

CIA Director David Petraeus is pushing for an expansion of the agency's fleet of armed

drones. The proposal, which would need White House approval, reflects the agency's transformation into a paramilitary force and makes clear that it does not intend to dismantle its drone program and return to pre-September 11 focus on gathering intelligence.

The U.S. Joint Special Operations Command, which carried out the raid that killed bin Laden, has moved command teams into suspected terrorist hotbeds in Africa. A rugged U.S. outpost in Djibouti has been transformed into a launchpad for counterterrorism operations across the Horn of Africa and into the Middle East.

The Joint Special Operations Command has also established a secret targeting center across the Potomac River from Washington. The current and former U.S. official said the elite command's targeting cells have traditionally been located along the front lines of its missions, including Iraq and Afghanistan. But the joint committee has now created a national capital region task force that is a 15-minute commute from the White House so it can be more directly involved in deliberations about the al-Qaida list.

The developments were described by current and former officials from the White House as well as intelligence and counterterrorism agencies. Most spoke on the condition of anonymity because of the sensitivity of the subject. These counterterrorism components have been affixed to a legal foundation for targeted killings the Obama administration has discussed more openly over the past year. In a series of speeches, administration officials have cited the legal basis, including the congressional authorization to use military force.

This really gets to the crux of the matter, which is that the authorizations for all of these activities around the world and then ultimately here at home all come from the use of authorization of force when we went to war against Afghanistan after 9/11. The problem is, how do we finally conclude war? Is perpetual war OK with everybody? How would we conclude the war in Afghanistan?

The President said he is bringing troops home. It is actually another thing I admire about the President. I think it is time to come home. I think we have accomplished our battle. I think we have accomplished our plan. But the thing is, if we are going to end the war, why would we not end the war? I think it means we end that war and we go somewhere else. There is a question of whether we can continually afford perpetual war. There is a question of whether it is advisable. There is a question of whether or not we go so many places that maybe in the end we are doing more harm than good.

The thing about the wars as they go on is we have to figure out a way to try to end war. We have to figure out a way to try to limit war. Our goal shouldn't be to expand war to proportions that have no limit. To say there are no geographic limits on war I don't think should be an admirable thing. I think it is a mistake in policy to say we can have perpetual war with no limits, with no geographic limits, with no temporal limits.

It is hard to end a war anymore, though. It used to be easy. In the old days, you won a war and you came home. The problem is that we can't even end the Iraq war. The Iraq war has been over for a couple of years now—at least a couple of years. I tried to introduce a resolution to end the Iraq war, to deauthorize the war, and it was voted down. I think I got less than 15 votes. How do we end war?

The problem is that people take these resolutions and they stretch them and they pull them and they contort them to mean things that really they were never intended to mean. I don't think being involved in a protracted war in Yemen or Mali or any of these other places was intended when we went to war in Afghanistan. I just don't think that was the intention.

Critics contend that the justifications for the drone war have become more tenuous as the campaign has extended further and further beyond the core group of al-Qaida operatives behind the strikes on New York and Washington. Critics note that the administration still doesn't confirm the CIA's involvement or the identities of those who were killed. Certain strikes are now under legal challenge, including the killing last year of the son of al-Awlaki.

Counterterrorism experts have said, though, that the reliance on these targeted killings is self-perpetuating, yielding undeniable short-term results that may obscure the long-term costs. I think that is a good way of putting it because when we think about it, obviously, they are killing some bad people. This is war, and there has been some short-term good. The question is, Does the short-term good outweigh the long-term costs not only in dollars but the long-term costs of whether we are encouraging a next generation of terrorists?

This is a quote from Bruce Riedel, a former CIA analyst. He says:

The problem with the drones is it's like your lawn mower. You got to mow the lawn all the time. The minute you stop mowing, the grass is going to grow back.

Maybe there is an infinite number of terrorists. Maybe the drone strikes aren't the ultimate answer. There are a billion Muslims in the world. Maybe there needs to be some component of this that isn't just the killing fields. I am not saying that many of these people aren't allied against us and would attack us and they don't deserve to die; I am just not sure it is the ultimate answer, it is the ultimate way. I am also concerned that the people who are the strongest proponents of this are also those who want to bring the war to America and say that America is part of this perpetual battlefield.

The United States now operates multiple drone programs, including acknowledged U.S. military patrols over conflicted zones in Afghanistan and Libya and classified CIA

surveillance flights over Iran. Strikes against al-Qaida, however, are carried out under secret lethal programs involving the CIA and the CSOC. The matrix was developed by the NCTC under former Director Michael Leiter to augment those organizations' separate but overlapping kill lists. The result is a single, continually evolving database in which biographies, locations, known associates, and affiliated organizations are all catalogued.

So are strategies for taking targets down, including extradition requests, capture operations and drone patrols.

Obama's decision to shutter the CIA's secret prisons ended a program that had become a source of international scorn, but it also complicated the pursuit of terrorists. Unless a suspect surfaced in the sights of a drone . . . the United States had to scramble to figure out what to do.

"We had a disposition problem," said a former U.S. counterterrorism official. . . .

The database is meant to map out contingencies, creating an operational menu that spells out each agency's role in case a suspect surfaces in an unexpected spot. "If he's in Saudi Arabia, pick up with the Saudis," the former official said. "If traveling overseas to al-Shabaab . . . we can pick him up by ship. If in Yemen, kill or have the Yemenis pick him up."

There has been some discussion as to what to do with these people. It is a complicated situation, but I think the take-home message from all of this is that what we are stuck in is a very messy sort of decisionmaking, a type of decisionmaking that I do not think is appropriate for the homeland, for the United States. I think the idea that in the United States this is to be a battlefield, and you do not need an attorney, you do not need a court, or you do not get due process, is really repugnant to the American people, and should be.

I think it is something we have given up on too easily if we let the President dictate the terms of this. If the President is unwilling to say clearly and unequivocally that he is not going to kill noncombatants in America, I do not think we should tolerate that. I think there should be a huge outcry and the President should come forward and explain his position.

This discussion tonight is not so much about John Brennan, it is not about his nomination so much as it is about whether we believe that in America there are some rights that are so special that we are not willing to give up on these.

So as we move forward into this debate, it is not about who gets nominated to be the head of the CIA. It is about principles that are bigger than the people. It is about something bigger and larger than the people involved. It is about constitutional principles that we should not give up on.

I think we should all judge as inadequate the President's response when he says he has not killed Americans in America yet, he does not intend to, but that he might. I do not think that is a response that we should tolerate.

So as we move forward in this debate, we need to understand and we need to

fight for something that is classically American, something we are proud of and something our soldiers fight for; that is, our rights, our individual rights, our right to be seen as an American, to be tried in a court by our peers. I think if we are to give up on that it is a huge mistake.

One of the things we have to ask is, What kind of standard will there be? If there is going to be a program in America, what kind of standard? If we are going to kill Americans in America, what kind of standard will there be?

If the standard is to be sympathy, you can imagine the craziness of this.

Mr. President, I would at this time yield for a question, without yielding the floor, from my colleague from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, thank you.

Through the Chair, Mr. President, I would like to ask the Senator from Kentucky a couple of questions.

I have been listening to the conversation, to the debate, to the discussion on the Senate floor throughout the afternoon, and I would ask the Senator from Kentucky these questions: Is it not true that the Constitution of the United States is a document designed to protect the freedoms and liberties of Americans?

I would ask the Senator from Kentucky, while sometimes perceived to be a grant of authority, is not really the main purpose of the U.S. Constitution to make sure the American people enjoy certain liberties and freedoms that the Founding Fathers who wrote that document believed were important for American citizens? And whether or not that is true, I will let the Senator from Kentucky tell me, but if that is the case, if it is constitutional to intentionally kill an American citizen in the United States without due process of law, then what is not constitutional under the U.S. Constitution?

If the conclusion is reached—as the administration, at least, is unwilling to say that is not the case—if the conclusion is reached that it is within the powers of the Constitution for the executive to allow for the killing of an American citizen in the United States, then what is left in our Constitution that would prohibit other behavior? If you can go this far, what liberties remain for Americans?

Mr. PAUL. Mr. President, I think it is a good question because, ultimately, the question is, Who gets to decide? Does the President get to decide unilaterally that he is going to do this? And how would you challenge it? If you are dead, you have a tough time challenging, basically, his authority to do this.

But, no, I cannot imagine in any way that you can usurp and go beyond the constitutional requirements in the

United States. I see no way he can do that, and I cannot imagine that he would even assert such a thing. But it still boggles the mind that he will not explicitly say he will not do this.

Mr. MORAN. Well, I would, again, through the Presiding Officer, ask a question of the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Again, in the absence of the assurance or the statement from the administration—from the President of the United States or his Attorney General—I ask the Senator from Kentucky, is not this the appropriate venue for us to insist upon that answer? Is it not appropriate for this to be the venue on which we, as a U.S. Senate, make clear that it is unconstitutional, in our view, for the death of a U.S. citizen in the United States by military action?

This is the opportune moment because of the pending confirmation of the nomination of the head of the Central Intelligence Agency. So while today's order of business really is an administrative appointment, is this issue not so important that we need to utilize this moment, this time in the Senate to make certain that question is answered in a way that makes clear—not only for today and for the current occupant of the CIA and its administration, but for all future Americans, all future CIAs, all future military leaders—that it is clear that in the United States American citizens cannot be killed without due process of law?

Mr. PAUL. Mr. President, I think it is a good point. I think also a point to be made is that one resolution to this impasse would be to have a resolution come forward from the Senate saying exactly that; that our understanding is—and this has been something that Senator CRUZ and I have discussed: whether we should limit the President's power by legislation or by resolution, basically saying that repealing an imminent threat is something the President can do, but killing non-combatants is not something that is allowed under the Constitution.

I think the courts would rule that way should the courts ever have to rule on this. But it would be much simpler and more healthy for the country if the President would simply come out and say that.

Mr. MORAN. Perhaps, Mr. President, finally, I would ask the Senator from Kentucky, while this opportunity to discuss this issue on the Senate floor has occurred today, it certainly is an opportunity for the American people to understand a significant basic constitutional right may be at stake. And while the Senator from Kentucky has led this discussion, I would ask him, has he now received, as a result of bringing this attention to this issue,

any additional reassurances from the Attorney General or the President of the United States that the administration agrees that there is no constitutional right to end the life of an American citizen using a drone flying over the lands of the United States and attacking a U.S. citizen?

Mr. PAUL. Mr. President, since we began this today, I have had no communications from the White House or the Attorney General. The only thing we have gotten indirectly was that the Attorney General was before the Judiciary Committee today and that he did seem to backtrack or acknowledge a little bit, under withering cross-examination. He was not very forthcoming in saying what we would like to hear: that they will not kill noncombatants in America. But I think that is still a possibility from them. I think his answers were not inconsistent with that.

But you would think it would be a little bit easier and they would make it easier on everyone, and you would think they would want to reassure the public that they have no intention—not just they have no intention—but that they will not kill Americans.

Mr. MORAN. Again, Mr. President, if I can ask the Senator from Kentucky a question through the Presiding Officer, while there is a significantly important issue before the Senate today—and that is the confirmation of the Director of the Central Intelligence Agency—I would ask the Senator from Kentucky, is not the more important issue, the less pedestrian issue, that we face on the Senate floor and in the United States of America one that has been with us throughout our history, one that was with us when the Constitution was written, and one that has been with us every day thereafter; that is, what is the meaning of the words contained in the U.S. Constitution, and what do they mean for everyday citizens, that they know that their own government is constrained by a document created now more than 200 years ago? Is that not the most important question that faces our country and its citizens on a daily, ongoing basis?

Mr. PAUL. Yes, I think American citizens get that. But not only that, I come from a State that has two large military bases. When our soldiers go off—and when I talk to them—they talk of fighting for our Bill of Rights, they talk of fighting for our Constitution. They do not think they are going off to conquer any people. They truly believe and they honestly appraise that they are fighting for our Bill of Rights.

So that is why I see this as somewhat of an insult to our soldiers, to say that and to insinuate somehow that the Bill of Rights is not so important; that our fear is going to guide us away or take us away from something so fundamental and so important.

I think Americans do realize that the protections of having a jury trial are

incredibly important and that assessing guilt is not always easy when you are accused of a crime. I think Americans know it is really important to try to get it right when someone is accused of a crime. So I think the American people are with us in wanting to find these answers.

The Senator is right. This is not ultimately about the nomination; this is about a question that is bigger than any individual. It is about something that our country was founded upon; that is, basically, the individual rights.

Mr. MORAN. Mr. President, I thank the Senator from Kentucky for responding to my questions.

Mr. PAUL. Mr. President, we have had a good and healthy debate today. I think we have hit upon a few points. We may have even hit a couple points more than once.

When we think about it and put it in perspective, so many of the battles we have up here are battles that I think the American public is sometimes disgusted with. They see a lot of things we do as petty and partisan. Sometimes I see disagreements up here that I think are completely partisan and completely petty on both sides.

But I think this issue is different in the sense that this is not about this particular individual and his nomination. I have actually voted for the President's first three nominations to his Cabinet. So I have not taken a partisan position that the President cannot nominate his political appointees. I have looked carefully at the nominees. I have asked for more information. I have tried to extend debate on some of the nominees. But in the end, I voted for three out of three and many of the judges that the President has put forward, not necessarily because I agree with their politics. I do not agree with much of the President's politics.

In fact, one of the few things I did agree with the President on was the idea of civil liberties, was the idea that you do not tap someone's phone without a wire, without a warrant, that you do not torture Americans, and that you did not kill Americans without due process. These are things I thought the President and I agreed on. So I am not so sure exactly, you know, where we stand with that. I actually kind of think that probably he still does agree with me, or I still agree with him. But the question is, why cannot he publicly go ahead and announce he is not going to kill noncombatants?

This is a resolution we have talked about. This resolution says: "To express the sense of the Senate against the use of drones to execute American citizens on American soil."

Expressing the sense of the Senate against the use of drones to execute American citizens on American soil. Resolved, that it is the sense of the Senate that the use of drones to execute or target American citizens on American soil who pose no imminent threat clearly violates the constitutional

due process of rights. The American people deserve a clear, concise and unequivocal public statement from the President of the United States that contains detailed legal reasoning, including but not limited to the balance between national security and due process, limits of executive power, and distinction between the treatment of citizens and noncitizens within and outside the borders of the United States.

The use of lethal force against American citizens and the use of drones in the application of the lethal force within the United States territory.

There is another article that I think is of interest. This is another article by Spencer Ackerman in *Wired*. This talks about once again the signature strikes, the idea that basically we are killing people whose names we did not know. The title of this was: "CIA Drones Kill Large Groups Without Knowing Who They Are."

The expansion of the CIA's undeclared drone war into the tribal areas of Pakistan required a big expansion of who can be marked for death. Once the standard for targeted killings was top-level leaders in al-Qaeda or one of its allies. That's long gone, especially as the number of people targeted at once has grown.

This is the new standard, according to a blockbuster piece in the *Wall Street Journal*: "Men believed to be militants associated with terrorist groups, but whose identities aren't always known." [may be targeted.] The CIA is now killing people without knowing who they are, on suspicion of association with terrorist groups. The article does not define the standards, [but the standards are said to be] "suspicion" and "association."

While this is overseas, it kind of gets to the point we have been talking about: What is the standard that will be used in America? If we are to have drone strikes in America, what is the standard we will use? Is it a standard that says you have to be suspicious, or that you have to be associated?

Strikes targeting those people, usually groups of such people, are what we call signature strikes. The bulk of the CIA's drone strikes are signature strikes now, which is a remarkable thing. So what we are talking about—that is one of the reasons why we are concerned here—is that if the President claims he can do strikes in America, and the bulk of the current strikes overseas are signature strikes, would it not be worrisome that we could kill people in America without evening knowing their name?

The bulk of CIA's drone strikes now are "signature" strikes.

It was written in the *Wall Street Journal* in an article by Adam Entous, Siobhan Gorman, and Julian Barnes. And the "bulk" really means the bulk. The *Journal* reports that the growth in clusters of people targeted by the CIA has required the agency to tell its Pakistani counterparts about mass attacks. We are talking about pretty significant attacks here. They are only notifying them when they are going to kill more than 20 at a time.

Determining who is the target is not a question of intelligence collection.

The cameras on the CIA fleet of Predators and Reapers work just fine. It is a question of intelligence analysis, interpreting the imagery collected from the drones, from the spies and spotters below, to understand who is a terrorist and who, say, drops off the terrorist's laundry. Admittedly in a war with a shadowy enemy, it can be difficult to distinguish between the two. So the question is, is this the kind of standard we will use in the United States? Will we use a standard where people do not have to be named? We do not know. The President has indicated his drone strikes in America will have different rules than his drone strikes outside of America. But we have heard no rules on what those drone strikes will be.

So we have drone strikes inside and outside. They are going to have different rules. But we already know that in a large percentage of the drone strikes overseas we are not naming the person. Is that going to be the standard? We also know we have targeted people for sympathizing with the enemy. We talked about that before. In the 1960s, we had many people who sympathized with North Vietnam. Many people will remember Jane Fonda swiveling herself around in a North Vietnamese artillery and thinking, gleefully, that she was just right at home with the North Vietnamese.

I am not a great fan of Jane Fonda. I am really not too interested in putting her on a drone kill list either. We have had many people who have dissented in our country. We have had people in our country who have been against the Afghan war, against the Iraq war. I was opposed to the Iraq war. There have been people against the government on occasion. What are the criteria for who will be killed? Does the fifth amendment apply? Will the list be secret or not secret? Can you kill non-combatants?

And people say, well, the President would never kill noncombatants. The problem is, is that is who we are killing overseas. We are alleging that they may be conspiring someday to be combatants or they might have been yesterday. But are we going to take that same kind of standard and use it in America? Are we going to have a standard that if you are on your iPad typing an email in a cafe that you can be targeted in a drone strike? These are not questions that are inconsequential. These are questions that should be known. These are questions that should be public. These are questions that should be discussed in Congress. In fact, we should not be asking him for drone memos, we should be giving him drone memos. We should not be asking him how is he going to run the drone program, we should be telling him how he is to run the drone program. That is our authority. We have abdicated our authority. We do not do what we are supposed to. We are sup-

posed to be the checks and balances. But we have let the President make those decisions because we have largely abdicated our responsibility.

In this Spencer Ackerman story from *Wired*, he talks about and goes on to say:

Fundamentally, though, it is a question of policy, whether it is acceptable for the CIA to kill someone without fully knowing if he is the bombsmith or the laundry guy.

The *Journal* reports:

The CIA's willingness to strike without such knowledge, sanctioned in full by President Barack Obama, is causing problems for the State Department and the military. As we have written this week, the high volume of drone attacks in Pakistani tribal areas contributes to Pakistani intransigence on another issue of huge importance to the United States, convincing Pakistan to deliver the insurgent groups it sponsors to peace talks aimed at ending the Afghan war. The drones do not cause that intransigence. Pakistani leaders, after all, cooperate with the drones and exploit popular anti-American sentiment to shake down Washington. The strikes become cards for Pakistan to play, however cynically.

I think this is quite true of Pakistan. They play both sides to the middle. They play both sides to get more money from us. I think they have been complicit in the drone attacks, and then they complain about them publicly. They have two faces, one to their people, and one privately to us. But the question is, have we gotten involved more in Pakistan than getting al-Qaida leaders, and have we gotten more involved with a war in Pakistan that involves people who want to be free of their central government?

Ultimately, we as a country need to figure out how to end the war. We have had the war in Afghanistan for 12 years now. The war basically has authorized a worldwide war. Not only am I worried about the perpetual nature of the war, I am also worried that there are no geographic limitations to the war. But I am particularly concerned, and what today has all been about, I am worried that they say the United States is the battlefield now. My side, their side, the President, everybody thinks that America is the battlefield. The problem is, they all think you do not get due process in a battlefield. Largely they are correct. When you are overseas in a battlefield, it is hard to have due process. We are not going to ask for Miranda rights before we shoot people in battle. But America is different.

So one of the most important things I hope that will come from today is people will say and people will listen: How do we end the war in Iraq? How do we end the war in Afghanistan? I got a vote. I tried to end the Iraq war 2 years after it ended, by taking away the authorization of use of force. I still could not get that voted on.

It is even more important not only to end the war in Iraq, but ultimately to end the war in Afghanistan. Because the war in Afghanistan, the use of authorization of force is used to create a

worldwide war without limitations, to create a war that some say the battlefield is here at home. This battlefield being here at home means you do not get due process at home.

There have been Members of the Senate stand up and say, when they ask you for a lawyer, you tell them to shut up. Is that the kind of due process we want in our country? Is that what we are moving toward? So the questions we are asking here are important questions. These questions are: Does the Bill of Rights apply? Can they have exceptions to the Bill of Rights?

One of the articles from the National Review recently was by Kevin Williams. We got into this a little bit earlier. I thought it was an important article because it talked about what our concern is about what standard we will use. What will be the standard for how we kill Americans in America? He talked a little bit about how his belief is that al-Awlaki was targeted mainly as a propagandist. An interesting thing about al-Awlaki is that before he was targeted, he was actually invited to the Pentagon. We considered him to be a moderate Islamist for a while.

We invited him to the Pentagon. I think he actually gave and said prayers in the Capitol at one point.

The question is if we made a mistake the first time about whether he was our friend—and I think we did—could you make a mistake on the other end? The question is, if governments are to decide who are sympathizers and people who are politicians, with no checks or balances, are to decide who is a sympathizer, is there a danger that people who have political dissent could be included in this?

The way Williamson describes al-Awlaki was that he was first and foremost an al-Qaida propagandist. He was a preacher and a blogger who first began to provoke United States authorities through the online bile which earned him the faintly ridiculous sobriquet the bin Laden of the Internet.

Was he an active participant in planning acts of terrorism against the United States? The FBI did not think so, at least in the wake of 9/11 attacks. The Bureau interviewed him four times and concluded he was not involved. The Defense Department famously invited him to dine at the Pentagon as part of the Islamic outreach efforts, and in 2002 he was conducting prayers in the U.S. Capitol.

Throughout the following years, al-Awlaki became a sort of al-Qaida gadfly, dangerous principally because he was fluent in English and, therefore, a more effective propagandist. It was not until the first Obama administration that al-Awlaki was promoted by United States authorities from propagandist to operations man.

You may remember the context. The Obama administration had been planning to try 9/11 conspirators in New

York City when the country was thrown into a panic by the machinations of the would-be underpants bomber, Umar Farouk Abdulmutallab.

The Obama administration, in an interesting about-face—whereas it had been planning to try Khalid Shaikh Mohammed in New York and his co-conspirators there, definitively turning our back on Guantanamo—turned around and made a decision that it couldn't do it in New York. Al-Awlaki was a part of this. He was a propagandist and part of this. They said Abdulmutallab actually sought out al-Awlaki in Yemen and al-Awlaki had blessed his bomb plot and even introduced him to a bombmaker. This, according to the Obama administration, is what justified treating al-Awlaki as a man at arms earning him a place on the national secret hit list.

Williamson asked this question:

If sympathizing with our enemies and propagandizing on their behalf is the equivalent to making war on the country, then the Johnson and Nixon administrations should have bombed every elite college campus in the country during the 1960s.

These are his words, not mine. He goes on:

And as satisfying as putting Jane Fonda on a kill list might have been, I do not think that our understanding of the law would encourage such a thing, even though she did give priceless aid to the communist aggressors in Vietnam. Students in Ann Arbor, MI, were actively and openly raising funds for the Vietcong throughout the war. Would it have been proper to put them on kill lists?

I don't know.

Williamson said:

I do not think that it would. There is a difference between sympathizing with our enemies and taking up arms against the country.

They aren't the same thing. We have to ask ourselves, what is the standard? Could political dissent be part of the standard for drone strikes?

You say, well, that is ridiculous. We have listed people already on Web sites and said they were at risk for terrorism for their political beliefs. The Fusion Center in Missouri listed people who were of pro-life origin and listed people who believed in secure borders for immigration. They listed people who were supporters of third-party candidates, the Constitution Party or the Libertarian Party. These people were listed in a mailing sent out to all the police in the State to be aware of these people. Be aware of people who have bumper stickers on their cars supporting these people.

That, to me, sounds dangerously close to having a standard where the standard is sympathy not for your enemies but sympathy for unpopular ideas or ideas that aren't popular with the government. That concerns me. It concerns whether we could have in our country a standard that is less than the Constitution. The Constitution is a standard where I can't imagine we

would want to give up on this standard, or any President could assert a standard would not be the Constitution.

There was an article in Human Rights First which was published in December of 2012. It begins with this prefacing statement:

We are establishing precedents that other nations may follow, and not all of those nations may—and not all of them will be nations that share our interests or the premium we put on protecting human life, including citizens.

This was a statement by John Brennan. It is a statement that actually carries some weight and should be thought through. This is the reason why I say this filibuster is not so much about Brennan as it is about a constitutional principle.

The Obama administration has dramatically escalated targeted killing by drones as the central feature of counterterrorism response.

Mr. President, at this time I have a unanimous consent request. I wish to read it into the RECORD. With this unanimous consent request, I would emphasize that this would be ending the debate and allowing a vote on Brennan. Part of this unanimous consent request would be the establishment of a vote on this resolution as well as setting a vote up on the confirmation of John Brennan to be CIA Director.

The resolution states:

Resolved, that it is the sense of the Senate that:

1. The use of drones to execute, or to target, American citizens on American soil who pose no imminent threat clearly violates the constitutional due process rights of citizens.

That is the most important clause of that. I think it is important for the American people to know that apparently the other side is going to object. Object. It is important to know the majority party here in the Senate, the party of the President, is going to object to this statement being voted on. They may still vote against it if they wish, but they are going to object, I understand, to having a vote on this statement. The use of drones to execute a target, American citizens on American soil, who pose no imminent threat, clearly violates the constitutional due process rights of citizens.

What we are talking about is a resolution that says what we have been trying to get the President to say: You can't kill noncombatants. You can't kill people in a cafe in Seattle. That is what we are asking. It is blatantly unconstitutional to kill noncombatants. I can't understand why we couldn't get a resolution, particularly because I am willing to, with this resolution, move forward and let the vote occur on Brennan.

The second part of the resolution is:

The American people deserve a clear, concise, and unequivocal public statement from the President of the United States that contains detailed legal reasoning, including but

not limited to the balance between national security and due process, limits of executive power and distinction between treatments of citizens and noncitizens within and outside the borders of the United States, the use of lethal force against American citizens, and the use of drones in the application of lethal force within the United States territory.

Basically, the second part of the resolution asked, basically, we do our job and ask the President to let us know what is going on with the program. If there is an objection to this, it would be an objection to, No. 1, killing citizens who are noncombatants and, No. 2, to giving us a report on what the program will actually entail.

Mr. President, I ask unanimous consent that at a time to be determined by the two leaders tomorrow, the Senate vote on this resolution as I just read it, and with the addition to it they then turn to the Brennan nomination or be allowed to proceed to a vote.

The PRESIDING OFFICER (Mr. HEINRICH). Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I would say to my friend from Kentucky that I am chair of the Constitution, Civil Rights and Human Rights Subcommittee of the Judiciary Committee. We are scheduling a hearing on the issue of drones, because I believe the issue raises important questions, legal and constitutional questions. I invite my colleague to join us in that hearing if you wish to testify. I think this is something we should look at and look at closely. That is why this hearing is being scheduled. I believe at this moment it is premature to schedule a vote on this issue until we thoroughly look at the constitutional aspects of all of the questions the Senator has raised today, which are important.

Because of that, I have no alternative but to object.

The PRESIDING OFFICER. Objection is heard.

Mr. PAUL. Mr. President, I am disappointed the Democrats choose not to vote on this. The answer around here for a lot of things is we will have a hearing at some later date to be determined. The problem is this is a non-binding resolution. This is a resolution just stating we believe in the Constitution and, A, Mr. President, send us some information about your plan, how it is going to work. It doesn't change the law. In fact, I wish it could do more than that. We have an actual bill which will be introduced. We will actually try to change the law.

This is a symbolic gesture and a way to allow us to move forward. I am disappointed we can't.

This was an article that was published in Human Rights First in December of 2012. As I said, it has an opening statement by John Brennan I think is actually well thought out and

recognizes some of the advantages and disadvantages of drone strikes.

John Brennan begins by saying:

We are establishing precedents that other nations may follow, and not all of those nations may—and not all of them will be nations that share our interests.

Think about what he is saying there. Other people are going to get drones. We have already lost a drone in Iran. How long do you think it is before Iran has drones? How long do you think it is before Hezbollah has drones or Hamas has drones? I think there is a certain amount of thought that ought to go into a drone-killing program, particularly when the people who are being killed by the drones will have their own drones, I think within short order.

The Obama administration has dramatically escalated targeted killing by drones as a central feature of his counterterrorism response. Over the past 2 years the administration has begun to speak more openly about the targeted killing program, including in public remarks by several senior officials. While we welcome and appreciate these disclosures, they nevertheless provided only limited information.

Experts in other governments have continued to raise serious concerns about:

The precedent that the United States targeted killing policy is setting for the rest of the world, including countries which have acquired or are in the process of acquiring drones, yet have long failed to adhere to the rule of law and protect human rights—

We would like to believe we actually have rules in place, and we would not misuse drones. Imagine what it is going to be like when countries get drones that have none of the rules, none of the checks and balances.

The impact of the drone program on other U.S. counterterrorism efforts, including whether U.S. allies and other security partners have reduced intelligence sharing and other forms of counterterrorism cooperation because of the operational and legal concerns expressed by these countries; the impact of drone operations on other aspects of U.S. counterterrorism strategy, especially diplomatic and foreign assistance efforts designed to counter extremism, promote stability, and provide economic aid; the number of civilian casualties, including a lack of clarity on who the United States considers a civilian in these situations.

Of note and of consideration also is whether the legal framework of the program that has been publicly asserted so far by the administration comports with international legal requirements.

The totality of these concerns, heightened by the lack of public information surrounding the program, require the administration to better explain the program and its legal basis and to carefully review the policy in light of the global precedent it is setting and serious questions about the effectiveness of the program on the full range of U.S. counterterrorism efforts. While it is expected that elements of the U.S. Government's strategy for a targeted killing will be classified, it is in the national interest that the government be more transparent about policy considerations governing its use as well as its legal justification, and that the program be subject to regular oversight. Furthermore, it is in the U.S. national security interests to ensure that the rules of en-

agement are clear and that the program minimizes any unintended negative consequences.

How the U.S. operates and publicly explains its targeted killing programs will have far-reaching consequences. The manufacture and sale of unmanned aerial vehicles is an increasing global industry and drone technology is not prohibitively complicated.

I will give you an idea where there is a marketplace for drones. Last year, I introduced a bill to require a warrant before you could use a domestic drone to spy on citizens. Before I introduced it or anybody knew outside my office, we already had calls in lobbying coming from drone manufacturers. So this is a big business.

Some 70 countries already possess UAVs, or drones, including Russia, Syria and Libya, and others are in the process of acquiring them. As White House counterterrorism chief John Brennan stated: The United States is "establishing precedents that other nations may follow, and not all of them will be nations that share our interests or the premium we put on protecting human life, including innocent civilians."

By declaring that it is an armed conflict with al Qaeda's "associated forces," (a term it has not defined)—

I think this is an important point because everybody is always saying: Don't worry. You are fine. You are not a terrorist. We are only going after terrorists. The problem is, as I said, the government has defined terrorism in this country to mean things that may not include terrorists—paying cash, having weatherized ammunition—so there are a lot of different things they have used as a definition. But let's say they are going after al-Qaida, people working with them or associated forces—what that means I don't know, particularly since al-Qaida is a little hard to define because they do not have membership cards. Some of them probably don't use the label at all. I doubt many of them have any communication with any kind of central headquarters or central group called al-Qaida.

By declaring that it is in an armed conflict with al Qaeda's "associated forces," without articulating limits to that armed conflict, the United States is inviting other countries to similarly declare armed conflicts against groups they consider to be security threats for purposes of assuming lethal targeting authority. Moreover, by announcing that all "members" of such groups are legally targetable, the United States is establishing exceedingly broad precedent for those who can be targeted, even if it is not to utilize the full scope of this claimed authority. As an alternative to armed conflict-based targeting, U.S. officials have claimed that targeted killings are justified as self-defense responding to an imminent threat. . . .

The problem is we have defined imminent to be not immediate. So having a murky definition of what imminent is allows us to run into problems.

It is also not clear that the current broad targeted killing policy serves U.S. long-term

strategic interests in combating international terrorism. Although it has been reported that some high-level operational leaders of al-Qaida have been killed in drone attacks, studies show the vast majority are not high-level terrorist leaders. National security analysts and former U.S. military officials increasingly argue that such tactical gains are outweighed by the substantial cost of the targeted killing program, including growing anti-American sentiment and recruiting support for al-Qaida.

The broad targeted killing program has already strained U.S. relations with allies and thereby impeded the flow of critical intelligence about terrorist operations.

The problem is, when we talk about this, one of the most important things to our intelligence is actually human intelligence. We get information from people who are our friends, who live in those countries, who blend into the population and are part of their population. But we have gone on to destroy some of this intelligence in the sense that one of the people who helped us to get bin Laden was a doctor in Pakistan by the name of Dr. Shakil Afridi. If we don't stand by the people who give us intelligence and give us information, we will not get more. But when he did help us, somehow his name was leaked. I don't know where the leak came from, but his name was leaked and then he was arrested by the Pakistanis. He is now in prison for the rest of his life.

I have asked several times, both to the previous Secretary of State as well as to the current Secretary of State, and I asked the current Secretary of State point-blank and directly: Will you use the leverage of foreign aid to say we are not going to give you foreign aid if you don't release this doctor who gave us information?

It is a little ironic that we will not do it, particularly since at one point in time we actually had, I think, a \$25 million reward for any information that led to helping us get bin Laden. So it is kind of disappointing that we haven't held out and supported our human intelligence and people such as Dr. Afridi, who helped us get probably the most notorious terrorist of the last century.

While the U.S. Government does not report the number of deaths from drone strikes, independent groups have estimated that the drone program has claimed several thousand lives so far.

Estimates and public comments by some Senators have said as many as 4,700. What we don't know about the 4,700 but what would be an important statistic, I think, or maybe a troubling statistic, would be how many of the 4,700 were killed in combat—actually holding weapons, fighting, going to a battle, coming from a battle—and how many of the drone strikes were actually on people who weren't involved in combat. I think if that number were released, if that number were made public, it would concern you even more because you may well find out a lot of

the people—and we have seen some of the strikes on television, with people in their cars, people walking around without weapons, people eating dinner, people at home in their houses. I am not saying these are good people necessarily, I am just saying the drone strike program we have in place currently seems to have a very low threshold for whom they kill. So the question would be whether you are going to use that kind of standard if you have a domestic drone strike program in the United States.

I think we are getting to the point, and that is one of the most important questions as we look at the foreign drone program, is understanding what the parameters are that allow us to kill people in foreign countries and are those the parameters that are going to be used here.

For the most part, over the last decade, they haven't admitted we even have a drone strike program. But now that they admit it, the President doesn't want to answer any questions about it. He doesn't want to deny he will use it here. He just says he isn't intending to use it here but then says: Oh, probably there will be different rules inside the United States than outside the United States.

This is where the Senate ought to get involved, instead of punting this to another time. The Senate ought to say we are not going to wait for the President to send us a memo. We are going to send him a memo. We are going to tell him what the rules on drone strikes are. We are going to tell him the Constitution does apply to Americans, particularly Americans in the United States, and there are no exceptions.

I find it inexcusable that the Attorney General says: Well, the fifth amendment, we will use it as needed, basically. We will use it when we choose. The problem with that is I don't think the executive branch should get to pick and choose.

Without yielding the floor, I am going to allow a question from my colleague from Texas.

Mr. CRUZ. I thank the Senator from Kentucky, and I want to ask the following question: Is the Senator from Kentucky aware of the reaction the American people are having to his extraordinary efforts today?

Given the Senate rules do not allow for the use of cellular phones on the floor, I feel quite confident the Senator from Kentucky is not aware of the Twitterverse that has been exploding. So what I want to do for the Senator from Kentucky is to give some small sampling of the reaction on Twitter so he might understand how the American people are responding to his courageous leadership, to Senator PAUL's doing something that in the last 4 years has happened far too little in this Chamber, which is standing and fighting for liberty.

So I will read a series of tweets.

So proud of Rand Paul standing up for what's right. Stand with Rand.

Rand Paul: a reason to be proud of your elected representatives again. Keep going, Rand.

Proud of Senator Rand Paul and all who have joined him in this effort. Stand today with Senator Rand Paul.

So happy with Rand Paul right now. Someone finally using the system to aid, not usurp, our rights.

Rand Paul filibusters Brennan nomination—over four hours now. Glad someone in the Senate has some spine.

That was tweeted a while ago.

Rand Paul is a hero today, a man with a backbone.

Today Rand Paul is my hero.

Kentucky Senator Rand Paul is a true constitutional hero in his filibuster against CIA nominee.

I can honestly say, I am proud to currently live in Rand Paul's State of Kentucky.

So proud of Rand Paul. He's bringing it. He's not going to let our constitution get trashed. A breath of fresh air. PRAY 4 THIS FIGHT 4 RAND.

I am so beyond proud of Rand Paul and the way he is standing up for each and every American citizen right now by filibustering the Senate.

I am VERY proud of Senator Rand Paul. This is an important moment when one person had the courage to yell STOP. Stand with Rand.

So proud of Rand Paul. We need more like him. Stand with Rand.

Rand Paul is now in hour 7 of his filibuster. He is standing up for our rights. Thank you. Stand with Rand.

It is frightening that Obama seeks to have an ever growing amount of power. Drone strikes are frightening. Stand with Rand.

Dear GOP. The base is crying out for more of you to stand with Rand. If you want the base's votes, get it together.

Stand with Rand. We need you now more than ever. This president has usurped his power. We can't say anything bad against him.

Stand with Rand. So long as Rand speaks, we'll be tuned in.

It is unconstitutional to target and kill Americans on American soil with a drone. Stand with Rand.

A retweet from Senator RAND PAUL. I will commend the Senator from Kentucky. He was so flexible he was able to tweet while he was standing on the floor. A retweet from Senator RAND PAUL's tweet: "I will not sit quietly and let President Obama shred the Constitution," with the hashtags "filibizzard" and "Stand with Rand."

Here is a more mixed one, but nonetheless demonstrating the respect the Senator from Kentucky is earning across the aisle.

I may not always agree with Rand Paul but he has my respect. He's very willing to do what he feels is right. Stand with Rand.

From Congressman JUSTIN AMASH:

Why won't President Obama simply state that it is unconstitutional and illegal for government to kill Americans in U.S. without due process? Stand with Rand.

Stand with Rand, because we deserve to know if American citizens should fear murder from our Government.

Everyone should be aware of this important moment in American history. Stand with Rand.

Proud to call Rand Paul my Senator. Stand with Rand.

It is unconstitutional to target and kill Americans on American soil with a drone. Stand with Rand.

The Federal Government does not have the power to kill its citizens whenever it wants. There is something called due process. Stand with Rand.

Fight for our constitutional rights and liberties. Stand with Rand.

Stand with Rand. I have gained a lot of respect for Senator Paul today. This is not a right or left issue, it is a civil liberties issue. Thank you Rand Paul and others who are taking a stand for patriotic Americans.

A great day for liberty when Senator Rand Paul and a handful of others stood up for liberty. Stand with Rand.

It is ironic that a Nobel Peace Prize winner won't guarantee that he won't use drones against Americans. Stand with Rand.

I will note to the Senator from Kentucky and ask his reaction to these—this is but a small sampling of the reaction in Twitter. Indeed, in my office I think the technical term for what the Twitterverse is doing right now is "blowing up."

I suggest to the Senator from Kentucky and then ask his reaction—I suggest that this is a reflection of the fact that the American people are frustrated. They are frustrated that they feel too few elected officials in Washington stand for our rights, are willing to rock the boat, are willing to stand up and say the Constitution matters. And it matters whether it is popular or not, it matters whether my party is in power or another party is in power. The Constitution matters. Our rights matter. And I think so many Americans are frustrated that they view elected officials as looking desperate to stay in power, desperate to be reelected to do everything except fight for the Constitution and fight for our liberties, and I think this outpouring the Senator from Kentucky is seeing is a reflection of that great frustration.

I join with the sentiments of these and many others on Twitter. I ask the Senator from Kentucky if he was aware of this reaction and what his thoughts are to the many thousands more—I haven't been able to read their tweets—and their words of encouragement as the Senator from Kentucky more than anyone is standing with Rand.

Mr. PAUL. Mr. President, I thank the Senator from Texas for coming to the floor and cheering me up. I was getting kind of tired. I appreciate him bringing news from the outside world.

As you know, we are not allowed to have electronics on the floor, so I don't really have much knowledge of the electronic outside world. But actually it is probably a good thing for every American eventually not to see their phone or their computer for about 8 hours.

The thing is, people think that we should not—people are always saying don't fight, get along, and stuff. I think

people do want that. I think at the same time they want you to stand up and stand for something and believe in something. It doesn't have to mean that we do it in an acrimonious way. Even the Senator from Illinois and I usually have civilized words together. There is a smile.

The thing about it is that there are principles we ought to stand for. I think the most important principle here, though, is that really this is a tug-of-war between the executive branch and the legislative branch. There may be some partisanship, that we can't all get together in the Senate to say to the President that we think his power should be restrained, but I think at the same time there are some on the other side who are saying that. Really, that is what this should be about.

It is about how much power a President can have. Can a President have the power to decide to kill Americans on American soil? But not only that, can the President have the power to decide when the Bill of Rights applies? Can you be targeted because you have been alleged to have committed some crime and your Bill of Rights is stripped away even if you are here in the United States? I think it is a pretty easy question.

Maybe someone from the media would ask the President tonight—I don't know if he is still up or not—but ask the President the question. Ask him, do you plan on killing Americans who are not in combat? Do you plan on killing Americans who are not in a combat position, people whom you might be accusing of some kind of crime but who are actually not engaged in combat? I would think it would be a simple answer. In fact, I am willing to go home if we can get an answer from the President that says: People not engaged in combat won't be on any target list. It is a pretty simple question to ask and a pretty reasonable question to ask.

After much jockeying and debate with the Senator from Texas asking the Attorney General this question, we finally did get to where it seems as though he was coming toward not trying to but being forced to say it is not constitutional to kill noncombatants.

It should be an easy question. So we will take a telegram. We will even take a tweet. If the Attorney General would tweet us, we can have that relayed to the floor and let him know—let us know that basically they acknowledge that their power is not unlimited.

I don't think this is really an overstatement of the cause. This has been written up. Glenn Greenwald has written this up. Conor Friedersdorf has written this up, talking about if you have a war that has no end, if you have a war that has no geographic limit, and then if you have strikes that have no constitutional bounds, basically what

you have is an unlimited imperial Presidency.

This is not a partisan issue. A lot of this began under George Bush. It has been continued, expanded, doubled, and quintupled and made 10 times worse by the current President. But even under George Bush, nobody ever maintained they could kill Americans at home. I can't imagine that the President, when he comes forward and says he has not killed Americans and he does not intend to do it but he might—that somehow we are supposed to be placated by that. Somehow that is supposed to be enough.

This is not the first time we have seen this—not the first time we have seen a reversal of fortunes here, reversal of what I think he stood for as a candidate. I have said many times, probably 10 times today that I admired the President. I admired the President when he was a Senator on many issues. I admired the President when he ran for office. But the President who ran for office and said we are not going to tap phones without a warrant, the President who ran for office and said we are not going to torture people now says we are going to kill people with no due process? I find that incredibly hypocritical and incredibly ironic. I see no reason why he can't come forward and say: We don't get to pick and choose when the fifth amendment applies. We don't get to pick and choose when people can be accused of crime and get no adjudication and be killed by a drone.

I just cannot imagine he can't answer these questions. It is not enough to say: I don't intend to do so.

Last year when we passed the national defense authorization bill, there was included in that the ability to indefinitely detain an individual, an American citizen. In fact, I asked another Senator on my side—I said: Does that mean you can send an American to Guantanamo Bay?

He said: Yes, if they are dangerous.

That would be fine if we all agreed who is dangerous and who committed a crime, but that would be an accusation, and that would have to be adjudicated somehow, and if you don't get a trial, how do we determine your innocence or guilt or whether you are going to be sent to Guantanamo Bay?

The President, like so many times, said: I don't support indefinite detention. I would veto that.

No, no, I won't veto that this time, but I would veto that if I were still Candidate Barack Obama. But I am President Barack Obama, I am not going to veto that.

So instead he says: I have no intention of detaining anyone.

Here is the problem. It is not good enough. The law is for everybody. It is not for saying: Oh, I am a good President. I am very—I went to Harvard. I am not going to detain anybody.

That is not enough. The law is what the law is. If the law allows you to be

detained as an American citizen, what about the next guy who is not so high-minded, the next guy who decides he is going to detain political opponents and ethnic groups or people he dislikes? What happens when that happens? It is not enough to say: I don't intend to do something.

I would think the leader of the free world, the leader of I think one of the most important nations if not the most important nation or civilization we have had in historic times—I have high hopes and high estimation of who we are as a people. It is not enough for him to say: I don't intend to break the Constitution. You either believe in the Constitution or you do not.

I think illustrative of sort of this opinion was when I interviewed or asked questions to Senator Kerry when he was being nominated. I asked him these questions about, can you go to war without a declaration of war.

His answer was, oh, of course I will support the Constitution, except for when I won't support the Constitution, when it is inconvenient. It is sometimes hard to go to war, it is messy, there is all this voting stuff, and people don't want to vote to go to war, they don't want to raise taxes. It is just hard to get the votes for war. So when it is inconvenient, I will not.

That is the problem.

He asked me or sort of insinuated that I was an absolutist. I don't know how to halfway believe that Congress should declare war. I don't know how to halfway believe in the fifth amendment. This is not one we are even debating exactly what it means, what the establishment clause of the first amendment means. There is really not a lot of debate over what due process is. When you are accused of a crime, when you are accused of something, you are indicted. When you are accused, you get a trial, you get due process. Nobody is really debating what that means. Yet the Attorney General for this President has said that the fifth amendment will be applied when they can.

To be fair, I think he is referring to foreign strikes. He is talking about foreign strikes. To tell you the truth, it is kind of muddled, whether the Constitution applies to people in foreign lands or in foreign zones. But that is the whole point of this. The point is that this is America. We are not talking about a battlefield. We are not talking about people using legal force. If you are in America, if you are outside the Capitol and you have a grenade launcher, you will be killed without due process. You don't get due process. You don't get an attorney. You don't get Miranda rights. Nobody thinks that you do. But if you are sitting in a cafe, and somebody thinks you e-mailed your cousin in the Middle East, and they think you are conspiring with them, you should be charged. You

should be imprisoned if they can make the charges stick. But they should not just drop a Hellfire missile on your cafe experience.

We have to realize and the President above all people—someone who taught constitutional law should realize that his opinion is not so important. Even as the President, it is not so important. For him to say that he doesn't intend to kill people—I would defy a constitutional lawyer in our country to say that is important. The law is what it is, and he is going to give us a legal interpretation of the law and not what his intent is. To say he hasn't killed anybody yet, to say he has no intention of killing anybody but he might, is just not a legal standard I chose to live by. It concerns me.

It concerns me that we have documents in the United States that are produced by the government that indicate people who might be a terrorist. The Bureau of Justice came out with one last year, and it said people who are missing fingers, people who have colored stains on their clothes, people who have more than 7 days of food might be terrorists. Ironically, another government Web site says that if you live on the coast, you should have 7 days of food because there might be a hurricane, you might need to have the food. But another Web site says that if you do, you might be crazy and a lunatic and a survivalist, and you might be someone we might need to target with a drone. If you see somebody hiding this, you are supposed to report them. If you hear of people who have guns in their house or lots of weatherized ammunition or ready-to-eat meals, they could be on the target list. Of that is whom we are targeting to be terrorists, I would certainly want a trial. I just wouldn't think it would be enough to be accused.

People say: Oh, well, they are just members of al-Qaida, but they don't have a membership card. I don't know that we have looked at anybody's because they are dead; they were blown up with a missile, so no one is looking at their al-Qaida membership card. The thing is in the United States they might say someone is associated with al-Qaida or associated with terrorism. We have had experience with government offices and officials talking about people who might be terrorists.

The Fusion Centers in Missouri said people who are pro-life might be terrorists. They said people who are for secure borders might be terrorists. They said the people who vote for the Constitution Party or the Libertarian Party might be terrorists. So if they believe in signature strikes, I guess if we see the traffic going to the Libertarian Party Convention, that could probably hit a caravan and hit a whole bunch of them at once.

People say that is absurd. The President is not advocating that. He is advocating

a drone strike in America, and all we have to compare it with is the drone strike overseas. He doesn't want to talk about it, but when forced to, he says the rules will probably be slightly different inside the United States than they will be outside the United States. I guess he does believe he has a right to have a drone strike program in the United States. He will just have slightly different rules.

I have an important question for him. He needs to give me a call. Is one of the rules of inside the U.S. drone strike program to obey the Constitution that a person will get a trial by a jury of their peers? Is that going to be in the rules for inside America as opposed to outside America?

It is disturbing that it has been so hard to get any information on this. I wouldn't have gotten any information at all—I don't think—had we not gotten some support from the other side.

The Senator from Oregon stood in the committee. In fact, he asked the question before I did. I was fascinated he asked the question. Senator WYDEN stood in the Intelligence Committee and asked: Can you do a drone strike on Americans on American soil? John Brennan's response—I kid you not—we need to optimize transparency and we need to optimize secrecy. That was his answer. Here is the followup question: What does that mean? Does that mean you can kill Americans on American soil? What are you trying to say or what are you trying not to say? To Brennan's credit, he finally answered the question only when there was a threat of him not getting out of committee—thanks to the bipartisan support of Republicans and Democrats threatening to hold him up. He finally got out, but on the day we threatened to hold him up, he finally responded.

I sent him questions a month and a half previously, and I finally got an answer after the threat of his nomination not coming out of committee. This is not the way it should work. The President is bragging about how transparent the guy is, that he believes in transparency, that he is such a high-minded fellow, but he won't give any answer unless someone forces him to. The same thing with the President.

So we finally get an answer and John Brennan says: Well, the CIA cannot kill people in the United States, it is against the law. Yes, we knew that. Thanks. Thanks for admitting you are going to obey the law. We feel blessed that you said you will now obey the law. But it is sad that it took a month and a half—and under severe duress—that they have admitted they will obey the law and the CIA will not kill you in America.

The problem is it is kind of a tricky answer because they are not the ones running the drone program. The Defense Department runs the program. You can be sure the CIA is not going to

kill you, but the Defense Department might. Still the answer is: We haven't killed anybody yet. We don't intend to, but we might. So that is what we are going to have to be satisfied with.

So we got the answer from the Attorney General, and his was a little more detailed and actually had some good things in it. Basically, he concluded by saying they could conceive of a place where someone could get attacked or where the United States might attack Americans, but the examples they came up with were not what we were asking about. So it is sort of akin to answering a question but answering the question that wasn't asked.

They said: Well, if planes are flying at the Twin Towers and if Pearl Harbor is happening again, obviously, we could see a use for drone strikes. Well, me too. I mean, if we are being attacked and there is a war or even if there is a person with a grenade launcher, we have the ability to respond to that. No one is questioning that. The reason this question comes up is that a significant portion of the drone strikes overseas are occurring on people who are not involved in combat.

Now there are allegations that there are bad people and they may have been in combat but are not currently in combat. The question is: Are we going to use the foreign drone strike model in the United States? Are we going to kill noncombatants in the United States? Are we going to kill people whom we suspect? That sort of gets us to the other question when we talk about what rules and procedures we expect in our country. Do we expect that the police would come and arrest you and put you in jail for the rest of your life because they suspect something? Is suspicion enough? Obviously not. We believe that is the beginning of it. Usually, it involves probable cause and involves a judge to get information.

I have a message here—not from the White House. It is a message saying the White House hasn't returned our phone calls. If anybody knows anybody at the White House and wants to come, we are looking for an answer from the White House. We have called Justice also. I think the answer says something about the sequester. Maybe they are going to call me when the sequester is over.

I think one of the courtesies they ought to think about is—particularly if what they are hearing is something that they don't object to—why not end the debate by going ahead and letting us know? Why not go ahead and let us know they agree they are not going to be killing noncombatants. I would think that would be a pretty easy answer for them. In negotiating with any kind of executive branch—this one or others—that when we get a nonanswer or a nonresponsive answer or get a refusal to answer, I think that is when we need to be concerned that the answer is not the answer they want to be

public. It is an answer that perhaps the fifth amendment will be optional depending on who is judging the circumstances.

As we look forward and look at some of the information that has been gathered over time on this, one of the interesting articles we have collected on this was an article in the Los Angeles Times entitled "Police employ Predator drone spy planes on the home front." This is an article by Brian Bennett.

Reporting from Washington—Armed with a search warrant, Nelson County Sheriff Kelly Janke went looking for six missing cows on the Brossart family farm in the early evening of June 23. Three men brandishing rifles chased him off, he said.

Janke knew the gunman could be anywhere on the 3,000-acre spread in eastern North Dakota. Fearful of an armed standoff, he called in reinforcements from the state Highway Patrol, a regional SWAT team, a bomb squad, ambulances and deputy sheriffs from three other counties.

He also called in a Predator B drone. As the unmanned aircraft circled 2 miles overhead the next morning, sophisticated sensors under the nose helped pinpoint the three suspects and showed they were unarmed. Police rushed in and made the first known arrests of U.S. citizens with help from a Predator, the spy drone that has helped revolutionize modern warfare.

But that was just the start. Local police say they have used two unarmed Predators based at Grand Forks Air Force Base to fly at least two dozen surveillance flights since June. The FBI and Drug Enforcement Administration have used Predators for other domestic investigations, officials said.

"We don't use [drones] on every call out," said Bill Macki, head of the police SWAT team in Grand Forks. "If we have something in town like an apartment complex, we don't call them."

The drones belong to U.S. Customs and Border Protection, which operates eight Predators on the country's northern and southwestern borders to search for illegal immigrants and smugglers. The previously unreported use of its drones to assist local, state, and federal law enforcement has occurred without any public acknowledgement or debate.

Congress first authorized Customs and Border Protection to buy unarmed Predators in 2005. Officials in charge of the fleet cite broad authority to work with police from budget requests to Congress that cite "interior law enforcement support" as part of their mission.

In an interview, Michael C. Kostelnik, a retired Air Force general who heads the office that supervises drones, said Predators are flown "in many areas around the country, not only for federal operators, but also for state and local law enforcement. . . ."

But former Rep. Jane Harman (D-Venice), who sat on the House homeland security intelligence subcommittee at the time and served as its chairwoman from 2007 until this year, said no one discussed using Predators to help local police serve warrants or do other basic work.

Using Predators for routine law enforcement without public debate or clear legal authority is a mistake, Harman said.

"There is no question that this could become something that people will regret," said Harman, who resigned from the House in February and now heads the Woodrow Wil-

son International Center for Scholars, a Washington think tank.

The point is it isn't so much about technology. I am not opposed to drones being used even domestically. It is about the individual freedom, it is about the process, and it is about how they are used. For example, just like in national defense, if someone is robbing a liquor store and it is safer to get the robber down with a drone, that is fine. If someone is armed and robbing and threatening people in the liquor store and people as they come out, I don't mind if that person was shot with a drone or a rifle from a policeman. It is what it is. As one of my friends who is a physician would say when people would come in wounded from robbing someone: Well, I guess that is an occupational hazard if you break into homes. The thing is it isn't the force we are talking about, it is whether the process is right. So they can use lethal force when lethal force is threatened. The question about drones is whether they are being used with warrants, if they are spying on someone or doing surveillance on someone.

One of the bills we introduced last year was a bill to require warrants for drone surveillance. This is a hot topic, and I think it will probably get up to the Supreme Court. I don't believe it has yet. There were cases that were talking about GPS tagging of cars, and the Supreme Court ruled they cannot do that without a warrant.

My suspicion is they will rule in favor of warrants on drones too. Although there is some dispute over what they call open spaces. I think that with open spaces we need to be concerned that just because you are not inside your house does not mean you don't still deserve some privacy on your own land. So it is not so much that the drone is necessarily our enemy, but it just allows the government to do so much more. We need to be very careful about the safeguards of the Constitution and requiring whether these safeguards are met as far as protecting our liberty.

This is from the same article from the Los Angeles Times:

In 2008 and 2010, Harman helped beat back efforts by Homeland Security officials to use imagery from military satellites to help domestic investigations. Congress blocked the proposal on grounds it would violate the Posse Comitatus Act.

The Posse Comitatus Act is pretty important and it has been part of our discussion today and we are not the first person to raise this. The military is not authorized to operate in the United States. Some may say: Why not? The reason is they operate under different rules of engagement than our police do. In Afghanistan, Iraq or in any kind of war theater, they have warrants, they don't have Miranda rights, and they don't get due process in war. At home we do. That is why it

is important we get folks to acknowledge this is not a battlefield. America is not a battlefield. It is a place where we have constitutional rights and have for hundreds of years.

The Posse Comitatus Act—after the Civil War—regulated and prohibited the military from acting as a police or taking a police role on U.S. soil. Proponents say the high resolution cameras, heat sensors, and sophisticated radar on the Border Protection drones—and this is the other point—were legislated to be used on the border.

One could argue that there is a Federal role for monitoring borders for national defense and other reasons, but now they are loaning them out to local law enforcement and law enforcement is also buying drones directly. So they have high-resolution cameras, heat sensors, and sophisticated radar on the Border Protection drones that can help track criminal activity in the United States just as the CIA uses predators and other drones to spy on militants in Pakistan, nuclear sites in Iran, and other targets around the globe.

For decades, U.S. ports have allowed law enforcement to conduct aerial surveillance without a warrant. This is part of that sort of open spaces doctrine. I am not saying it makes it right but that the government has been doing it for decades. Some of the courts apparently have ruled that what a person does in the open—even behind a backyard fence—can be seen by a passing airplane and is not protected by privacy laws. I don't think I agree with that. If a person is swimming in their pool in their backyard or in the hot tub, just because we have the technology to be able to see them in their hot tub, does that mean they have a right to look at what people are doing in their backyard? I don't accept that. I think it has been abused and we should be fighting against this surveillance state.

Advocates say Predators are simply more effective than other planes. Flying out of earshot and out of sight, a Predator B can watch a target for 20 hours nonstop, far longer than any police helicopter or manned aircraft.

What I would say there is it seems as though that might be somewhat analogous to the GPS case. The Supreme Court ruled that you can't tag people's cars and watch them constantly, waiting to see if they break any laws. So I would think the same for a Predator, that you stake them out, watch, and you will eventually get somebody breaking the speed limit or running a stop sign. I don't think that is what was intended.

Howard Safir says, "I am for the use of drones." He is the former head of operations of the U.S. Marshals Service and former New York City police commissioner. He said, "Drones could help police in manhunts, hostage situations and other difficult cases."

I agree completely. If someone is being held in harm's way, if someone is being held and threatened, drones are a great idea. So it is not that I am opposed to the technology. I am not particularly excited about them hovering outside our windows looking over our shoulders at what magazines we read, whether we are reading any free market magazines that might be offensive to government officials. So I think we don't want people looking into our activities in our houses without a warrant. But I think in situations where people have already broken the law, there is lethal force being exposed and there are people in danger, why wouldn't we want to use a drone versus a policeman to save the life of a policeman going into a difficult situation. So I think those probably will come to fruition. That doesn't bother me.

In some ways it is a little bit analogous to the situation we are talking about with drone strikes by the military in the United States. It is not so much that anybody is opposed to using a drone to shoot down a plane that is flying in to attack us, or people who are flying into a building to knock a building down, or flying into the Capitol. Nobody is opposed to using a drone when there is a lethal imminent force. The problem is it has gotten so convoluted. The President said an imminent threat doesn't have to be immediate. So that is the kind of thing we are concerned about. We are not concerned about an imminent or lethal threat where someone responds. What we are concerned about is a drone strike against a noncombatant. It seems as though it ought to be an easy question for the President. Couldn't he at least respond and say, I have always believed this, I just forgot to mention it, and we weren't very clear in the way we expressed it but, obviously, we would never use a drone against a noncombatant. He needs to say that, though, because the drones overseas are being used against noncombatants and we need to know what the rules are going to be.

This is a long, drawn-out day, but it is to try to get some answers. It is to try to shame the President into doing the right thing. I think he knows what the right thing is. I think the President, part of him would like to do the right thing. But I think there is a certain stubbornness there too. I think there is a certain belief that he is the President and Presidents have all this power and he doesn't want to give up any of that power. I think some of that we see with Republicans and Democrats, frankly. When people leave the legislative branch and go to the White House, they think, I am a good person. I would never use power wrongly, so why would it be wrong if I got more power? Why would it be wrong if I said, I am going to use the fifth amendment, people will get due process, except for

sometimes when I think they are bad people, and then I won't use the fifth amendment, they won't get due process.

Privacy advocates say that drones help police snoop on citizens in ways that push current law to the breaking point. Ryan Calo, director for privacy and robotics at Stanford Law School's Center for Internet and Society, says:

Any time you have a tool like that in the hands of law enforcement that makes it easier to do surveillance, they will do more of it. This could be a time when people are uncomfortable and they want to place limits on that technology. It could make us question the doctrines that you do not have privacy in public.

I think that is a good point. Maybe we will question some of the things we have said before about open spaces now that we can crisscross every inch of our open spaces. We have to imagine that we now have drones that weigh less than an ounce, so we are not even talking about the pictures of you coming down—some of us after a while don't want pictures of us in our bathing suit, whether it is 2 miles up or whether it is from 5 feet in front of us. So I can't imagine we would eventually rule that a drone could swoop down and be 10 feet over our fence. What is the question going to be? Can they be 10 feet over our fence or 2,000 feet in the air and still snoop without any kind of problem at all?

Do we want to live in a police state is basically what the question is. Do we want to live in a surveillance state? It is going to take people to stand up and say enough is enough, that we are not going to do this, instead of everybody being like a herd of lemmings and going off the cliff saying, "Lead me, lead me, take care of me."

We have to ask the question that Franklin asked: Are you going to trade your liberty for security? Are you so fearful, are you so afraid that you are willing to trade your liberty for security? That is sort of the underlying question to this entire debate.

The Los Angeles Times article continues:

This can be a time when people are uncomfortable and they want to place limits on that technology. It could make us question the doctrine that you do not have privacy in public.

This is from a June 13 article, 2012, in "Wired" magazine by Lorenzo Franceschi-Bicchieri:

We like to think of the drone war as something far away, fought in the deserts of Yemen or the mountains of Afghanistan. But we now know it is closer than we thought. There are 64 drone bases on American soil. That includes 12 locations housing Predator and Reaper unmanned aerial vehicles, which can be armed.

Public Intelligence, a non-profit that advocates for free access to information, released a map—

which is probably not a very good idea to release a map of where our drone bases are in the United States.

The possibility of military drones as well as those controlled by police departments and universities flying over American skies have raised concerns among privacy activists.

The other thing that should concern everybody, and probably people saw this as they had some university students seeing if they could commandeer a drone. So they had a drone fly over and the guy who didn't know the frequency all of a sudden within 2 minutes is commandeering the drone. There are questions whether that is what happened in Iran or whether the thing landed accidentally. I don't know the answer to that, but I think it is of concern that the drones could be commandeered and used by the people. It is also a concern that ultimately our enemies are going to have these drones too, and so while war is a messy thing and there are a lot of imperfections to war, I think the way we act in war should be the way we ultimately want to be treated in war. It is easier said than done and I don't think it is an easy doctrine, but it is something I think we should aspire to.

The possibility of military drones as well as those controlled by police departments and universities flying over American skies has raised concerns among privacy activists. The American Civil Liberties Union explained in its December report that the machines potentially could be used to spy on American citizens. The drones' presence in our skies threaten to eradicate existing practical limits on aerial monitoring and allowing for pervasive surveillance, police fishing expeditions, and abusive use of these tools in a way that would eventually eliminate the privacy Americans have traditionally enjoyed in their movements and activities.

I have told people that when I first read "1984," I was bothered by it. Everybody is bothered by Big Brother being able to have these two-way televisions in your house and they see everything you do. You can't escape Big Brother. But part of the consolation I had and part of the feeling was, Well, they can't do this. The technology doesn't exist. When I was a kid it didn't exist.

It is amazing, though, to think that Orwell writes this in 1949, before any of this technology. We were getting closer in the 1970s when I was a kid and now we are there, though. The technology is there. So while technology is not an enemy and technology is not something we can or should ban, technology makes our privacy more important, it makes the defense of our privacy something that needs to be guarded more jealously, because our government now does have the technology to see our every movement, to monitor our every move. So do our enemies, for that matter. So one can imagine, we don't want the police GPS tracking us and we probably don't want our political opponents tracking our car, either. So there have to be some protections of privacy.

The issue and discussion of privacy has been one that conservatives and

people on the right haven't always been as unified about. Libertarians on the right have been better with these issues and some conservatives have as well. But the question has always been, Do you have a right to privacy? I have always said, Sure, you have a right to privacy. I can't imagine why you wouldn't have a right to privacy.

Some on the conservative side say, Well, you don't have a right to privacy; nobody talked about it in the Constitution. You don't necessarily have a right to privacy. I have to disagree because I think what is talked about in the Constitution are the freedoms we gave up or agreed to have limited. The freedoms that you didn't agree to have limited are unnamed. They are unenumerated. And the 9th and 10th amendments say they are to be left to the States and people. The 9th and 10th amendments say that there is a plethora of rights, there is an unlimited amount of rights and they are yours. They stay with you, unless the government explicitly takes these rights away from you.

So the conclusion I come to with the right to privacy is I think you do have a right to privacy. I think we have a right to private property. Private property isn't listed in the Constitution, either, but I think all of our Founding Fathers believed in private property and some of them talked about actually putting the words in there. But I think some of them liked more the idea—instead of life, liberty, and property, they liked life, liberty, and the pursuit of happiness, and I think it has a more noble ring to it because it is not talking about the property, but pursuit of happiness does involve the pursuit of gaining things you will own.

One of the things about our government and about the rule of law, and one of the things that frankly I think a lot of people don't think about but that makes us an incredibly prosperous Nation is the certainty of the law. By that, what I mean is the certainty of ownership. This gets to sort of the idea of not only do we want these rights for the civil protections so we can't be incarcerated or accused of a crime falsely without being able to defend ourselves, we also want the rule of law to be consistent for everyone and not mutable. We don't want it to be arbitrary. We don't want the whims of any politician or any executive to be able to decide what the law is.

This isn't the first time I have had some disagreement with the President on this. When we had some of the bankruptcies, when the car companies were going bankrupt, I believe it was with the Chrysler bankruptcy, that as things went through, there were people who were creditors and they owned part of the company.

I learned this firsthand because I actually had some Fruit of the Loom. When Fruit of the Loom went bank-

rupt, I thought, well, I will get something, right? They will be bought out, and I will get some money when they are bought out. I did not get anything. I was an unsecured creditor. Apparently, in the Chrysler thing, so were the labor unions.

Usually what happens is that as a company, unfortunately, goes bankrupt, all those contracts would be renegotiated, and really then the car companies could become competitive. They could become like Toyota or other successful companies that are nonunionized. And they might become successful again.

But instead we took the actual bankruptcy law and turned it on its head. When we do this and when we bail out banks and things and change the rules at midpoint, it changes what investors do, and it changes that certainty investors need either in banks or in car companies.

Pension plans invest in a lot of these things. So a lot of people think, oh, well, the President had preference for the union because he liked the union. Well, that is fine. But teachers are in a union too, and they had a pension plan, and they owned Chrysler stock, and they got ripped off because he changed the law and gave the money to the autoworkers' union. But he took it from somebody else.

The problem is that you need those pension funds, some of which are for regular working folks. Firemen have them. Police have them. Teachers have them. It is one of the things that were not fully explained in the Romney campaign. He got so much grief for running these funds, but a lot of the people who became successful along with him and who made money were just average, ordinary citizens who are teachers, firemen, and policemen. Their pension plan was there in Bain Capital. I think that was never fully explained.

But my point is, with the rule of law, that certainty is what creates wealth in our country. One of the reasons it is hard for Africa to get ahead—Africa has great resources—diamonds and minerals. One of the big reasons they do not get ahead is there is corruption in their government. Some of that corruption we aid and abet because we give foreign aid directly to corrupt governments that steal it.

Mubarak was one of the richest men in the world—probably worth between \$5 and \$10 billion, maybe between \$15 and \$20 billion. We gave him \$60 billion, so I guess we should be thankful he only stole one-third of it. Mobutu in Central Africa stole billions. There was no running water, no electricity. He and the soldiers around him lived high off the hog, and they took our money and stole it as well.

But the problem is that not only do you have the kleptocracy and the stealing of foreign aid, but then you do

not have the certainty of your property. A lot of capital formation in our country is based on your home loans. It used to be before the housing market went south, but it still is. It is where a lot of capital comes from, particularly for average, ordinary citizens borrowing against their house.

If you do not have that certainty of the law, it is a problem. So what we are talking about today is more certainty of your liberty from unfair prosecution or unfair arrest or unfair death, ultimately, from a drone, which takes consistency of law, which takes that the Constitution will be adhered to and will be adhered to consistently and not in an arbitrary fashion. So it is important not only for your civil liberties, it is also important for your private property as well to have a rule of law.

People talk about a rule of law, and they talk about it all the time. I do not think it fully gets through to everybody exactly what a rule of law means and how important it is. Hayek wrote that nothing more clearly distinguishes an arbitrary society from a stable society than the rule of law. He said that the rule of law is what gives that certainty to the marketplace. So it is not enough just to have freedom. You can have complete and random anarchic freedom, and you may well not get prosperity if you do not have a law that stabilizes things. You have to have a police force and a judiciary that enforces contracts.

So that is a lot of what goes on in the developing world that they do not have. They have kleptocracy, which we aid and abet by giving them money and giving it to thieves because the thieves are our friends, not somebody else's friends. But then they also have this instability by not having a rule of law.

The drones' presence in our skies "threatens to eradicate existing practical limits on aerial monitoring . . .

This comes from an article in *Wired* by Lorenzo Franceschi-Bicchieri.

As Danger Room reported last month, even military drones, which are prohibited from spying on Americans, may "accidentally" conduct such surveillance—and keep the data for months afterwards while they figure out what to do with it.

The material they collect without a warrant, as scholar Steven Aftergood revealed, could then be used to open an investigation.

The Posse Comitatus Act prohibits the U.S. military from operating on American soil . . .

So once again, if we go back to asking the President this question: Can you do military strikes on Americans on American soil, you know an easy answer is, I will obey the law. The law says he cannot do it. Yet he indicates that he is going to have different rules inside America than outside America for his drone strikes, which implies that he thinks he can do it.

The Posse Comitatus Act expressly forbids the military from operating in the United States. So if he is going to

kill Americans in America, it will either be in defiance of the Posse Comitatus Act or he is going to have to arm the FBI with drones to kill people.

The problem is that I think once he gets into the FBI, the ludicrous nature of what he is asserting will really be paramount. I cannot imagine that he can argue at that point that we are not going to obey the Bill of Rights with the FBI because we already do with the FBI.

So many of the answers are pretty simple here and pretty easy, and I just cannot imagine why he is resisting doing this.

This new map comes out almost two months after the Electronic Frontier Foundation revealed another one, this time of public agencies—including police departments and universities—that have a permit issued by the Federal Aviation Agency to use [drones] in American airspace.

"It goes to show you how entrenched drones already are," said Trevor Timm, an EFF activist, when asked about the new map. "It's clear that the drone industry is expanding rapidly and this map is just another example of that. And if people are worried about military technology coming back and being sold in the U.S., this is just another example [of] how drone technology is probably going to proliferate in the U.S. very soon."

This is another article from February of 2013.

This is in *Wired*. It is called "Domestic-Drone Industry Prepares for Big Battle with Regulators."

For a day, a sandy-haired Virginian named Jeremy Novara was the hero of the nascent domestic drone industry.

Novara went to the microphone at a ballroom in a Ritz-Carlton outside Washington, D.C. . . . and did something many in his business want to do: tenaciously challenge the drone regulators at the Federal Aviation Administration to loosen restrictions on unmanned planes over the United States. Judging from the reaction he received, and from the stated intentions of the drone advocates who convened the forum, the domestic-drone industry expects to do a lot more of that in the coming months.

There's been a lot of hype around unmanned drones becoming a fixture over U.S. airspace. . . .

You may have seen just 2 days ago, I think, a pilot coming into New York City saw one on the way down. And I saw the report, I think yesterday, saying they are still asking whose drone it was. You would think certainly we would have found out in 24 hours. I would think for certain it probably would be a government drone. But it is a little worrisome that they are seeing drones, that they do not know who is flying them or where they are as far as getting in the way of our commercial airliners.

There's been a lot of hype around unmanned drones becoming a fixture over U.S. airspace, both for law enforcement use and for operations by businesses as varied as farmers and filmmakers.

It sort of leads to another point—that it is not the technology that we are opposed to. There are going to be all kinds of private uses for drones. There have to be some rules for where they are flown so they do not get in the way of airplanes. But I would think farmers and ranchers might want to use drones to, I don't know, count their cattle or their sheep. I do not know if you do that. But there are going to be private uses for these drones that will not be objectionable.

All have big implications for traditional conceptions of privacy, as unmanned planes can loiter over people's backyards and snap pictures for far longer than piloted aircraft.

The government is anticipating that drone makers could generate a windfall of cash as drones move from a military to a civilian role. Jim Williams of the Federal Aviation Administration told [a conclave of the drone manufacturers conference] that the potential market for government and commercial drones could generate "nearly \$90 billion in economic activity . . ."

But there's an obstacle: the Federal Aviation Administration.

The FAA has been reluctant to grant licenses out of fear that the drones, which maneuver poorly, have an alarming crash rate, and are spoofable, don't have the sensing capacity to spot approaching aircraft, which could complicate and endanger U.S. airspace.

The FAA has been criticized some by—there is a group called the Electronic Frontier Foundation—for not being transparent about its licenses. And they have filed Freedom of Information Act because they would like to know whether the intentions of those putting the drones up is benign or whether it involves some kind of surveillance.

We talk a lot about the government spying on us, but I think there is great potential for your competitors, your enemies, and other people to spy on you with drones, particularly as they become cheaper. Those issues will be complicated. I think one way to sort of rectify or give an answer to those is to say your property from where it starts on the ground up is yours. People can fly over it, but I do not think they should be able to snoop and look down in it—I think probably private or public looking down on your property. That will be something, though, that the courts will continue to have to work out.

There was a push last year by Congress and the Obama administration directing the FAA to fully integrate unmanned aircraft into American skies. It has not been nearly enough for the drone makers. The FAA is months late in designating six test sites for drones around the country. The question is when the test site selection will begin. "I'm sure that's what all of you are asking now," says Williams, the head of the FAA's drone division.

Drone makers are also frustrated by the logic of existing FAA regulations. Currently, a drone weighing under 55 pounds, flying below 400 feet within an operator's line of sight and away from an airport is considered

a model airplane and cleared to fly without a license. That is, if it is not engaging in any for-profit activity—sort of. “A farmer can be a modeller if they operate their aircraft as a hobby or for recreational purposes.”

Enter Novara, a 31-year-old who owns a small drone business in Falls Church, Va. called Vanilla Aircraft. “If a farmer, who hopefully is profit-minded, can fly as a hobbyist an unmanned aircraft,” Novara challenged Williams, “why can’t I, as the owner of an unmanned aircraft company, fly as a hobbyist my own unmanned aircraft over property that I own? The guidelines before this were that any commercial intent is prohibited, but . . .”

The bottom line is that there is going to be a lot of things we are going to enter into with private drones. But opposition to the technology, either for military purposes or for private purposes, is not something we are going after. What we are talking about is whether your privacy will be respected and whether your constitutional rights will be protected.

This is a new article from today by Conor Friedersdorf. It is called “Killing Americans on U.S. Soil: Eric Holder’s Evasive, Manipulative Letter.”

On December 7, 1941, Japanese warplanes bombed the U.S. naval base at Pearl Harbor, Hawaii. Six decades later, al-Qaeda terrorists flew hijacked airplanes into the World Trade Center and the Pentagon. Neither President Roosevelt nor President . . . Bush targeted and killed Americans on U.S. soil in the aftermath of those attacks. Doing so wouldn’t have made any sense.

How strange, then, that Attorney General Eric Holder invoked those very attacks in a letter confirming that President Obama believes there are circumstances in which he could order Americans targeted and killed on U.S. soil.

It is kind of strange. The things that he gives as justification are things in which we did not kill Americans.

It’s possible, I suppose, to imagine—

These are Eric Holder’s words now.

It’s possible, I suppose, to imagine an extraordinary circumstance in which it would be necessary and appropriate under the Constitution and applicable laws for the President to authorize the military to use lethal force within the territory of the United States. For example, the President could conceivably have no choice but to authorize the military to use force if necessary to protect the homeland in the circumstances of a catastrophic attack like what happened in 1941 and again on 9/11. This very scenario to be guarded against is a President using the pretext of a terrorist attack to seize extraordinary powers. Isn’t that among the most likely scenarios for the United States turning into an authoritarian security state?

To be sure, if Americans are at the controls of fighter jets en route to Hawaii, of course Obama could order that they be fired upon. If Americans hijacked a plane, of course it would be permissible to kill them before they could crash it into a building. But those are not the sorts of targeted killings we are talking about. What we are talking about is killing people not engaged in combat because you suspect them of being a terrorist.

If you read to the end of Holder’s letter, to the passage where he said—

This is Friedersdorf again.

If you read to the end of Holder’s letter, to the passage where he says, “Were such an emergency to arise, I would examine the particular facts and circumstances before advising the president on the scope of his authority,” it becomes clear that, despite invoking Pearl Harbor and 9/11, even he isn’t envisioning a response to an attack in process, which would have to happen immediately. So what does he envision? If he can see that a “for example” is necessary to explain, he ought to give us a clarifying example rather than a nonsensical one that seems to name-check events for their emotional resonance more than for their aptness to the issue.

Elsewhere in his letter, Holder writes that “the US government has not carried out drone strikes in the United States and has no intention of doing so. As a policy matter moreover, we reject the use of military force where well-established law enforcement authorities in the country provide the best means for incapacitating a terrorist threat.” Interesting they reject it “as a policy matter,” but aren’t willing to reject military force in the United States as a legal matter—

That is a good distinction—

even in instances where law enforcement would better incapacitate the threat. For the Obama Administration, conceding that the executive branch is legally forbidden to do certain things is verboten,—

So it is kind of interesting. When they are willing to admit to any kind of limitations on their power they say: “Policywise” they might be limited, but they are not willing to say “legally” they are limited. This is a problem of not just this administration, but the previous one of thinking that any kind of inch that they give to another branch of government, that they will be losing some of their power and they are unwilling to do it.

Friedersdorf goes on to say that:

For the Obama administration, conceding that the executive branch is legally forbidden to do certain things is verboten, despite the fact that an unchecked executive is much more dangerous than the possibility of a future President failing to do enough to fight back against an actual attack on our homeland.

Any thinking person can see that Holder’s letter is non-responsive, evasive, and deliberately manipulative in its sly reassurances, right down to the rhetorically powerful but substantively nonsensical invocation of 9/11. (Being more subtle about it than Rudy Giuliani doesn’t make it right.) To credulously accept this sort of response on an issue as important as this one is behavior unfit for any citizen of a free country, where safeguarding the rule of law is a civic responsibility. The time to discuss the appropriate scope of the president’s authority is now.

I know many would rather defer this, they would rather do this at another time. But the thing is, it is now. We brought the issue up. We have spent a lot of time on this issue. Why not have a discussion, instead of putting me off and saying: Oh, we will have a committee hearing on it. Sorry you are not on that committee, but we are going to have a committee hearing on this at a

later date. It will never be discussed. Nothing ever happens around here. I mean, they promise you stuff. They say: We are going to take care of it. But it never happens. I think it never will.

The time to discuss the appropriate scope of the president’s authority—

This is Friedersdorf again.

The time to discuss the appropriate scope of the president’s authority is now, not in the aftermath of a catastrophic attack on the nation, as Holder suggests. The fact that he disagrees speaks volumes about team Obama’s reckless shortsightedness.

This is another article from Wired. This is from today. This is by Spencer Ackerman.

The Obama administration calls it “targeted killing.” Steven Segal would call it getting marked for death. It’s the practice of singling out an individual linked to a terrorist group, for killing, and it’s been played out hundreds of times in the 9/11 era—including more recently against U.S. citizens like al-Qaida’s YouTube preacher Anwar al-Awlaki. The Obama team has said next to nothing about how it works or what laws restrict it. Until Monday.

Attorney General Eric Holder explained the administration’s reasoning for killing American citizens overseas—and only overseas—with drone strikes and other means during a Monday speech at Northwestern University. Holder claimed that the government can kill “a U.S. citizen who is a senior operational leader of al-Qaida or associated forces” provided the government—unilaterally—determines that citizen poses “an imminent threat of violent attack”—

Once again, a little bit of a problem on the imminent doctrine is that “imminent” does not have to mean “immediate.”

—he can’t be captured; and “law of war principles,” like the use of proportional force and the minimization of collateral damage, apply.”

The reason why some of this is important—even though he is talking about overseas now and not what we are trying to talk about here is that since we have not been given sort of the parameters for how they will kill Americans in America, we can only assume that they will work with the parameters they have overseas. The whole idea that an imminent threat is not immediate is problematic no matter where that doctrine is used.

The idea that the law-of-war principles—I think proportional force is a good idea as far as trying to restrain how much force we use. But there are other things within the law of war that we need to be concerned about; things that happen in war are not quite the same kind of standard that we would have in the United States.

Ackerman goes on and he says:

This is an indicator of our times.

This is actually Holder.

This is an indicator of our times, not a departure from our laws and our values. The debate over killing Awlaki, whom Holder barely discussed, began long before a Hellfire missile fired from a drone killed him and fellow propagandist Samir Kahn in September.

Awlaki's father sued the Obama administration in 2010 to compel it to reveal its legal rationale for the long-telegraphed strike. The administration refused, with a judge's support.

For months after Awlaki's killing, the government never disclosed any evidence supporting its decision that Awlaki posed an imminent danger to Americans beyond his rhetoric of incitement. But during the February sentencing of the "Underwear Bomber," the government put forward a court filing claiming that Awlaki worked intimately with convicted would-be bomber Umar Farouk Abdulmutallab—

Who was the Underwear Bomber.

—to blow up Northwest Airlines. Holder referred to that connection in his speech.

Several legal scholars have wondered why the United States did not have to provide Awlaki with due process of law before killing him, as stipulated under the fifth amendment. Holder contended that the United States actually did, even if no judge ever heard the case.

Well, this is sort of an interesting point. I am not making an opinion on whether the fifth amendment applies to al-Awlaki overseas. I think a lot of that is complicated and not necessarily certain whether you can apply the Constitution to people outside the United States, or whether an entity within the United States should obey the Constitution on people outside the United States.

The bottom line is, in war you are not going to get due process. You are not going to get Miranda rights if you are fighting in battle. It is a little more debatable when you are not. The point is, though, that they are saying they are applying the fifth amendment sort of in private to al-Awlaki.

The question is, if this is the standard that is going to be used in the United States, it is not going to be the actual use of the fifth amendment, which means a court and a jury, it is going to be the pretend use that is done behind closed doors. I am not so sure you can have the fifth amendment that does not involve a courtroom. I just do not understand a grand jury indictment, due process, not to be deprived of life and liberty. I do not how it happens in private.

But that is the way they are administering the fifth amendment in private. They are using their discretion as to when to administer the fifth amendment. I do not know how that is going to work. I also do not think that is appropriate for U.S. citizens. So other than the President asking and answering a question as to whether non-combatants will be killed in America, we need to ask whether he is going to—before he kills them, is he going to use the fifth amendment in private in the Oval Office, or is the fifth amendment going to be public? If it is public, I do not know how you kill someone. If you are going to get some kind of due process, you would have to get tried in a court. I am not sure how this would go forward.

This is an additional quote from Holder from the same speech:

The Constitution's guarantee of due process is ironclad, and it is essential—but, as a recent court decision makes clear, "it does not require judicial approval before the president may use force abroad against a senior operational leader of a foreign terrorist organization with which the United States is at war, even if that individual happens to be a U.S. citizen."

Well, that is kind of confusing. If that is going to be the standard here, I would be quite concerned. The standard over there—I think there are arguments on both sides of it. But the standard over here, I cannot imagine that this is the standard we are going to use. Because basically he is saying the Constitution applies unless we think it does not apply, and then decide it does not apply.

But then he says, as long as we are at war. Well, who are we at war with? We are at war basically with anybody who does not like us around the world. I am not sure if there is ever an end to that. I think there are problems overseas. But particularly the problem is—I think the problem at hand that we are trying to get to the root of is, is this the standard? If you are using this standard overseas, are you going to use the standard here that basically the fifth amendment applies when we think it applies, and it does not apply when we do not think it applies?

This is Ackerman, at this point, from *Wired* again.

Holder did not explain why Awlaki's 16-year-old son, whom a missile strike killed two weeks after his father's death, was a lawful target. Holder did not explain how a missile strike represents due process, or what the standards for due process the government must meet when killing a U.S. citizen abroad. Holder did not explain why the government can only target U.S. citizens suspected of terrorism for death overseas and not necessarily domestically.

As I said, a lot of these things overseas you can debate and try to decide whether this is a war zone or not a war zone. But they obviously do not apply in the United States. The most troubling thing about the killing of the 16-year-old son of Awlaki is the President's spokesman's response to this. You know, the flippancy nature of it and the irresponsible nature for him to have said: Well, he should have chosen more responsible parents. If that is the standard we are going to have for killing Americans on American soil, that we are going to kill people who do not have responsible parents, we have set the bar pretty low for our killing program.

I think al-Awlaki was killed—I don't know. I have not seen the classified information. I think the son was killed probably when they either targeted someone else or they did what they call these signature strikes where they don't know whom they are killing necessarily. They just think they are bad

people, they came from a meeting of other bad people:

The decision to kill an American, Holder said, is "among the gravest that government leaders can face." Targeted killing is not assassination, he argued, because "assassinations are unlawful killings." Among the few external limitations on the government's war power that Holder mentioned were the approval of a local government where the strikes occur—which must have pleased reluctant, unsteady U.S. Allies in Pakistan and Yemen.

He is saying an interesting thing, and probably Pakistan has approved of most of the killings. However, Pakistan wants to come in and wants to convince and say: No, we haven't. They are doing it against our will, but my guess is they have been told.

Some Members of Congress don't consider that a sufficient safeguard.

"The government should explain exactly how much evidence the President needs in order to decide that a particular American is part of a terrorist group," says Sen. RON WYDEN, an Oregon Democrat who sits on the Senate's Intelligence Committee. "It is also unclear to me whether individual Americans must be given the opportunity to surrender before lethal force is used against them. And I'm particularly concerned that the geographic boundaries of this authority have not been clearly laid out."

The point on the geographic boundaries is a pretty important point because this is one of the concerning items about what they maintain. They say there are no geographic limitations. They say they get the authority for war everywhere around the world, as well as war here, because they say there were no geographic limitations to the use of authorization of force when we went to war in Afghanistan.

I think people who voted for that—and I would have voted to go to war in Afghanistan—thought we were going to Afghanistan to fight the people who got us on 9/11.

I don't think they thought, when they voted for that resolution, it meant we could have war in the United States under that resolution and that the standard would be one of the laws of war or one of martial law within the United States. I don't think anybody voting on it had that conclusion. That is a real problem. Those people are saying, including the administration is saying, no geographic limitations and, essentially, there are no temporal limitations. We have a perpetual war without any geographic limitations, which now they want to apply war principles to killing in the United States.

Ackerman continues quoting Senator WYDEN:

"And based on what I've heard so far, I can't tell whether or not the Justice Department's legal arguments would allow the President to order intelligence agencies to kill an American inside the United States."

He is unclear about it, and he has seen a lot more information than I have because he is on the Intelligence Committee and sees secure and classified information. He is unsure of it.

This makes me think nobody in the Senate or the Congress knows whether they are asserting whether they can kill Americans on American soil.

Mary Ellen O'Connell, the vice president of the American Society of International Law, found Holder's legal rationale flimsy, stating:

"First, [Holder] restates the renamed global war on terror, which Obama himself condemned. Then he tries the United Nations Charter Article 51 but does not include the whole article: It says member states of the U.N. have an 'inherent right of self-defense' if an armed attack occurs. Article 51 does not provide a legal green light for targeted killing," O'Connell said in an e-mail. "Finally, he adds the argument that the U.S. may use force against States that are 'unable or unwilling' to act. This argument has no basis in international law. It simply does not exist. So regardless of how carefully you target under the law of armed conflict, there is no right in the first instance to target at all."

Without yielding the floor, I would like to entertain a question from the Senator from Utah.

Mr. LEE. Senator PAUL recently sent a letter requesting some information from the Obama administration relating to drone strikes.

It is significant that on March 4, 2013, just a couple days ago, Senator PAUL received back from the administration a letter signed by Eric H. Holder, Jr., which reads as follows:

Dear Senator Paul:

On February 20, 2013, you wrote to John Brennan requesting additional information concerning the Administration's views about whether "the President has the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil, and without trial."

As Members of this Administration have previously indicated, the U.S. government has not carried out drone strikes in the United States and has no intention of doing so. As a policy matter, moreover, we reject the use of military force where well-established law enforcement authorities in this country provide the best means for incapacitating a terrorist threat. We have a long history of using the criminal justice system to incapacitate individuals located in our country who pose a threat to the United States and its interests abroad. Hundreds of individuals have been arrested and convicted of terrorism-related offenses in our Federal courts.

The question you have posed is therefore entirely hypothetical, unlikely to occur, and one we hope no President will ever have to confront. It is possible, I suppose, to imagine an extraordinary circumstance in which it would be necessary and appropriate under the Constitution and applicable laws of the United States for the President to authorize the military to use lethal force within the territory of the United States. For example, the President could conceivably have no choice but to authorize the military to use such force if necessary to protect the homeland in the circumstances of a catastrophic attack like the ones suffered on December 7, 1941, and September 11, 2001.

Were such an emergency to arise, I would examine the particular facts and circumstances before advising the President on the scope of his authority.

Sincerely, Eric H. Holder, Jr., Attorney General.

It is good to have this letter as a response to Senator PAUL's inquiry. I believe the inquiry Senator PAUL raised is a legitimate one. It is also essential we have some clarity with regard to the administration's position on this type of an attack. It is important for us to remember every time government acts, it does so at the expense of the liberty of individual Americans.

This doesn't mean government action is bad. This simply means government action always has to be weighed. It always has to be counterbalanced against the impact it has on the citizenry. It is very important we approach these things delicately. Nowhere is this balancing act more necessary than where we have circumstances in which our government action threatens not just the liberty but also the property or, most important, the life of an individual American. Where life is threatened, the concerns of the Constitution are at their highest where life is threatened as a result of government action.

Government owes it to the citizens to undertake all its activities with utmost caution. It owes it to its citizens never to deprive human beings of their lives, particularly American citizens, unless it has done so through operation of law with what we call due process of law.

It is on this concept, due process of law, that the 5th and 14th amendments of our Constitution focus so intently. Due process of law is a familiar phrase to many Americans. We have heard this phrase over and over. We understand on some level what it means, but I would like to talk for a few minutes in response to Senator PAUL's question about the fact that in order to have due process of law, you need to have a familiar legal standard or at least a legal standard. You have to have a law that is capable of being applied in a way that American citizens can understand.

They can read the law. They can review it. They can understand what the law requires of them. They can understand what it is that the law demands and what it is that the law authorizes the government to do. In the absence of such a law, a law that can be applied, a law that can be understood in advance of its application, you run a very real risk of arbitrary and capricious government action, where government action is arbitrary, capricious and where it threatens to underline life, liberty or property but especially life. There is the greatest level of concerns where the greatest level of detail must be examined with regard to what the government wants to do.

In this circumstance, where the question relates to under what circumstances, to what extent the government may take an American life, the government may snuff out the life of an individual American citizen, the

government has an obligation to see to it and to assure its citizens that it will not ever undertake such an action without due process of law. To have due process of law, you need to have a discernible legal standard. A discernible legal standard is not entirely evident on the face of this letter. That is understandable. It is just a brief response to Senator PAUL's inquiry.

It is, however, a little troubling Eric Holder doesn't do more to assure Senator PAUL in this response to his letter that these kinds of actions wouldn't be necessary to undertake on American soil, that these kinds of actions would be fraught with constitutional problems when undertaken on American soil.

It is difficult to understand why the Attorney General wouldn't just say we will not do this. This would be fraught with constitutional problems. This is not something we would do.

Also troubling is the related point that the Attorney General has apparently relied on some legal analysis provided by the chief advisory body within the U.S. Department of Justice. The U.S. Department of Justice is something one might loosely describe as the largest law firm in the United States. It is the law firm of the Federal Government.

Within any law firm you have lawyers who do different things. There are lawyers who specialize primarily in litigation, lawyers who specialize primarily in attracting agreements or in giving advice to people.

The Office of Legal Counsel within the U.S. Department of Justice is the chief advisory office within DOJ. It was the Office of Legal Counsel which drafted one or more memos outlining the circumstances in which the Obama administration might consider undertaking actions involving lethal force against American citizens.

Sadly, most of us in the Senate have been unable to review those. The American people generally have been unable to review them, but it is particularly frustrating those of us who are members of the Senate Judiciary Committee and, therefore, have an oversight responsibility over the U.S. Department of Justice, have not been fortunate enough to review the memoranda upon which the Obama administration has apparently relied in undertaking this legal analysis.

I had the opportunity to question and did question this morning Eric Holder with regard to these memoranda. I explained to him the great need we have to be able to review these memoranda, particularly as members of the Senate Judiciary Committee. I explained to him this is part of our oversight responsibilities. This is our duty. It is our right to see such documents, and it is very frustrating we have not been allowed to see such documents.

I added to that my concern what we do have is a different document, not

the Office of Legal Counsel memorandum but something simply captioned as the "Department of Justice White Paper." I always thought that was an interesting phrase, "white paper." I don't know why they feel the need to call it that, why they don't just call it a paper. Normally, we don't have legal analyses or other important documents which are written on green paper, orange paper or any other color of paper. Nonetheless they call it a white paper.

This paper was leaked by the Obama administration to the news media. This particular paper purported to contain some analysis, perhaps in summary form, the same type of analysis of what was used in the still secret Department of Justice Office of Legal Counsel memorandum.

There were a couple things I found very disturbing about the contents of the white paper. First, the white paper focused on the fact that the U.S. Government may use lethal force to kill an American citizen only where there is an imminent threat of some sort. Where the other conditions outlined in the memorandum are satisfied, there still has to be an imminent threat of some sort. There needs to be an imminent threat that the use of lethal force by the government on the U.S. citizen in question is designed to confront.

That is a somewhat familiar legal term. It is used in other context to identify a circumstance in which one thing has to occur in order to prevent something else even worse from happening.

(Mr. SCHATZ assumed the Chair.)

An individual, for example, when confronted with an imminent threat to his or her own life, is entitled to use lethal force in defending him or herself in order to avoid that attack—in order to avoid death. But it does have to be an imminent threat. There are other examples. When a person argues that a certain action was undertaken under duress, there does have to be some degree of imminence. And it is appropriate in this circumstance, where we are talking about authorizing the Federal Government of the United States of America to use lethal force on an American citizen, that there ought to be some sort of imminent threat to American national security that necessitates and fully justifies that action.

The strange thing about the white paper, this white paper that was leaked by the Obama administration to the news media, is that it redefined "imminence." It redefined it completely. It defined it to be something else, something that bears no resemblance to what you or I would call an imminent threat. It seemed to suggest that an imminent threat may occur even when there is nothing that is about to occur on an immediate basis that would involve a loss of American life or an attack on an American compound or in-

stallation or any kind of a loss or a deprivation to American national security.

This is a problem because, as we discussed just a few minutes ago, in order to have due process of law, you have to have law operating, and you have to have law operating as something other than a tool to justify arbitrary and capricious behavior by government. You have to have a discernible, judicially manageable legal standard. Even if it is something that is never going to go through a court, it needs to be a legal standard that means something, that has teeth to it, that doesn't just say government officials may undertake action X, Y, or Z if the government official in question feels moved upon to take such action. There needs to be something that has the capacity to restrain government action, and it needs to be—and the basis of and by operation of generally applicable standards—generally applicable rules of law. That is what we mean when we say due process.

Again, due process and the restrictions that accompany it are at their highest when government wants to take an action that is designed to or could lead to the ending of a human life. The sanctity of human life requires nothing less than that.

Now, there was another part of the memo that was also a little bit disturbing. The other part of the memo suggested it would, of course, be necessary in order to carry out an action involving lethal force against an American citizen; that efforts to capture that individual would somehow prove to be futile; that those efforts wouldn't work. But there, again, the definition supplied by the white paper suggested something else. The language of the white paper suggested almost that the government official in question, in charge of this decision to end an American citizen's life, could be made somewhat arbitrarily, somewhat capriciously. This is a problem.

You don't want someone sitting there one day having the authority to say so-and-so is a troublemaker, so-and-so shouldn't be there, so-and-so has been involved with some very bad actors. So-and-so may in fact be a bad individual, may in fact be associated with people who want to harm the interests of the United States or may even have been involved in the planning of attacks on the United States, but you don't want the government official in question to be able to end that American citizen's life just on the basis of flimsy analysis, on a toothless legal standard. You want the American people to continue to be able to live under the rule of law and with an understanding that actions of government, particularly those actions designed to bring an end to a human being's life, won't be undertaken lightly.

That is what it means to live in a society that operates under a rule of law

as opposed to the rule of individual human beings. It is that we have standards and we reduce those standards to writing. Those standards are rules that are generally accepted and generally applicable, that govern the conduct of individuals in society, and both the governors and the governed will themselves determine the behavior of those involved in our society.

So our law of laws, our rule of rules, our most fundamental law, is the U.S. Constitution—this 225-year-old document that I happen to believe was written by the hands of wise men raised up by their Creator for that very purpose. These were wise men who understood human nature, wise men who understood that whenever you put an individual in charge of a lot of other individuals, there are risks—risks that are inherent in human nature, risks that can be managed if you put certain checks and balances in place, and those checks and balances will ensure that no one person, no one group of people, will become so powerful as to become a law unto themselves.

You see, that is what this document, our Constitution, the Constitution of the United States, was designed to ensure; that we, as Americans, would live free, and we would live free because our laws would govern us, not the whims or the caprice of individuals.

Now, I do have another letter that I would like to share. This is a letter that was sent to my friend, Senator PAUL, from Mr. John Brennan, currently serving as Assistant to the President for Homeland Security and Counterterrorism. This letter is dated from just earlier this week. In fact, it is dated March 5, 2013, and here is what it says:

Dear Senator Paul:

Thank you for your February 20, 2013, letter regarding the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil, and without trial.

The Department of Justice will address your legal question regarding the President's authorities under separate cover. I can, however, state unequivocally that the agency I have been nominated to lead, the CIA, does not conduct lethal operations inside the United States—nor does it have any authority to do so. Thus, if I am fortunate enough to be confirmed as CIA Director, I would have no power to authorize such operations.

In addition, I have asked the CIA to respond to your letters of January 25 and February 12, 2013, which raise a number of important questions regarding issues pertaining to the advancement of America's strategic priorities around the globe.

Sincerely, John O. Brennan.

This is helpful. This is a helpful indication from a government official who has been nominated to head the Central Intelligence Agency, and who acknowledges if he is confirmed to this position, he would have no authority as Director of the CIA to order lethal drone strikes within the United States. So that is helpful.

It is still significant that we be allowed to ask from time to time what

the CIA might do with regard to other persons—other persons including U.S. citizens outside the United States—and under what circumstances a lethal drone strike or a different type of lethal force might be appropriate when directed toward an American citizen outside the United States.

I notice one phrase he uses in his letter, when he says: “. . . such as a drone strike against a U.S. citizen on U.S. soil, and without a trial.” Whenever we are talking about any person within our jurisdiction, whenever we are talking about an American citizen, regardless of where that American citizen might be found, it seems to me we do owe that person certain responsibilities. We owe that person a duty of following the law, of following our most fundamental law—the U.S. Constitution—and following other statutory authorities we have in place specifically to protect the rights and the interests, the life and the liberty and the property of the American people.

We are told those things cannot be taken by the government without due process of law. Now, normally, when we take away someone's life or their liberty or their property, we entitle that person to a trial. This is where our constitutional protections overlap a little bit and they complement each other. We have in the fifth amendment this protection that says that no person shall be deprived of life, liberty, or property without due process of law. There, again, at a bare minimum, that entails the operation of these generally applicable laws that actually have some standards to them. It typically also involves, quite necessarily, an opportunity on the part of the person being acted upon by government to have a trial.

We have elsewhere in the Constitution other protections that guarantee this. We have protections indicating that if a person is charged with a crime by our government, under the sixth amendment they have a right to a jury trial, and they have a right to counsel in connection with that trial. They have a right even to counsel paid for by the government if they can't afford an attorney in connection with that. The seventh amendment, likewise, protects the right to a trial in the context of civil disputes.

So these and other protections overlap to guarantee that Americans will have due process. Frequently, what due process entails, among other things, is the privation of a jury trial. You see, juries do perform an important function. Juries are there to help protect our rights. When we have a jury of our peers deciding critical questions with regard to our interests in life, in liberty, in property, we see to it that a panel of lay persons, a panel of non-government officials, a panel of citizens who have sworn an oath to do justice will do precisely that, and they

will not shrink from the obligation to enforce the demands of the Constitution. They will not shrink to enforce the demands of the law. They will not shrink from their duties, and they will not see themselves as part of a government establishment.

This is how our constitution protects us and insulates us from the government because we are the people; and we, the people, control the government. We, the people, have the right to a jury trial. And when we actually get a jury trial, we are able to see our rights protected.

So, in response to the Senator's question, I do think there are some problems that we confront as a society. I think the security of the United States is, of course, of paramount importance. We need to protect American national security. We need to protect Americans. As we do so, we also need to protect the inalienable rights of individual Americans to the due process guarantees that are hundreds of years old, that extend at least as far back as the drafting and ratification of our constitution, and are, of course, much older than that. They are centuries, indeed, they are millennia old. We must continue to honor them.

Mr. PAUL. Mr. President, I would like to thank the Senator from Utah for his expert constitutional analysis, and I rely on his advice and analysis of legislation and want to thank him very much for being part of this debate.

We are in contact with the White House, and we have told the White House we will allow debate on Brennan as soon as they will give a clarification of what their opinion is on drone strikes in America.

I think after Holder's cross-examination, his opinion may not be too far off from what we are asking for. But we want it clarified and in writing because we think this is an important battle for the American public and an important battle for the Constitution. So if the President or the Attorney General will promise to give us something, even give us something by morning, we are more than willing to go ahead with the vote in the morning with that information.

At this time, without yielding the floor, I wish to entertain a question from the Senator from Wyoming.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come to the floor of the Senate in great admiration for the Senator from Kentucky, for what he is doing to try to get information. All we are asked to do is to give advice and consent to the President on this very important nominee to be the head of the Central Intelligence Agency, the key to central intelligence in this Nation. I come to the floor this evening to thank my colleague from Kentucky for the leader-

ship he has continued to show by asking questions which are not just questions of his, they are questions of the American people.

I was traveling around the State of Wyoming last week, talking to folks. I went to 13 different counties in our State of 23 counties. There were many questions being asked about drones, not just their accuracy but their intent and what this administration's policy is related to drones and how they can be used. People in my home State of Wyoming are concerned about drones being used in the United States, not just specifically for attacks against American citizens but also the concept in observation, in surveillance. What about our rights as citizens to privacy? Those are the questions that come up as I travel around the State.

I had a telephone townhall meeting the other evening with many people from all around Wyoming on the line. They admire the questioning from the Senator from Kentucky. They have concerns: Is Big Brother watching? What is happening and what role has government in observing and surveillance and looking into the lives of the American people?

It was not until Senator PAUL asked the question would there be strikes on American citizens in America that I think things became very focused at home and all around the country. Then we got more e-mails, more concerns, because the specific question that Senator PAUL is asking is a question that is on the minds of all Americans. I believe Senator PAUL deserves an answer. The American people deserve an answer. So it is not just Senator PAUL who deserves an answer, it is an answer to all of the people of this country. But I appreciate Senator PAUL's leadership in asking the specific question.

The Intelligence Committee, the Select Committee on Intelligence met, they had hearings, they had debates, discussions, deliberations, and actually they voted. That is why we are here on the floor tonight, to ask finally from the White House and from the nominee what the specific position and policy of this administration happens to be on drones. I know we have a unanimous consent request from Senator PAUL and in a second I am going to ask him to explain and maybe reiterate his unanimous consent request, explain the resolution he wishes to vote on. I think the Senator deserves a vote. We want to make sure the public understands what we are discussing here. That is why I appreciate the leadership of Senator LEE who has come here as a constitutional scholar to address some of these concerns.

I think before many Senators are able to make the final decision of how to vote, how to give advice and consent to the White House, we need more information. We need to hear from the White House. We need to hear from the

administration because the people all around the country want those same questions answered.

We do have a situation where the Senator from Kentucky said he is willing to have a vote. He is willing to allow a vote on this nominee on the floor of the Senate as soon as his question is answered. He would be happy to proceed with that vote as early as tomorrow morning.

The American people deserve better than they are getting right now from this administration in so many ways. This is but one. That is why I think all of us try to go home every weekend to learn what is on the minds of folks in our home States, in our home communities. This is clearly what I have been hearing about, traveling around Wyoming, a State of vast open spaces, a State of great majesty and beauty, but a State where people are concerned with their own privacy, with overhead surveillance and of course not just their own personal privacy but their security.

What are the rights and responsibilities of a national government when new technology exists, as we have seen with drones? I had the privilege of visiting our soldiers overseas in Afghanistan with a number of Senators in January. We have seen up close, through detailed video, the capabilities of drones, capabilities that were not there that many years ago. Questions such as this would have never arisen a number of years ago because the technology was not there. But now the technology is there. With that given technology, that raises new questions. That is why I think so many Americans are appreciative of the work by Senator PAUL to specifically ask questions that have never been asked before because the technology was not there before. Now we have the technology, we have the know-how, and the question continues to be asked.

I ask my friend and colleague from Kentucky if he could explain perhaps his unanimous consent request, what vote he is asking for, why it is so important, and what it means to all of us as free citizens in this great Nation.

Mr. PAUL. Madam President, I thank the Senator from Wyoming for coming to the floor and helping to advance this debate. One of the points that was made toward the end is about our soldiers he visited and that he saw the capacity of the drones. The one thing that should not be lost here is that we are not arguing about the use of drones, particularly in defense of our military. When people are shooting at our soldiers I want the best equipment in the world that we have to defend them and to win our battles. That is something I think we should all want.

But I think our American soldiers would be disappointed in us here at home if they felt, which I think many of them do, that they are fighting for

our Bill of Rights, they are fighting for our Constitution, they are fighting for our conception of freedom—in doing so, I think they would be disappointed if they felt the drones that were being used against the enemy in the mountains of Afghanistan and Pakistan were going to be used against Americans in America without any kind of due process, because the whole idea of the Constitution is what they are fighting for. That is what the President has pledged to uphold and preserve. So it is such an important battle.

The unanimous consent that we put forward, which we had hoped they would let us vote on in the morning also but they have disagreed with, basically says the use of drones to execute or target American citizens on American soil who pose no imminent threat clearly violates the constitutional due process rights of citizens.

The point we are trying to get at, which I think for the administration ought to be an easy question—we are not talking about someone attacking the Twin Towers. We are in agreement that the military can repulse attacks by American citizens in planes. Some of the hijackers—I think some of them—I don't know if any of them were citizens or not but—yes, some of them were citizens, I think. The point is, no matter who you are, if you attack the United States you can be repelled and that lethal force can be used.

The point is we are concerned that some of the drone strikes overseas are of people not involved in combat at the time, and that is another question, but here at home I don't think we want to have a standard where someone who we think might be a terrorist, who we think might be engaged in something, who is in a restaurant eating dinner, would be killed. I think we want more protections for Americans. We want, if you are accused of a crime, to have the ability to defend yourself in a court of law.

I, without relinquishing the floor, would be happy to entertain any other questions.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come and ask my colleague if this is something he may have heard about at home as well, because this is something clearly on the mind of the people of Wyoming. Of course, just like Kentucky—and I will tell you when I was overseas in Afghanistan I ran not just into soldiers from Wyoming—I met eight of them in four different locations that I went to throughout Afghanistan. I met soldiers from Kentucky in each of those locations. So we are both from States with a significant commitment to our military. People over the centuries have continued to fight and defend our freedoms. But today in Afghanistan we have soldiers

from my home State and your home State doing what they do to keep us free, defending the Bill of Rights, defending the Constitution.

When we talk about the Bill of Rights, let's think about what Ronald Reagan said. The Bill of Rights was not established to protect the government from the people, it was established to protect the people from the government. Search and seizure, freedom of press, freedom of speech, freedom of religion, our second amendment rights to own and bear arms—those are the constitutional rights, individual rights that people are fighting for every day in Afghanistan. They want to know when they get home what sort of freedoms are there going to be in this country? Where is the role of liberty and freedom in our society?

That is why there is no better time, I would say, than this evening, before voting on the nominee to be the Director of the Central Intelligence Agency—the head of the CIA for the country—what better time to have this debate than during that nomination process about where is that line between freedom of individual citizens and the rights of a government which now has a technology which has not previously been there up until most recently.

So I ask my friend and colleague—No. 1, I congratulate him and thank him for remarkable leadership. I hear that all around my home State and I know he hears it at home as well. He hears it all around the country. But is this a concern on the minds of people? Is there a reason we are here to bring this out, not just because a couple of Senators are on the floor debating it? This is a crucial issue for this Nation.

Mr. PAUL. Madam President, one of the things I hear at home, similar to what the Senator from Wyoming is talking about, is that we hear people worried about the erosion of their rights. They worry about statements from the President when the President says he intends to protect the Constitution—except for maybe when it is infeasible or when it is inconvenient. I think that worries people.

One of the other things about drones, which is not particularly related to this, necessarily, but I know in Wyoming I bet they have the same concerns, is our farmers are not too happy about the government flying drones over their property. That is something on which we had an interesting vote last year. We had a vote on whether the EPA could continue these without explaining to us. Once again, it was sort of similar to this fight in the sense that we wanted to stop the drone flights over farms. It was a pretty simple request, an easy request until we got the government to explain what kind of criteria, what kind of rules they were using for flying over farms.

We got 56 Senators to vote to ban these drone flights until we got more

information. But it is like a lot of other things in the Senate, it took 60 votes, so we didn't actually quite win even though we had a majority.

With regard to what we are trying to accomplish through this, the main thing we want is a public acknowledgment from the President or from the Attorney General, saying that their policy is not to kill noncombatants in America. Many of the drone strikes overseas have been noncombatants—at least at the time they are killed they were not involved in combat. I don't think it is too much to ask the President to clarify that what he means is the United States can repel invasion, the United States can repel attacks, whether they are American citizens or not. We don't have a dispute with that. Our concern is when you look at the drone program overseas, a lot of people are sitting around eating, walking, sleeping in their house—that that is not the sort of a program I can imagine using in the United States. I cannot imagine we are going to have drone strikes on people while they are asleep in their home or when they are out eating in a cafe or eating in a restaurant. I cannot imagine that is the standard we are going to use. Maybe it is just a misunderstanding. Maybe the President can clear this up.

When Attorney General Holder was there this morning, the Senator from Texas asked him this question and under pointed questioning it seemed as if he was backing toward an answer that might be acceptable. He said it was not appropriate, but what we are looking for from the lead legal officer of the President, from the President, is something a little more precise than "I don't intend to," or a little more precise than "it is not appropriate." We would like him to say that they don't have a legal authority to kill Americans on American soil. We just don't believe they do. Targeted drone strikes in America, I don't think they have the legal authority nor the constitutional prerogative to do this, and they need to admit to that. It has been like pulling teeth trying to get information or get them to acknowledge anything. Our goal is to try to get the President to acknowledge something publicly, more so than any kind of legislation.

We do have some legislation that we are interested in. We are not demanding that it pass in order to let this nomination go forward. What we are asking for is we will let them have a vote any time they want if they will at least give us a little more of a clear understanding that they are going to obey the law. It took a month and a half for us to get the response from them that the CIA doesn't operate in the United States; that just is the law. It has been the law since 1947.

One would not think it would be that hard to get them to acknowledge they are going to obey the law. The posse

comitatus law has been here since the 1860s, and it says the military doesn't operate in the United States. How hard is it for the administration to say we are going to adhere to the posse comitatus law and that we are not going to use the military in the United States? That clarifies quite a few things because if they think they are going to kill Americans with the FBI, at least we already know the FBI works under the rules of the Constitution. I would think at that point we are getting somewhere or at least moving in the right direction.

We are not looking for something where we permanently stop the President from getting his political appointees. I have mentioned previously I voted for three of the President's political appointees. My point in being here doesn't have so much to do with the CIA Director as it has to do with the policy of the administration on drones. He just happens to have been in charge of that policy on drones and the CIA has something to do with drones overseas. At least Brennan has been forthright and finally came forward with a letter that says the CIA doesn't operate in the United States.

Unfortunately, Attorney General Holder's response has been somewhat muddled in the sense that he kind of says we have not yet, we don't intend to, but we might. Now he says there is an extraordinary circumstance, but his extraordinary circumstance doesn't quite make any sense because it is 9/11 or Pearl Harbor. Well, in both of those instances we would react immediately to stop somebody, but they would not be targeted drone strikes. I cannot imagine that we would know the person's name and who they are when they are flying a plane into a building. We would respond to them, but it would not have anything to do with the targeted drone strikes. It is sort of answering a question that wasn't asked.

At this time, Madam President, and without yielding the time, I wish to entertain a question from the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I have been able to put my hand on the letter Senator PAUL has written to John Brennan on February 20. This is something that I believe brought in focus the key piece of what has been on the minds of the people in my home State with regard to their support for the question that Senator PAUL is asking. Since I don't serve on that committee and was not part of the hearings, I wish to review this letter so I can specifically ask Senator PAUL about the response he has received to this. Perhaps then we can share that with the American people as to why so many folks who have been focused on this believe it is of key importance.

The letter from Senator PAUL says:

Dear Mr. Brennan, In consideration of your nomination to be Director of the Central Intelligence Agency, (CIA), I have repeatedly requested that you provide answers to several questions clarifying your role in the approval of lethal force against terrorism suspects, particularly those who are U.S. citizens.

It goes on to say:

Your past actions in this regard, as well as your view of the limitations to which you were subject, are of critical importance in assessing your qualifications to lead the CIA.

That is what we are doing. We are here in our role to advise-and-consent the President on a nomination he has made.

The letter goes on:

If it is not clear that you will honor the limits placed upon the Executive Branch by the Constitution, then the Senate should not confirm you to lead the CIA.

The people of Wyoming carry their Constitutions in their breast pockets. We have them with us just as Senator Bob Byrd used to do right here on the Senate floor, and many Members of the Senate do. We need to make sure the limits placed upon the executive branch by the Constitution are still upheld; otherwise, the Senate should not confirm Mr. Brennan to lead the CIA.

So the letter from Senator PAUL goes on to say:

During your confirmation process in the Senate Select Committee on Intelligence, committee members have quite appropriately made requests similar to questions I have raised in my previous letter to you.

I agree. Members of the committee did make appropriate requests and wanted to have those same questions answered that Senator PAUL has been offering, and they are that you expound on your views, Mr. Brennan, on the limits of executive power in using lethal force against U.S. citizens. This is against U.S. citizens, especially when operating on U.S. soil.

That is among the fundamental questions I have been asked during telephone townhall meetings when I travel the State of Wyoming. It comes down to the use of lethal force against U.S. citizens, especially when operating on U.S. soil.

The letter from Senator PAUL goes on and says:

In fact, the Chairman of the SSCI, Sen. Feinstein, specifically asked you in post-hearing questions for the record whether the Administration could carry out drone strikes inside the United States.

We are now getting to the crux of the matter: drone strikes inside the United States.

Senator PAUL goes on:

In your response, you emphasized that the Administration "has not carried out" such strikes and "has no intention of doing so."

So has not done it, doesn't intend to do it, but it doesn't answer the question that Senator PAUL, the people of his home State, the people of my home State, and the people all across this country are asking.

Senator PAUL goes on in his letter to Mr. Brennan:

I do not find this response sufficient.

As people are following what the Senator from Kentucky is doing here, more and more people are asking and focusing on this specific question. The question I and many others have asked is not whether the administration has or intends to carry out drone strikes inside the United States, but whether they believe they have the authority to do so. The question is about whether it has the authority to do so. The question is not whether they have carried them out, not whether they intend to, but do they have the authority to do so. This is an important distinction that should not and, I would add, cannot be ignored.

Well, the letter goes on:

Just last week, President Obama also avoided this question . . .

So the President has avoided the question when posed to him directly. Instead of addressing the question of whether the Administration could kill a U.S. citizen on American soil, he used a similar line, that "There has never been a drone used on an American citizen on American soil."

Well, we believe that. We know that to be the case. We know that is the President's belief. We know that is the testimony of the nominee to be the CIA Director, but it evades the question. That is actually what Senator PAUL says in his letter.

The evasive replies from the Administration to this valid question have only confused the issue further without getting us any closer to the actual answer.

So it is not whether they have intent or whether they have done it before, but do they have the authority to do so. This is the distinction which Senator PAUL is trying to get at, as are many Americans all around the country who are tuning in to this important debate.

Senator PAUL goes on to say in his letter to John Brennan:

For that reason, I once again request you answer the following question: Do you believe that the President has the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil, and without trial?

Let me repeat:

For that reason, I once again request you answer the following question: Do you believe that the President has the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil, and without trial?

Senator PAUL goes on to say:

I believe the only acceptable answer to this is no.

And that is what the American people believe as well.

Senator PAUL concludes:

Until you directly and clearly answer, I plan to use every procedural option at my disposal to delay your confirmation and bring added scrutiny to this issue and the

Administration's policies of the use of lethal force.

He says:

The American people are rightly concerned, and they deserve a frank and open discussion of these policies.

So I come to the Senate floor tonight in support of my colleague and agree with what he is writing to John Brennan because the fundamental question is: Do you believe the President has the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil and without trial.

Senator PAUL goes on:

I believe the only acceptable answer to this is no.

So I would ask Senator PAUL, through the Chair, if he could perhaps add a little light to this matter. This letter was sent to Mr. Brennan on February 20. It is now March 6. I know there has been some give-and-take and back-and-forth, but the fundamental question is one that has been on the minds of the people in my home State of Wyoming, as I traveled the State over the last few weeks.

Mr. PAUL. Madam President, we sent our last letter to John Brennan, I believe, in the latter part of January. We got no response. We then sent him a second letter in the first or second week of February and got no response. We then sent our third letter, which I believe is the letter the Senator was reading from, and that was a couple of weeks ago. We got no response to any of these letters.

However, when the committee—both Republicans and Democrats—was holding up his nomination last week and the chairman of the committee asked for a response, all of a sudden we got a response. The response from Brennan was actually encouraging. The response, I believe, was this morning or yesterday. The day has kind of run together. That response was basically that the CIA doesn't have the authority to operate in the United States and that is the rule. It has been the law since the 1947 National Security Act.

Our concern is that the Attorney General's response has been a little more vague. Basically they have not done any killings in the United States yet. They don't have any intention to, but they might. The problem with the "they might" part is they left it kind of vague. They said it would have to be extraordinary, but they point out two occurrences in which they would not have targeted drone strikes. They point out Pearl Harbor and 9/11.

In both of those instances, I think it is appropriate to respond militarily, but they would not have targeted drone strikes. They might use drones, but they would not have targeted drone strikes because they would be responding immediately to someone attacking us. I think we all agree that we can respond to lethal force at any point in time.

I think the problem is the drone program around the world often targets people who are not in combat. It is hard for me to imagine that we would have people who—I don't know if they are conspiring or what they are doing—are talking to an individual or someone in a restaurant or cafe, that we wouldn't arrest them.

The ranking member on the Intelligence Committee made a good point. He said: Particularly if they are in a noncombat area in the United States, wouldn't you want to arrest them to get some information from them to see if they might be a threat? One reason would be to see if they are innocent or guilty. If they are truly guilty, you would probably be able to get some information from them by interrogating them.

The Senator asked the question about the limitations. That is ultimately what we are asking Brennan, Eric Holder, the Attorney General, and the President. What limitations do you cede to your authority? The President takes an oath that he is going to preserve, protect, and defend the Constitution. He says he will do that, but the oath doesn't say: I intend to do that. It says: I will preserve, protect, and defend the Constitution.

The problem we have is that when John Brennan has been asked what are the limitations to your authority, his response has been that we have no geographic limitations. He says he gets that from the use of authorization of force to go to war in Afghanistan. The problem with that is I don't think people who voted for that intended that there would be no limitations and that we could have war anywhere.

Then the question is: Is there a limitation at the U.S. border?

Well, there is a law—a posse comitatus law—from after the Civil War which says the military doesn't operate here. It is not because we think the military are bad people, we just have different rules for the military. Our soldiers are not used to dealing with due process, and we don't make them. On a battlefield when they are shooting, they don't give people their Miranda rights. They don't get to have a jury trial.

There is none of that going on on the battlefield so soldiers don't have to deal with that, but policemen in our country have different rules of engagement. They are required to deal with that, and we want that because we want there to be a process because we have always been concerned in our country—we broke away from the mother country in England because we were concerned about too much power. We wanted that power to be reined in.

So our biggest problem is that when they say they have no geographic limitations, that could include America. So that was our next question. Senator WYDEN asked Brennan in the committee: Do you have the authority to

do strikes in America? John Brennan's answer was—this was the first answer before we got the second answer: Well, we want to optimize transparency and we want to optimize secrecy, and that was his conclusion. It was like, what does that mean? So that is when we got more and more involved with asking this question and asking it repeatedly.

But I think there are limitations. Ultimately, there is a limitation of the Constitution, but also there is a big debate that needs to go on about what are the limitations of what we voted on when we went to war. I was all in favor of doing everything possible to those who attacked us on 9/11, of going to Afghanistan. We need to figure out how and what the completion of that mission is, and whether that use or authorization of force is open-ended, forever, or whether we are ever going to vote on that again, which I think means when we vote on that again, we retain that power to bring it back to the Senate, to the Congress. It doesn't mean we would not do it again, but we should have that debate and a vote again if we are going to have another war.

At this time I would be happy to entertain another question from the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. What I just heard from the Senator from Kentucky is that these questions were asked in a bipartisan way. This was not partisan at all. I heard Senator WYDEN from Oregon had similar questions. So this is a request for information.

Now, I have been able to find a copy for the first time of that January 25 letter that Senator PAUL referenced to John Brennan, sent to him in his capacity as Assistant to the President for Homeland Security and Counterterrorism, and I just wanted to go through some of that and perhaps ask Senator PAUL some specific questions related to it because it is my understanding that he has not gotten any kind of response to that.

The Senator mentioned three specific letters: First, the January 25 letter, then the letter of February 14, and then the letter of February 20 which, asks, really, the ultimate question: Do you believe the President has the power to authorize lethal force such as a drone strike against a U.S. citizen on U.S. soil and without trial?

So now I have all three of those letters sent by Senator PAUL to Mr. Brennan in his capacity currently as the Assistant to the President for Homeland Security and now the nominee to be the head of the Central Intelligence Agency.

So the letter goes:

As the Senate moves forward with its consideration of your nomination to be the next director of the Central Intelligence Agency, it will be necessary to examine not only your qualifications and record, but also to deter-

mine whether you will provide the necessary leadership as the head of an agency that operates under unique rules for transparency and that quietly holds significant influence over the advancement of America's strategic priorities around the globe.

No other agency is like the CIA—unique rules for transparency. So Senator PAUL goes on:

After reviewing your record as well as the record of President Obama to whom you have provided a great deal of advice and direction on issues of national security and terrorism, I must ask several questions to help inform my decision on your nomination.

That is what a responsible Senator does, a Senator who has taken quite seriously his role in providing advice and consent to the President on a nominee—a key nominee of a specific agency that operates under unique rules for transparency.

So I think it is absolutely appropriate that Senator PAUL would write such a letter, and the questions raised are appropriate, many of which have been raised in a bipartisan way.

So question No. 1: Do you agree with the argument put forth on numerous occasions by the executive branch that it is legal to order the killing of American citizens and that it is not compelled to explain its reasoning in reaching that conclusion? Do you believe this is a good precedent for the government to set?

What better, clearer question to ask than that? He goes on:

Congress has been denied access to legal opinions and interpretations authorizing placement of U.S. citizens believed to be engaged in terrorism on targeting notices, thus denying Congress the ability to perform important oversight.

Oversight is a key role of this Congress. Oversight is a key, critical role of this branch of government, of Congress.

Senator PAUL goes on:

Will you provide access to those opinions as well as future opinions?

Very reasonable question.

The Senator said:

Would it not be appropriate to require a judge or a court to review every case before the individual in question is added to a targeting list?

Legitimate question.

Please describe the due process requirements in place for those individuals being considered for an addition to a targeting list.

Would you agree that it is paradoxical that the Federal Government would need to go before a judge to authorize a wiretap of a U.S. citizen overseas, but possibly not to order a lethal drone strike against the same individual?

I want to go back to this question when I am visiting with Senator PAUL, but this is the kind of thing I get asked in Wyoming, and I am sure the Senator from Kentucky is hearing the same thing: Would you agree that it is paradoxical that the Federal Government would need to go before a judge to authorize a wiretap on a U.S. citizen

overseas, but possibly not to order a lethal drone strike against the same individual?

So what you have to do if you wanted to perform a wiretap would be more than you would have to do if you wanted to do a drone strike. I think it is a very legitimate question because if not, Senator PAUL goes on to ask:

Please explain why you believe something similar to the FISA standards should not be applied in regards to illegal action against U.S. citizens. Is it still your intent to codify and normalize the so-called disposition matrix, a targeting list that you helped to establish—

This would be Homeland Security Counterterrorism Assistant Brennan—

to direct counterterrorism operations in future administrations as well as the targeted killing procedures you have outlined in your playbook?

Then Senator PAUL goes on and asks:

Aside from the President, how many people have access to the full disposition matrix? Of those, how many participate in the process to add individuals to the targeting list, and how many have the authority to veto an individual's inclusion?

This is a very thoughtful letter from Senator PAUL to Mr. Brennan dated January 25, 2013. I want to continue to share with the American people the questions that have been asked by Senator PAUL because I think they are so telling and so appropriate:

How many times have you specifically objected to an individual's inclusion on a targeting list? How many times have you recommended to the President against including an individual on the targeting list?

These are questions people want to know the answers to:

How often are the criteria used for determining whether an individual should be included on a targeting list amended?

Not simply reviewed; he is not asking about a review but an amendment.

How many government officials and which agencies participate in establishing these criteria? Does the National Counterterrorism Center have final say over all criteria?

Anybody who watches this issue closely has asked these questions and wants to know the answers.

Of those individuals who have been but are no longer included in the disposition matrix or other target list, how many have already been killed? How many have been removed from the list by other means? How many individuals remain in the disposition matrix or other targeting list today? And how does the number compare to the number in prior years? Is the number growing? Is the number shrinking? Is the number static? What is happening to those numbers?

How many U.S. citizens have been added to this disposition matrix or other targeting list? How many remain on the list? How many U.S. citizens have been intentionally killed by U.S. drone strikes since 2008? How many have been unintentionally killed by U.S. drone strikes during that same period of time?

In how many countries has the United States executed a drone strike against a presumed terrorist?

In each of the countries where the United States has executed a drone strike in the

past 4 years, please provide a year-to-year estimate of those who self-identify or otherwise associate with al-Qaida within that country.

I come to read this as somebody who has just come to see the capacity of the drones. I see the junior Senator from Texas has been on the Senate floor as well. He and I traveled together to Afghanistan. We have been able to see directly video from drone strikes. We know the capacity. We know their ability to target precisely. These are questions that in previous wars were not asked because the technology was not there, but now these are questions that are asked, that are being asked, which is why I am so grateful for the leadership of Senator PAUL in asking these questions.

The letter goes on:

You have indicated that no credible evidence exists to support recent claims that civilian casualties resulted from U.S. drone strikes.

Again, this is the letter from Senator PAUL to John Brennan. He asks:

Please indicate how you define credible evidence and what process is in place to evaluate the legitimacy of alleged civilian casualties.

Which countries have publicly stated their support for U.S. drone strikes within their territory? Have any publicly indicated support for U.S. drone strikes in the long term?

In this letter:

How relevant is the opinion of the public in the countries where U.S. drone strikes are ongoing? In those countries, how would you characterize public opinion toward U.S. drone strikes?

In light of civilian casualties caused by the extensive use of drone strikes under your guidance, do you continue to stand by your remark that "sometimes you have to take life to save lives?"

Do you condone the CIA's practice of counting certain civilians killed by U.S. drone strikes as militants simply because they were of military age and within close proximity of a target? Do you believe such accounting provides an accurate picture of our drone program?

These are key questions to be asked for a nominee to the Central Intelligence Agency and they deserve answers before anyone makes a vote yes or no.

What changes to the CIA review process will you put in place or have you attempted to put in place in your previous role to prevent further unintentional killings of U.S. dissidents? What role did you play in approving the drone strike that led to the death of the under-aged U.S. citizen, son of al-Awlaki? Unlike his father, he had not renounced his U.S. citizenship. Was this young man the intended target of the U.S. drone strike which took his life? Further, do you reject the subsequent claim apparently originating from anonymous U.S. Government sources—

Always a concern when you hear anonymous U.S. Government sources—that the young man had actually been a military age male of 20 years or more of age, something that was later proven false by the release of his birth certificate.

Senator PAUL goes on in the letter:

Do you believe that the inadvertent killing of civilians and the resulting anger from local populations should cause us to limit rather than expand the drone program?

Key question:

The CIA has and will reportedly continue to have authorization to carry out lethal drone strikes in Pakistan, autonomously and without approval from the President. Will you seek to reduce or eliminate this practice or keep it in place? Will you hold to the discussed 1 or 2 year phaseout of this authority or work to expedite the phaseout?

I could go on and on because these are key questions Senator PAUL asked, and it all gets back to the fundamental question of: Do you believe the President has the power to authorize lethal force, such as a drone strike against a U.S. citizen on U.S. soil and without trial?

So as I look at this letter of January 25 and look at the questions being asked:

Do you believe the lethal drone strikes constitute hostilities as defined by the War Powers Act?

On what legal basis does the administration derive authorization to conduct such strikes?

Then the President's own words:

The President has stated that al-Qaida has been decimated. Do you believe this assertion is correct and, if so, what is it that we are now targeting if not al-Qaida?

That is a fundamental question that came up in the hearings with then-Secretary of State Hillary Clinton. When she came to the Senate, to the Foreign Relations Committee, they changed their tune and said: No, it was core al-Qaida; not just al-Qaida but core al-Qaida in Afghanistan, but, fundamentally, the tune has changed.

Senator PAUL goes on:

Is the U.S. drone strike strategy exclusively focused on targeting al-Qaida or is it also conducting counterinsurgency operations against militants seeking to further undermine their governments such as in Yemen? Would you support expansion of the CIA's drone program in Mali to provide support to counterterrorism operations?

We all know what happened there and the impact in Benghazi and the concern that those who weren't captured or tried in Benghazi for the atrocities there went then to Mali. So, again, a key question.

The Senator goes on:

Do you believe a long-term, sustained drone strike program can eliminate all threats to the American people or completely eliminate al-Qaida as you have indicated in your intent? If not, how would we eventually wind down the drone program? At what point do you believe drone strikes will reach the point of diminishing returns? If so, can it be done on the scale the drone program operates on now or would it have to be expanded?

I was going to specifically ask Senator PAUL to discuss this question:

Do you support the Attorney General's 2012 guidance to the NCTC that it may deliberately collect, store and continually assess massive amounts of data on all U.S. citizens

for potential correlations to terrorism, even if the U.S. citizens targeted have no known ties to terrorists?

That gets into the whole thing we started on earlier today. Where is the role of individual freedoms, the right to trial, the right to be heard, the right to present their case? What about the fundamental rights in the Bill of Rights?

The final question here to Mr. Brennan is this:

Please describe in detail the steps you have taken as assistant to the President as well as transparency measures you would support as Director of the CIA to improve the transparency of the administration's counterterrorism policy.

Mr. President, I would just say that they are extremely well-thought-out questions by a very thoughtful Senator and questions to which the American people would like to have answers.

There is more to the letter, but I would like to take a second to ask Senator PAUL if he feels those have been adequately addressed and if he feels he has gotten closer to the solution to the question of, do you believe the President has the power to authorize lethal force such as a drone strike against a U.S. citizen on U.S. soil and without trial? That would be my question to Senator PAUL.

(Mr. SCHATZ assumed the chair.)

Mr. PAUL. Mr. President, we have sent three different letters over the last month and a half or so, and we really have not gotten a detailed response to any of the letters.

We finally had one question answered from John Brennan, and that question was answered by him by saying the CIA does not operate within the United States, which is a reassertion of the law, which we at least appreciated. But they have not responded by saying they will follow the law. We have not gotten an adequate answer yet, although we are getting closer to it.

Maybe the Senator from Texas can give us a little more insight into this in the sense that the question now really is not just Brennan. Brennan has answered that the CIA cannot operate in the United States. But there is a question: Can the military operate in the United States? And this question was asked, I think very poignantly, by the Senator from Texas today, trying to get an answer from the Attorney General on this question: Can you kill Americans on American soil who are not involved in combat? The answer has been evasive because he has brought up basically a red herring: Pearl Harbor or the Twin Towers, which none of us are disputing that the military can respond to a lethal attack with lethal force.

So what I would like to do without relinquishing the floor is see if the Senator from Texas would like to respond as to his interpretation of what he was hearing from Attorney General Holder

and whether the comments he was hearing—if Attorney General Holder were willing to sort of try to complete that conversation in a letter to us—whether actually we might get close to actually being on the same page.

Mr. CRUZ. I thank the Senator from Kentucky for allowing me to ask him a series of questions and to address both what the Attorney General said and the substantive issue.

I wish to begin my questioning, though, with simply an observation. I would like to take a moment to thank the Senator from Kentucky. I have had the privilege of serving in this body 9 weeks, and today is the first day I have ever had the extraordinary privilege of speaking on the floor of the Senate. On my first time to speak on the floor of the Senate, I found myself being given the chance to read from Travis's letter from the Alamo. As I observed walking off the floor of the Senate, as they say in the beer commercial, it don't get no better than this. So I thank the Senator from Kentucky for giving me the opportunity to be welcomed to the floor of the Senate and having a chance to stand with him fighting for liberty.

There are a number of things I would like to address and ask the views of the Senator from Kentucky. I will begin by observing, as I did the last time the Senator from Kentucky and I had a colloquy, that Twitter never sleeps, and we heard from a number of tweets across the country. But those have not ceased. So since the Senator from Kentucky is still prohibited from looking at his cell phone, I wanted to prevent him from going into technology shock and withdrawal and provide an in-person feed for him.

This is about The Constitution. Stand with Rand. Get it together GOP.

Stand with Rand. Rand praising Dem OR Sen Ron Wyden for raising the same questions and concerns he has. Where are all the other Dems?

Sad day when killing Americans is up for debate. Sad day that every Senator is not up there with him. Stand with Rand. We are watching you guys.

I don't know how Sen Rand Paul does it . . . I'm tired just from WATCHING him. . . . a tip of the cap to you, sir. Thank you. Stand with Rand.

Sen Rand Paul is extemporaneously giving a better human rights speech than Barack Obama ever has. Stand with Rand.

And I am pretty certain that for the record I can confirm that no teleprompter was in front of the desk of the Senator from Kentucky.

Sen Rand Paul, Jimmy Stewart would be proud, sir.

Sen Rand Paul, look what's trending. Stand with Rand.

It's been awhile since I could say I am a proud American. Thank you, Rand Paul. Stand with Rand.

Rand Paul might be waiting a long time for an answer from The White House. Stand with Rand.

I would note that it has been 10 hours, so that would indeed be a correct observation of fact.

Democrats—Why not just agree that the POTUS cannot use drones to summarily kill US citizens on US soil? Stand with Rand.

Sen. Rand Paul crosses 8 hr threshold of filibuster. Stand with Rand.

Stand with Rand, please.

Sen Rand Paul did not filibuster for the right or the left, he did it for every person in this country. Stand with Rand.

Once you give up your rights, you will not get them back. Believe that. Stand with Rand.

We should all go to the U.S. Capitol and Stand with Rand.

I would note that quite a few Members of the House of Representatives have crossed over the Capitol and joined us precisely to stand with Rand, as have the men and women in the gallery who have been here throughout this long and historic stand.

Finally able to sit and watch the Rand Paul filibuster. Just epic. Stand with Rand.

Read the constitution and explain why each sentence is relevant to today. Not worthless and outdated.

7 hours and counting for Sen Rand Paul in the filibuster. This can end, Brennan, just say u won't unilaterally kill us. Stand with Rand.

America is watching. Stand with Rand.

I get the feeling that a more libertarian stance is the only thing which can bring about a fresh start for the GOP. Stand with Rand.

I stand with Rand in his 9th hr awaiting the President saying he doesn't have the power to kill Americans at will.

"I haven't killed anyone yet and I have no intention of killing Americans, but I might"—Barack Obama. Stand with Rand.

The federal government was closed today. Yet Sen Rand Paul working overtime. YouDaMan.

D-a-M-a-n is the precise spelling of that.

Sen Rand Paul, 100% support you. Keep going. Stand with Rand.

This isn't a filibuster. This is a line in the sand drawn with a quill pen that penned the constitution.

I think that one is particularly cool.

Do you agree with your colleague, Rep Justin Amash? Stand with Rand.

Almost always the answer to that one should be yes.

Do you stand with Sen Rand Paul and demand an answer from the WH on extra-judicial assassinations of Americans?

There is a word we do not hear too often within our own borders—assassinations. Yet that is exactly what we are talking about here tonight.

Don't think I've ever been quite so proud to say I'm from Kentucky. Stand with Rand.

Sen Rand Paul getting to the heart of issues. Not partisan politics, but a question of due process.

He's just about 8 hours away from having the 5th longest filibuster.

I apologize to the Senator from Kentucky if that is less than encouraging.

Stand with Rand.

I have a renewed sense of hope for our leaders in Washington today. Thank you, Sen Rand Paul, for standing by We The People. Stand with Rand.

I am a strong liberal supporter and two time Obama voter. I Stand with Rand.

Dr. Rand Paul, Excellent, excellent work today. We stand with Rand, too.

I hope Sen Rand Paul Can keep them up all night. There hasn't been a real filibuster on the Senate floor in years. Stand with Rand.

And I would note, as I was walking in, that this is certainly the least well-shaven I have been on the Senate floor. And it is particularly ironic that the desk at which I am standing, in addition to having been the former desk of a great hero of mine, Senator Barry Goldwater, was also the former desk of Senator Richard Nixon. So perhaps that spirit is animating the 5 o'clock shadow that I find myself at 10 o'clock at night sporting.

Stand with u I do. Stand with Rand.

I wonder if that one was from Dr. Seuss.

Stand with Rand because you have the freedom to do so.

Obama is going to have to address the points raised by Paul. Stand with Rand.

I stand with Rand . . . best line of the filibizzard thus far. RT—

Yet another of Senator Rand Paul's miraculous tweets that he did from the floor of the Senate, a tweet of Senator Rand Paul—

"They shouldn't just drop a hellfire missile on your cafe experience."

I would suggest to the Senator from Kentucky that at the end of what I am sure will be a long and very distinguished career in politics, fighting for every American, that with statements such as that, a subsequent career at Starbucks may indeed be promising.

The fight for liberty has a real hero. May the spirits of past patriots fuel you.

Until you get an answer, Rand, keep on going. Let's take it into tomorrow.

Is suspicion enough? Obviously not. Sen Rand Paul.

If you have family or friends in the Middle East, you might be a terrorist. Stand with Rand.

For the first time since November, I feel like I see a light at the end of the tunnel. It is a long tunnel. Stand with Rand.

Sen Rand Paul: If you have no bounds, you have an unlimited imperial presidency. So true.

Sen Rand Paul, eight hours, and still going strong. Thanks for standing for the Constitution. God bless you. Stand with Rand.

Thank you, Rand Paul, for standing up for our Constitution. We are behind you. Stand with Rand.

Go get 'em, Rand Paul. Great way to end my birthday. Stand with Rand.

I hope we do not make it to that individual's next birthday.

Best TV I've seen in a while. Stand with Rand.

Sen Rand Paul, I'm superproud of my Senator today. I have always been proud of him, but today I'm more proud than ever. STAND WITH RAND.

My kids—watching Rand Paul give a lesson to the country—on their own, without me telling them to. Stand with Rand. Thank you, Sen Rand Paul.

Why won't Obama say that he won't use drones to kill noncombatant U.S. citizens on U.S. soil? Seems a simple question. Stand with Rand.

Senator Rand Paul, thank you. Be encouraged and stay strong. Would stand there with you if we could. We are no longer free. Thank you for standing up for freedom.

“Stand with Rand” is trending worldwide. That is pretty darn cool.

Rand Paul goes into his 9th hour of filibuster over drones. Watch it here.

I will not read the link to C-SPAN.

Senator Rand Paul, I am so proud of you. Way to stand tall. Stand with Rand.

Senator Rand Paul, your loyalty and dedication to we the people are not going unnoticed. Stand with Rand.

If you give back your rights, don't ever expect to get them back. Stand with Rand.

Call the White House. 202-456-1111. Take a stand.

For some reason, I feel compelled to read that tweet a second time.

Call the White House. 202-456-1111.

Rand Paul, standing for liberty and freedom. God bless you. Stand with Rand.

Rand Paul, the 21st century version of Washington, Jefferson and Madison.

No matter how you fall politically, you have to admire Rand Paul's absolute conviction.

I cannot stop watching Senator Rand Paul filibuster. Greatness. Stand with Rand.

Are you going to retweet Stand with Rand all night? I am. Liberty. Rand Paul.

And the final one.

Senator Rand Paul, I am a grandma who just learned how to Twitter tonight so that I could stand with Rand and the Constitution.

The first question I will ask of the Senator from Kentucky—and I have several more—is simply: What would you say to these millions of Americans and people worldwide who are coming together to stand with Rand?

Mr. PAUL. Mr. President, I thank the Senator from Texas for coming to the floor. I am overwhelmed with all the responses. What I would say is that I think there are things that are more important than personalities, more important than party, and they are the things our country was founded upon.

These are the things that bring people together who want us to stand and say these protections will exist. The interesting thing about our Constitution is it protects people who are—those who are defenseless often, those who can be falsely accused of crimes is what the Constitution is there for. I think there are people from all walks of life who say my brother was falsely accused or my brother was put in jail for 5 years or something, either they did not do it or it was an inappropriate sentence.

I think people understand the idea of wanting to be protected from false accusation, not only for something where you might be put in prison but for something, in this case, you might be killed for. We all understand. All you have to do is get online to read comments to any kind of story online to know people make all kinds of wild accusations and wild comments online. Do we want to have that be one of the indications for whether you might be targeted for surveillance or whether you might be targeted for a drone strike, that anything such as this could

happen without you having your due process, that the fifth amendment somehow would be optional, that the executive branch would decide when they are going to apply the fifth amendment.

I am overwhelmed with the responses. I think it is something that unifies people. It has brought together both people from the Democratic side of the aisle as well as the Republican side of the aisle because, to me, this is not about whether the President is a Republican or Democrat. I have supported several of his nominees. I have supported people because I think he has the right to make political nominations, even though I do not agree with much of any of the nominees or the politics of the administration.

This is different. There is a constitutional principle. We are here today to filibuster against or for a constitutional principle not necessarily an individual. But it is something I think a lot of Americans believe strongly in. I thank Senator CRUZ very much for the comments I have gotten from the Senator and I would entertain any other questions.

Mr. CRUZ. Mr. President, I thank the Senator from Kentucky. I do indeed have additional questions. The heart of what the Senator is standing for, what some of the other Senators tonight are standing for, is liberty. I think that has always been the foundational value in the United States of America.

Our country was founded by Framers who understood that concentrated power is always inimical to liberty, that any time great power is undivided the freedom of the people is at jeopardy. As Lord Acton observed: Power tends to corrupt, and absolute power corrupts absolutely. It is for that reason that the Framers of our Constitution did what the Supreme Court has described as splitting the atom of sovereignty, taking what used to be one discrete indispensable concept of power and sovereignty and breaking it up, breaking it up between the three branches of the Federal Government and breaking it up between the Federal Government and the 50 States and the local government as well.

The purpose of doing all that is to prevent what James Madison in *Federalist* No. 10 described as factions. Today we would call them special interests that might take control of one branch of government. If all power were concentrated in the Executive, and one faction, one special interest was to gain influence in that Executive, then the liberty of the people would be at peril.

In *Federalist* 10, Madison explained the factions are never going to go away. Human nature is such that we will divide into factions with different interests. The genius of the Framers was not to imagine human nature was somehow different than it was but to

recognize that it was. As the *Federalist* Papers explained: If men were angels, no government would be necessary. The great challenge in forming a government is to enable the governed to do what it must. Yet at the same time oblige it to govern itself.

For that reason, splitting the atom of sovereignty, separating power prevents any one branch of government from acquiring unchecked power. It is, indeed, the responsibility of this body to do what we are doing now. If a President of the United States decrees the power to take the lives of U.S. citizens on U.S. soil without due process of law, I would suggest it is integral to the oath of office of every Member of the Senate and every Member of the House of Representatives to stand and say: Mr. President, respectfully, no, you may not. The Constitution gives you no such power. Each of us on entering office—in my case just a few weeks ago standing on those steps, the Vice President asked me to raise my hand and take an oath to honor and defend the Constitution. Every Member of this body took that oath.

It is our responsibility, especially when one branch of the government is overreaching, is usurping power that the Constitution forbids him and that is threatening to the liberty of the people, it is the responsibility of all of us to stand and resist that.

One of my alltime heroes, Ayn Rand in “*Atlas Shrugged*,” described how the parasitical class would put into place arbitrary power, standardless rules precisely so the productive citizens in the private sector would have to come on bended knee to those in government seeking special dispensation, seeking special favors, because that arbitrary and standardless rule empowers the political class and disempowers the people.

I could not help but think about Ayn Rand's observation this morning as I heard the Attorney General over and over refuse to say it would be unconstitutional for the Federal Government to kill a U.S. citizen on U.S. soil. He would say it would be inappropriate. He said that three times in response to direct questioning. It would be inappropriate and we should trust him. The Federal Government would not do so.

I found myself thinking of those arbitrary standards Ayn Rand talked about; that if the only protection we the people have against the Federal Government choosing to take the life of a U.S. citizen on U.S. soil is our trust that they would refrain from doing what is inappropriate rather than the protections of the Constitution, then I would suggest our liberty is fragile indeed.

Indeed, when we think about the concentration of power, no judicial opinion is more important than Justice Robert Jackson's concurring opinion in the *Youngstown Steel* seizure case. Justice

Jackson, as the Senator from Kentucky knows, was a giant on the U.S. Supreme Court. My former boss, Chief Justice William Rhenquist, served as a law clerk to Justice Robert Jackson.

Indeed, Justice Jackson took time off from serving on the U.S. Supreme Court to serve as the chief prosecutor at the Nuremberg trials, during which he made the powerful observation following World War II, when the United States brought to trial the horrific war criminals in the Nazi regime.

Justice Jackson observed at Nuremberg that four great nations, flushed with victory and stunned with injury, stay the hand of vengeance and voluntarily submit their captive enemies to the judgment of the law, is one of the most significant tributes that power has ever paid to reason.

I would suggest to the Senator from Kentucky, and I feel confident he would agree, that what we are talking about right now is the tribute that power must and should pay to reason and that unchecked power is always a threat to liberty.

As Justice Jackson opined in Youngstown Steel seizure “that comprehensive and undefined Presidential powers hold both practical advantages and grave dangers for the country will impress anyone who has served as a legal adviser to a President in a time of transition and public anxiety.”

Those words could have been written as easily tonight as they were half a century ago. Justice Jackson continued:

While the Constitution diffuses power to better secure liberty, it also contemplates that practice will integrate the dispersed power into a workable government. It enjoins upon its branches separateness but interdependence, autonomy but reciprocity. Presidential powers are not fixed but fluctuate, depending on their disjunction or conjunction with those of Congress.

When a President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate.

Justice Jackson explains:

No. 2: When the President acts in absence of either a congressional branch or denial of authority, he can only rely upon his own independent powers, but there is a zone of twilight in which he and Congress may have concurrent authority, or in which the distribution is uncertain. Therefore, congressional inertia, indifference or quiescence may sometimes, at least, as a practical matter, enable, if not invite, measures on independent Presidential responsibility. In this area, any actual test of power is likely to depend upon the imperatives of events and contemporary imponderables, rather than on abstract theories of law.

Now, perhaps, prior to 11:45 today, Eric Holder and John Brennan would have argued they fall into this second category, a category where Congress has been silent and, accordingly, they might presume some Presidential power. But as of 11:45 today, they can no longer claim that.

Justice Jackson explained the third category of Presidential powers.

When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain executive presidential control in such a case only by disabling the Congress from acting upon the subject. Presidential claim to a power at once so conclusive and preclusive must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system.

As we stand here tonight, later than the typical hour for the Senate being in session, indeed, later than many Members of this body had anticipated being in Washington, DC—many Members of this body had envisioned being on planes and returning home by now—it occurs to me that those Senators who have heeded the encouragement of the twitterers to stand with RAND, those Senators who have come here today, I am reminded of Henry the Fifth, as Shakespeare observed:

What's he that wishes so?

My cousin Westmoreland? No, my fair cousin;

If we are mark'd to die, we are enow

To do our country loss; and if to live,

The fewer men, the greater share of honour. God's will. I pray thee, wish not one man more.

By Jove, I am not covetous for gold,

Nor care I who doth feed upon my cost;

It yearns me not if men my garments wear;

Such outward things dwell not in my desires.

But if it be a sin to covet honor,

I am the most offending soul alive.

No, faith, my coz, wish not a man from England.

God's peace. I would not lose so great an honour

As one man more methinks would share from me

For the best hope I have. O, do not wish one more.

Rather proclaim it, Westmoreland, through my host,

That he which hath no stomach to this fight, Let him depart; his passport shall be made,

And crowns for convoy put into his purse.

We would not die in that man's company

That fears his fellowship to die with us.

This day is call'd the feast of Crispian.

He that outlives this day, and comes safe home,

Will stand a tip-toe when this day is nam'd, And rouse him at the name of Crispian.

He that shall live this day, and see old age, Will yearly on the vigil feast his neighbours,

And say “To-morrow is Saint Crispian.”

Then he will strip his sleeve and show his scars,

And say “These wounds I had on Crispian's day.”

Old men forget; yet all shall be forgot,

But he'll remember, with advantages,

What feats he did that day. Then shall our names,

Familiar in his mouth as household words—Harry the King, Bedford and Exeter,

Warwick and Talbot, Salisbury and Gloucester—

Be in their flowing cups freshly remembered. This story shall the good man teach his son;

And Crispin Crispian shall ne'er go by,

From this day to the ending of the world,

But we in it shall be remembered—

We few, we happy few, we band of brothers; For he to-day that sheds his blood with me Shall be my brother; be he ne'er so vile, This day shall gentle his condition.

And gentlemen in England now-a-bed

Shall think themselves accurs'd they were not here,

And hold their manhoods cheap whiles any speaks

That fought with us upon St. Crispian's day.

I would observe to the Senator from Kentucky that those glorious sentiments expressed centuries ago are precisely applicable to the stand here tonight because it is a stand against, indeed it is a stand against an administration that refuses to acknowledge limits on its power. It is a stand for the same purpose, for liberty.

There is a frustration across this country, a frustration not with Democrats or Republicans, not with one party or another, a frustration with entrenched politicians in Washington who don't seem to work for anybody.

I am convinced there is something credible happening in this country when the people are standing and reminding the men and women of this body that every one of us works for “we the people.” It is our principal task to stand and defend liberty, especially when liberty is threatened.

Indeed, that St. Crispian's Day speech had a saying—and even in some ways a different manifestation. In one of the greatest movies of all time, Patton, the opening scene of Patton, I will confess to the Senator of Kentucky I have more than once in preparation for an oral argument in court simply watched George C. Scott marching out in front of a flag the size of North Dakota. Standing in front of the flag, General Patton observed in a tribute to that very same speech I just read—I am going to modify it slightly to make it PG.

I want you to remember that no “fellow” ever won a war by dying for his country. He won it by making the other poor “fellow” die for his country.

Men, all this stuff you've heard about America not wanting to fight, wanting to stay out of the war is a lot of horse dung. Americans traditionally love to fight. All real Americans love the sting of battle.

When you were kids you all admired the champion marble shooter, the fastest runner, big-league ball players, the toughest boxers.

Americans love a winner and will not tolerate a loser.

Americans play to win all the time. I wouldn't give a hoot in hell for a man who lost and laughed. That's why Americans have never lost and will never lose a war because the very thought of losing is hateful to Americans.

George C. Scott continues as Patton:

Now there's another thing I want you to remember. I don't want to get any messages saying we are “holding our position.” We're not “holding” anything. Let the Hun do that. We're advancing constantly. We're not interested in holding on to anything except the enemy. We're going to hold on to him by the nose and kick him in the “posterior.” We're going to kick the “heck” out of him all the time and we're going to go through him like crap through a goose.

Thirty years from now when you're sitting around your fireside with your grandson on your knee and he asks you, "What did you do in the great World War II?" You won't have to say, "Well, I shoveled 'manure' in Louisiana."

That same sentiment, the same sentiment in St. Crispin's Day speech, talked about a tradition that has been a tradition in America for centuries, of men and women rallying against hard odds, rallying against challenging obstacles.

(Ms. HEITKAMP assumed the chair.)

I would observe that fight should not be a partisan fight. This is not a question of Republican or Democrat, liberty, the right to life of every American citizen. Arbitrary taking at the hands of the Federal Government should not simply be a value that one side or another of this Chamber embraces.

Indeed, I would note during the hearings this morning with Eric Holder, some of the most enthusiastic audience participants in that hearing were self-identified members of Code Pink, who I would suggest are not ordinarily individuals who would be described as card-carrying members of the Republican Party.

But liberty does not have a partisan affiliation. Indeed, to the Senator from Kentucky, I think it is an interesting question what the reaction in this Chamber and outside would be if the very same statements that have been made were made by a President who happened to be Republican. I think there is little doubt the outcry would be deafening, and rightly so. I will say to the Senator from Kentucky, if a President made the identical representations and happened to have an "R" behind his or her name, I have not one shadow of a doubt that the Senator from Kentucky would be standing here 10 hours protesting the arbitrary assertion of power by a President regardless of whether we share his party or not.

Indeed, I would note to the Senator from Kentucky this is a scenario which is not entirely hypothetical. Prior to serving in this body, I had the great privilege of serving my home State of Texas as the solicitor general of Texas. During that time, we faced a tragic and epic battle in a case called *Medellin v. Texas*.

Medellin began with a crime that shocked the conscience. Two little girls were horrifically abused and murdered by a gang in Houston. They were apprehended, confessed, and they were convicted by a jury of their peers, quite rightly.

At that point, the case took a very strange turn because the World Court, which is the judicial arm of the United Nations, issued an order to the United States to reopen the convictions of 51 murderers across this country, including one of the murderers in this case, Jose Ernesto Medellin.

I will tell you, Jose Medellin wrote a four-page handwritten confession in

that case. It is one of the most chilling documents I ever had the displeasure of reading. In it he bragged about hearing those little girls beg for their lives. A tiny detail he included in those letters was in many ways the most haunting, and I know it will remain with me for the rest of my life. He described how the youngest of those girls was wearing a Mickey Mouse watch and how he kept it as a trophy of that night because he was so proud of the atrocities they had committed. It is truly sickening what those young boys did that evening. And yet the World Court asserted a power that heretofore has never been asserted. It was the first time in history a foreign court has ever tried to bind the U.S. justice system. The World Court claimed the authority to reopen those convictions, so Texas stood up and fought the World Court.

I had the honor of arguing this case twice in front of the U.S. Supreme Court. On the other side, 90 foreign nations came in against the State of Texas—90 nations came in and argued the U.S. justice system should be completely subject to the authority of the World Court and the United Nations.

Also on the other side, most disturbingly, was the President of the United States. The President signed a two-paragraph order that attempted to order the State courts to obey the World Court. Again, that order, like the World Court's order, was unprecedented. It was the first time in history any President had ever attempted to order the State courts to do anything.

Unfortunately, the President at issue in that case was a Republican. It was President George W. Bush, a man for whom I worked, a man who, in many respects, I respect. Yet in that case, he asserted a power that could be found nowhere in the Constitution. And in consultation with my boss at the time, Attorney General Greg Abbott, I went before the U.S. Supreme Court and argued on behalf of the State of Texas that the President of the United States has no authority to give away U.S. sovereignty.

That was done notwithstanding the fact that he was a Republican, notwithstanding the fact the President was the former Governor of my home State of Texas. Because at the end of the day, defending liberty, defending sovereignty, defending the Constitution is not a partisan choice. It is not a game of dodge ball with shirts and skins; that if your team happens to have the ball, you stick together. Every one of us has taken an oath of office and we have an obligation to stand up.

So I stood before the U.S. Supreme Court representing the State of Texas and arguing that no President of the United States, be he Republican or Democrat, has the authority to give up U.S. sovereignty and make the State courts subject to the World Court.

I would note in that case the State of Texas had support from a number of

unlikely sources. Indeed, we had a wide range of amicae—friends of the court—who came in and supported us. One brief was filed on behalf of law professors. It was joined by several law professors, one of whom, John Yoo, is widely considered the law professor with the most expansive view of Presidential authority. And, indeed, he was an individual who served in the Justice Department and had advocated under President Bush an expansive view of Presidential authority.

That very same brief was joined by Erwin Chemerinsky, the dean of the University of California at Irvine School of Law. Dean Chemerinsky is a very well-known and proud liberal academic. I suspect it may well be right that this is the only time ever that John Yoo and Erwin Chemerinsky joined a single brief before the U.S. Supreme Court. And both agreed, despite the fact they come from very different places in the legal academy, that unchecked power in the hand of the executive is fundamentally a threat to liberty.

Indeed, I would note for the Senator from Kentucky, in talking to both of them and asking for their support in *Medellin*, I made the point to each to imagine a President from the other side who might have the power that was being asserted.

To the friends of mine on the right, I suggested that if a President had the power to set aside State laws on grounds of international comity, which was the basis that was being asserted in that case—without any sanction from Congress, without any sanction from another branch of the Federal Government, but simply on his own unilateral authority—an activist President on the left could use that power to assert, for example, that in his or her judgment the marriage laws of all 50 States should be set aside.

It may well be that all 50 States will choose to set their marriage laws aside. That is a judgment right now that has been in the hands of the voters in each State. But regardless of what the 50 States decide—and I suspect they will not decide the same thing—it seems to me clear that no President has the authority unilaterally, with the flick of a finger, to remove laws from the State books of all 50 States.

Likewise, to my friends on the left, I asked them to envision their nightmare of a rightwing President. They each had slightly different incarnations, but they all managed to do that. And I said: If this assertion of power is correct, that any President can set aside any State law if he or she deems it inconsistent with international comity, even though no treaty requires this—and, indeed, in *Medellin* the Justice Department maintained no treaty required this, this was simply a power that was being asserted to further comity, to further our relationships with

foreign nations—I suggested if the President has that power, what is to stop a President on the right from saying: I am setting aside the punitive damages laws in all 50 States? It upsets comity when foreign companies are subject to punitive damages awards; therefore, tort reform shall be the law of all 50 States.

And for that matter, there are States such as California that persist in putting in place incredibly restrictive environmental laws. If the President has the authority to flick aside State laws, what would prevent a President on the right from saying those environmental laws are no more?

I would note for the Senator from Kentucky that my view on all those questions was very clear and very straightforward. No President may do so, whether he or she is of the right or of the left. If the Federal Government is to set aside a State law, it may do so only through exercise of the supremacy clause. The Framers required that in order to set aside a State law that had been adopted by the democratically elected legislature in the State, that two branches had to work together in concert, either through legislation that passes the House of Representatives, passes the U.S. Senate and is signed into law by the President or through the form of a treaty that is signed by the President and ratified by two-thirds of the U.S. Senate. But in both instances the Framers required two branches to work together.

Why? The same reason we discussed before. The reason from Federalist 10, that you do not want power unified in one branch of government, where a faction, a special interest, may seize control of it. You want it divided.

I will note that it was an unusual position for the State of Texas to appear before the U.S. Supreme Court and argue that an action by a Republican President and former Governor of the State of Texas was unconstitutional. Yes, I can tell you I was very proud to have the opportunity to do just that, and I was even more proud when the Supreme Court of the United States ruled by a vote of 6 to 3 in favor of the State of Texas, concluding, No. 1, that the World Court has no authority whatsoever to bind the U.S. justice system; and No. 2, the President has no authority under the Constitution to give away our sovereignty.

I would suggest that is the way our system is supposed to work; that all of us, regardless of party, should be standing together for liberty. And when I think of standing for liberty, some of the frustration people have across this country is they feel it doesn't do any good. It doesn't make a difference who they vote for. Whoever they vote for, they go to Washington and keep spending money, and spending more money, and more money, and more money, and the debt goes up and

up and up, and the Federal laws get bigger and bigger and bigger and bigger, and the Federal regulations get more and more and more, and nothing seems to change. And I understand that frustration. It is a real frustration. It is a frustration I share, and I know it is a frustration the Senator from Kentucky shares.

I would suggest that part of the import of tonight is that the Senator from Kentucky is standing with millions of Americans who are frustrated by politicians in Washington who are unwilling to rock the boat, who are unwilling to stand for change. I am reminded that change can sometimes seem hopeless. Indeed, I mentioned that the desk I am standing at was previously occupied by Barry Goldwater. I have yet to acquire, but I intend to acquire, a leather-bound copy of "Conscience of a Conservative," which I intend to keep in this desk.

When Barry Goldwater became a national leader, it was thought impossible for his views to receive a wide audience. The views that were in the ascendancy were the views of the left; that government control of the economy, of our lives, was the proper and right direction for our Nation.

I am reminded of someone else, as the Senator from Kentucky knows, who gave a speech on October 27, 1964. He said the following:

I have spent most of my life as a Democrat. I recently have seen fit to follow another course. I believe that the issues confronting us cross party lines. Now, one side in this campaign—

And here he is referring to the campaign in 1964 for President.

—has been telling us that the issues of this election are the maintenance of peace and prosperity. The line has been used, "We've never had it so good."

But I have an uncomfortable feeling that this prosperity isn't something on which we can base our hopes for the future. No nation in history has ever survived a tax burden that reached a third of its national income. Today, 37 cents out of every dollar earned in this country is the tax collector's share.

Ah, those were the days.

and yet our government continues to spend \$17 million a day more than the government takes in.

Would that we could say today the government spends only \$17 million a day more than it takes in.

We haven't balanced our budget in 28 out of the last 34 years. We've raised our debt limit three times in the last 12 months.

I will remind you this speech was given in 1964, not last week.

and now our national debt is one and a half times bigger than all the combined debts of all the nations of the world. We have \$15 billion in gold in our treasury; we don't own an ounce. Foreign dollar claims are \$27.3 billion. And we've just announced that the dollar of 1939 will now purchase 45 cents of its total value.

Again, a scenario with which we are quite familiar.

As for the peace that we would preserve, I wonder who among us would like to approach the wife or mother whose husband or son has died in South Vietnam and ask them if they think this is a peace that should be maintained indefinitely. Do they mean peace or do they mean we just want to be left in peace? There can be no real peace while one American is dying someplace in the world for the rest of us. We're at war with the most dangerous enemy that has ever faced mankind in his long climb from the swamp to the stars, and it's been said if we lose that war, and in doing so lose this way of freedom of ours, history will record with the greatest astonishment that those who had the most to lose did the least to prevent its happening. Well, I think it's time we ask ourselves if we still know the freedoms that were intended for us by the Founding Fathers.

This next section is a section particularly dear to my heart. It was given before I was born.

Not too long ago, two friends of mine were talking to a Cuban refugee, a businessman who had escaped from Castro, and in the midst of his story one of my friends turned to the other and said, "We don't know how lucky we are." And the Cuban stopped and said, "How lucky you are? I had someplace to escape to." And in that sentence he told us the entire story.

Turning and seeing the junior Senator from Florida, I know he and I both know, as I hope every Member of this body knows, just how precious and fragile the freedom is that we enjoy in this country.

As President Reagan continued in that speech:

If we lose freedom here, there's no place to escape to. This is the last stand on Earth.

This idea that government is beholden to the people, that it has no other source of power except the sovereign people, is still the newest and most unique idea in all the long history of man's relation to man. This is the issue of this election: whether we believe in our capacity for self-government or whether we abandon the American revolution and confess that a little intellectual elite in a far distant capitol can plan our lives for us better than we can plan them ourselves.

You and I are increasingly told that we have to choose between a left or right. I would like to suggest there is no such thing as left or right. There is only up or down—[Up] man's old-age dream, the ultimate in individual freedom consistent with law and order, or down, to the ant heap of totalitarianism. Regardless of their sincerity, their humanitarian motives, those who would trade freedom for security have embarked on this downward course.

Given the topic of this discussion, the asserted power of the President to take the life of a U.S. citizen on U.S. soil without due process of law, that last portion bears reading again. "Those who would trade our freedom for security have embarked on this downward course to the ant heap of totalitarianism."

In this vote-harvesting time, they use terms like the "Great Society," or

as we were told a few days ago by the President, we must accept a greater government activity in the affairs of the people. But they've been a little more explicit in the past and among themselves; and all of the things I now will quote have appeared in print. These are not Republican accusations. For example, they have voices that say, "The cold war will end through our acceptance of a not undemocratic socialism." Another voice says, "The profit motive has become outmoded. It must be replaced by the incentives of the welfare state." Or, "Our traditional system of individual freedom is incapable of solving the complex problems of the 20th century." Senator Fullbright has said at Stanford University that the Constitution is outmoded. He referred to the President as "our moral teacher and our leader," and he says he is "hobbled in his task by the restrictions of power imposed on him by this antiquated document." He must "be freed," so that he "can do for us" what he knows "is best." And Senator Clark of Pennsylvania, another articulate spokesman, defines liberalism as "meeting the material needs of the masses through the full power of centralized government."

Well, I, for one, resent it when a representative of the people refers to you and me, the free men and women of this country, as "the masses." This is a term we haven't applied to ourselves in America. But beyond that, "the full power of centralized government"—this was the very thing the Founding Fathers sought to minimize. They knew that governments don't control things. A government can't control the economy without controlling people. And they know when a government sets out to do that, it must use force and coercion to achieve its purpose. They also knew, those Founding Fathers, that outside of its legitimate functions, government does nothing as well or as economically as the private sector of the economy.

Now, we have no better example of this than government's involvement in the farm economy over the last 30 years. Since 1955, the cost of this program has nearly doubled. One-fourth of farming in America is responsible for 85 percent of the farm surplus. Three-fourths of farming is out on the free market and has known a 21 percent increase in the per capita consumption of all its produce.

I am going to skip further along, to the end of the speech which, I will confess, not unlike the speeches given on this floor, was not a short speech. I will move to the end where President Reagan continued and said:

Those who would trade our freedom for the soup kitchen of the welfare state have told us they have a utopian solution of peace without victory. They call their policy "accommodation." And they say if we will only avoid any direct confrontation with the enemy, he will forget his evil ways and learn

to love us. . . . We cannot buy our security, our freedom from the threat of the bomb by committing an immorality so great as saying to a billion human beings now enslaved behind the Iron Curtain, "Give up your dreams of freedom because to save your skins we are making a deal with your slave masters." Alexander Hamilton said, "A nation which can prefer disgrace to danger is prepared for a master, and deserves one." Let's set the record straight. There is no argument over the choice between peace and war, but there is only one guaranteed way you can have peace—and you can have it in the next second—surrender.

Admittedly there's a risk in any course we follow other than this, but every lesson of history tells us the greater risk lies in appeasement, and this is the specter that we face. You and I know and do not believe that life is so dear and peace so sweet as to be purchased at the price of chains and slavery. If nothing in life is worth dying for, when did this begin?

You and I have the courage to say to our enemies, "There is a price we will not pay. There is a point beyond which they must not advance." And this, this is the meaning in the phrase of Barry Goldwater's "peace through strength."

Winston Churchill said, "The destiny of man is not measured by material computations. When great forces are on the move in the world we learn we are spirits—not animals. And he said, "There is something going on in time and space, and beyond time and space which, whether we like it or not, spells duty."

You and I have a rendezvous with destiny. We will preserve for our children this, the last best hope of man on Earth or we will sentence them to take the last step into 1000 years of darkness.

We will keep in mind and remember that Barry Goldwater has faith in us, he has faith that you and I have the ability and the dignity and the right to make our own decisions and to determine our own destiny.

That path, the path of standing and fighting for freedom, even when it seems daunting, even when it seems the gestalt of the moment is on the other side, is a path with many honorable forebears.

I can tell you, speaking and echoing the sentiment of the millions on Twitter, of the people following this stand for principle tonight, if the 100 Senators in this body stand together and say regardless of party, liberty will always prevail; regardless of party, the Constitution is the governing body, the governing document in this Nation, then we will be doing our jobs.

I commend Senator PAUL for a lonely stand that, as the night has worn on, has not proven quite so lonely. Indeed, were he the only Senator standing at his desk this evening, it would not be lonely in that circumstance either because he would be standing shoulder to shoulder with millions of Americans who do not wish the Federal Government to assert arbitrary power over our lives, over our liberty, over our property, but who, instead, want a government that remains a limited government of enumerated powers that protects the God-given rights each of us is blessed to have.

The question I ask: What in the Senator's judgment is America without

liberty? Who are we, if we are not a free people?

Mr. PAUL. Mr. President, I thank the Senator from Texas for his remarks. I think he has hit it exactly on the head. The question is a very pertinent question. The question is really where do we go from here.

I see this as a struggle. I see that we are engaged in an epic struggle, but it is not a struggle between Republicans and Democrats; it is a struggle between the President and the Constitution.

The question is, Does the President have the power and the prerogative to have his way regardless of the Constitution?

The question is, Does the Attorney General get to say that he will adhere to the fifth amendment when he chooses to? Is there a choice for American citizens on American soil that they either get the fifth amendment protections or they don't get the fifth amendment protections? This really is a struggle not only between the President and the Constitution but between the Senate and the Congress and the President, to say whether the President gets to determine this policy or whether this is a policy that should come from Congress.

I think we should be asking not just for the President to give his memos on drones, we should be giving him our memos on drones. We need to be dictating the law to the President and not acquiescing and giving the President this authority. This should be a battle between the executive and the legislative. It should involve Republicans and Democrats trying to restrain the President from saying that he has the ability to decide when you get fifth amendment protections and when you do not.

At this time, I, without yielding the floor, would like to entertain a question from the Senator from Florida.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Florida.

Mr. RUBIO. Mr. President, let me congratulate the junior Senator from Texas on a fantastic question. In that question he used Shakespeare references; he used references to the movie "Patton." I didn't bring my Shakespeare book, so let me just begin by quoting a modern-day poet. His name is Wiz Khalifa, called "Work Hard Play Hard." That is how it starts.

If you look at time, I think it is a time when many of our colleagues also expected to be back in the home State playing hard, but we are happy we are still here working hard on this issue. It is actually pretty stunning. If you watch from home you hear the audience of people watching on the news or whatever, what is going on here. I think it is important to explain what exactly is happening here. What is happening is pretty straightforward.

The Senator from Kentucky has asked a question of the administration. It is a pretty straightforward question.

Is it constitutional for the Federal Government to kill a noncombatant citizen in the United States? We all have strong feelings about that program. We all have strong feelings about the war on terror. These are all legitimate issues, but this is a very direct question that has been asked.

What would have resolved this hours ago, from my understanding—and if I am incorrect the Senator from Kentucky will correct me in a moment—my understanding is he has offered two ways to bring this to a resolution. One is just a clear, unequivocal statement from the White House that says, of course, it is unconstitutional. That is not going to happen. Unconstitutional. Just a straightforward statement of that magnitude.

I have been watching on television the last few hours. I saw the Senator from Kentucky say they have reached out to the White House. They have been, I believe, unable to get a direct response.

The other is I heard he made a motion to have a resolution heard that made it clear that was the sense of this body. The sense of this body would be that this is unconstitutional. Again, pretty straightforward.

Let's just say there are those among us who believe this is important. I don't know anybody in this body who believes a noncombatant U.S. citizen in the United States who is not doing anything of imminent danger should somehow be killed by the U.S. Government, nor do people at home believe that either. It was the sense of the Senate that this was the case, and in exchange for that vote, of course the vote on Mr. Brennan would move forward, and that has been rejected. This doesn't make a lot of sense to me.

I actually went to a movie—one of the great American movies, "The Godfather"—and there was a quote in that movie. I don't have the Patton quote, but I have "The Godfather" quote, and this is the best known one, "I'll make him an offer he can't refuse." To me these are straightforward offers they can't refuse. Yet they have been refused. I think that is stunning.

The third thing I wish to say—I want you to imagine what this conversation would be like tonight if the President was George W. Bush and if this issue was about George W. Bush. Just imagine that for a moment now—if he had been asked this direct question and refused to answer—what this Chamber would look like and what the arguments being made would look like tonight. Imagine that for a moment.

That takes me back to another modern day poet by the name of Jay-Z from one of the songs he wrote: It's funny what seven days can change, it was all good just a week ago. I don't know if it was all good a week ago, but I can tell everyone that things have changed.

If the President was George W. Bush and this was the question asked of him and the response was the silence we have gotten, we would have a very different scenario tonight except I actually believe the Senator from Kentucky would make the exact same arguments he is now making on the floor.

I want everyone who is watching to clearly understand—and if I am wrong, the Senator from Kentucky is going to correct me—that what he is asking is a simple, straightforward response or, if we cannot get that, a simple and straightforward response from the Members of this body in a sense of the Senate resolution vote. Both have been rejected.

The last observation I would have tonight is that there have been pretty phenomenal legal analyses on the floor. That reminds me of the most famous quote from "The Godfather" that was never actually used in the movie. I don't know how that happened. Maybe they cut it out. Here is the quote: "A lawyer with his briefcase can steal more than a hundred men with guns." I don't know how that is relevant to this, but I thought it was a very good quote. I thought I would bring it up because I went to law school. I am a lawyer. I was a land use and zoning attorney, which meant if I wound up in the courtroom, something went horribly wrong with the land use and zoning application.

The point is we have had good arguments on the constitutional issues with regard to this, and I think those are important to discuss. I am glad so much time has been spent on those. It is important for the people at home to fully understand the legal arguments here because I think they are important. They go to the heart of our Constitution. They go to the heart of our civil liberties. They go to the heart of the things that distinguish our Nation.

I think what is stunning to me—clearly the constitutional issue is important—is how simple and straightforward this issue is and how easily it could have been resolved. I don't know how many hours we are into this now—I think it is about 11 hours and 15 minutes—but we cannot get a straightforward answer. The Members of this body deserve that. The Members of this body deserve an answer. It doesn't matter what party you or the President is in. This is an important question that is being asked.

All of this could be over if we get a straightforward answer. I think that is something every Member of this body should care about. It is not a Republican question. It is not a conservative question. It is a constitutional question, a relevant question, and one that should be easy to answer.

They are refusing to answer it for some reason. I don't know if it is because of pride or it is beneath them or they have something else going on or

the answer department was shut down. Either way I don't understand how they cannot answer this very straightforward question.

It reminds me of another line from "The Godfather" when Michael turns to Fredo and says: Fredo, you are my older brother, and I love you but don't ever take sides with anyone against the family again. That is kind of what is happening here. As an institution—as the Senate—we have a right to those answers. It doesn't matter who the President is. We have a job to do that we are held responsible for and that we are held accountable.

Thirty years from now, forty years from now, twenty years from now, ten years from now, these sorts of decisions will have ramifications long after we are gone. All of us here will be gone and there will be other people in these chairs. Maybe it will be our children, grandchildren or great-grandchildren who will visit this building, and they will read about the time we served here. If we make mistakes, history will record those mistakes and hold us accountable for those mistakes. If things are happening today that set the groundwork for future administrations—because that is the other thing we need to remember. No matter how anyone feels about the current President, he is not going to be President forever. The precedence he sets could very well guide what future Presidents do.

So the point is, if we are laying the groundwork and making mistakes by not asking certain questions, history will hold us accountable for that and that is all of us. It is not one of us, not five of us, not the Republican part of the Senate but all of us. We have a right to ask these questions and to get these questions answered. That is not being an obstructionist, that is not being partisan, that is being a Senator.

I have only been here 2 years, but I know enough of this process already to know that when the majority changes or when a new President is elected, at some point every single one of us is going to want to have an answer from the administration or some other branch of government and they are going to hold us off. They are going to give us the Heisman and stiff-arm us and not answer the question. I would sure hope at that moment—whether you agree with that person or not—that you would stand and defend their prerogative and right as a representative of their State to get legitimate questions answered in a straightforward way.

As I said earlier today when I came to the floor, this issue is about this institution as much as anything else. It is about the right of every single Member of this body to be able to ask legitimate questions of the administration or other branches of government and to get a straightforward answer.

I guess the question I have for the junior Senator from Kentucky is—just to clarify my understanding—that this issue could have been brought to a resolution quite a long time ago if the White House had made their feelings well known in a statement. They could just put that out in a 30-second statement, and it would be done. Just come out and say it, that it is unconstitutional to kill U.S. citizens that are noncombatants who are in the United States. That is one route.

The other thing that could have ended this is the unanimous consent motion he made to have this body vote on the sense of the Senate, and that would have brought it to a vote. Is that accurate? Are those the options before us?

Mr. PAUL. Mr. President, that is exactly the sequence of things. We have been in contact with the White House throughout the night. We have made several phone calls to the White House. We told them we are willing to allow a vote on the Brennan nomination. All we ask in return is that we get a clear implication of whether they believe they have the authority under the Constitution to target Americans on American soil. I think it is a question that is fair to ask, and we have been willing to let them have the vote at any time either earlier tonight, obviously, as well as in the morning. All we ask in return from the White House is a clarification.

The last report I got from the White House is that they were done talking tonight. I hope that doesn't mean they are done talking tomorrow. I think this struggle is an important struggle, and I think there needs to be clarification from the White House before this goes forward. This is a point in time when the question has been raised. I think it is important for them to answer the question, and the fifth amendment is not optional. They don't get to choose to adhere to the fifth amendment. This applies to U.S. citizens on U.S. soil, and there are no exceptions to that.

Without yielding time, I would like to entertain a question from the Senator from South Dakota.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from South Dakota.

Mr. THUNE. Madam President, I thank the Senator from Kentucky for yielding for a question. I appreciate his diligence in continuing at this late hour to get an answer to some very important questions.

I think many of us when we got up and came in this morning were preparing and getting ready for the big blizzard of 2013 which, of course, never materialized here in Washington, DC. Evidently, there were a lot of agencies of government that were not here today. Perhaps when they get back, maybe the Senator from Kentucky will

get an answer to his question. I think it is a straightforward question.

I am someone this evening who has supported the use of drones in fighting the war on terror. I think they have been very effective in killing terrorists, people who want to do harm to the people of this country. But I think the question that has been raised by the Senator from Kentucky—and the reason we are here this evening—has to do with a straightforward issue. He has a sense of the Senate on which he is prepared to have the Senate go on record, and it is very simple and very straightforward. It says: Resolved that it is the sense of the Senate that, No. 1, the use of drones to execute or target American citizens on American soil who pose no imminent threat clearly violates the constitutional due process rights of citizens.

No. 2, the American people deserve a clear, concise, and unequivocal public statement from the President of the United States that contains detailed legal reasoning including, but not limited to, the balance between national security and due process, limits of Executive power, and distinction between treatment of citizens and noncitizens within and outside the borders of the United States, the use of lethal force against American citizens, and the use of drones and the application of lethal force within the United States territory.

It is a very straightforward resolution, a sense of the Senate, and all that the Senator from Kentucky is simply doing is trying to get a response and get a vote on that and make that the statement of the Senate. He obviously wants to get the President of the United States, the White House, and Mr. Brennan—whose nomination is pending before us—to make a clarification on that point.

It is not like this issue popped up overnight. The Senator from Kentucky has been trying for some time to get an answer to this question. He has submitted numerous letters addressed to Mr. Brennan.

This is a letter from February 12 where he poses numerous questions, one of which is: Do you believe that the President has the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil? What about the use of lethal force against a non-U.S. person on U.S. soil? These are straightforward questions to which the Senator from Kentucky deserves an answer, and this is a perfectly fitting and appropriate time in which to try and get that answer.

The nomination of the CIA Director is an incredibly important and strategic position in this country, and under the Constitution of the United States, article II, section 2, the President has the power by and with the advice and consent of the Senate to make treaties provided two-thirds of the Sen-

ators concur. "He shall nominate, and with the advice of the Senate, shall appoint ambassadors, other public ministers, counsels, judges of the Supreme Court, and other officers of the United States."

It is the advise and consent power that the Senate has under the Constitution that the Senator from Kentucky is exercising on this nomination.

Again, it has been pointed out many times on the floor of the Senate today this is not something that is a partisan issue. It is not a Democratic or Republican issue. This is something that has ramifications. It is a constitutional question. It has to do with due process under the law. It has to do with the advise and consent power of the Senate under the Constitution. So when the Senator from Kentucky continues to press the administration for a straightforward answer, he continues to get sort of these vague, ambiguous answers, if you will. Again, these are questions that did not just pop up overnight. Back on January 25 of this year, 2013, the Senator from Kentucky posed to Mr. Brennan a series of questions at that time. The follow-on letter, which I quoted from earlier, was from February 12. He put forward questions, such as:

Do you agree with the argument put forth on numerous occasions by the executive branch that it is legal to order the killing of American citizens and it is not compelled to explain its reasoning in reaching this conclusion? Do you believe this is a good precedent for the government to set?

He goes on to ask another question:

Would it not be appropriate to require a judge or court to review every case before the individual in question is added to a targeting list? Please describe the due process requirements in place for those individuals being considered for addition to a targeting list. Would you agree it is paradoxical that the Federal Government would need to go before a judge to authorize a wiretap on U.S. citizens overseas but possibly not to order a lethal drone strike against the same individual? If not, please explain why you believe something similar to the FISA standard should not be applied in regard to lethal actions against citizens of the United States.

These are straightforward questions. These are questions to which I believe the Senator from Kentucky deserves an answer. Many of us this evening, at this late hour, are here to support him in that endeavor and his attempt at least to try—as this nomination moves through the process—to get the answers to the questions that would allow him to perform the advise and consent function that is in the U.S. Constitution as it applies to nominations and as it has been implemented here by the Senators in history.

I want to say to the Senator from Kentucky—and I have a question for him in a moment—that it is remarkable to see this process unfold. In my time here—and I came in the 2004 election; started my service in the U.S. Senate in January of 2005—I have not seen a time where we had a Senator

who as a matter of principle stood down here for the number of hours he has today and insisted on getting some answers. I give him great credit for the job he has done in pressing this issue.

He has not been given that answer yet. It sounds as though it has kind of come up to the line a couple of times. It is very simple. They could put this thing to rest. All they have to do is come forward and answer that very simple question about the legal authority to target American citizens on American soil with drone attacks. It doesn't seem to me, at least, that it would be that hard of a question to answer. They say as a matter of policy they have not done that and they don't have any intention of doing it in the future. Why don't we put this issue to rest once and for all, and the Senator from Kentucky will allow the process to go forward and Mr. Brennan can get his vote.

In the time I have been here, at least, it certainly is remarkable to me to see the amount of effort the Senator from Kentucky has put forward in trying to get an answer to a very straightforward question. I give him great credit for that, because a principled stand is something we don't see enough of around here. So to stand here and use his powers as a Senator in a way that is very fitting with the tradition and history of this great institution—we look at the U.S. Senate and those who have come before, the place of great characters of our history, including Calhoun and others who have graced the U.S. Senate and some of the great debates that have occurred in the past. It is nice to see a discussion and debate about a major constitutional issue, a major constitutional question.

I, as do many of my colleagues who are here this evening, support the Senator from Kentucky in his quest to get answers. I think it is certainly appropriate. I think it certainly should be expected that the administration respond to what are very straightforward questions with regard to the issue that has been raised by the Senator and I hope that answer will be forthcoming. If it is not, it is entirely possible, I suppose, that this could continue for some time into the future.

But in any event, I ask the Senator from Kentucky what it will take in terms of some sort of affirmation, some sort of answer, some sort of response from the White House, from the nominee, the Director of the CIA, to satisfy the question he has raised. It seems to me, at least as a Senator from South Dakota, that the question he poses is a straightforward and simple one and merely requires a very simple answer.

Mr. PAUL. Madam President, I thank the Senator from South Dakota for his remarks and would make the comment that I, as has he, have seen what drones can do to protect our soldiers and no one is arguing against that. No one is

arguing against drones or any other kinds of force to defend the country against any kind of an attack. What we are arguing for is that noncombatants—people not engaged in combat in our country—are due fifth amendment protections, and that the White House should acknowledge this. This is important because the drone strikes overseas, when looking at the category and looking at the way they are being done and under what standards, there are some of those standards that we don't think are appropriate for U.S. citizens on U.S. soil. So we are asking for a clarification. We think Attorney General Holder got close to that today, under the duress of cross-examination. We wish to see him do it voluntarily in a nice, concise statement and we would be happy to vote on the Brennan nomination as early as tomorrow morning.

I wish to yield time to the minority leader.

Mr. MCCONNELL. I thank my colleague from Kentucky. First let me say I think our mutual constituents will certainly learn—

Mr. DURBIN. Madam President, was there a unanimous consent request?

Mr. MCCONNELL. Would the Senator from Kentucky yield for a question?

Mr. PAUL. Yes.

Mr. MCCONNELL. First let me thank my friend from Kentucky for his courage and conviction. Having been here a while in the Senate, we have only rarely, as Senator THUNE pointed out, had extended debate on any matter. A body that came into existence for the purpose of lengthy discussions of weighty issues has, in recent years, had very little lengthy discussion of weighty issues.

If I understand the issue the Senator from Kentucky feels so passionately about, it is that the administration should answer a question that is pretty easily stated, as I understand it, as follows: Does the administration take the view that a drone strike against a U.S. citizen on U.S. soil would be an appropriate use of that weapon? Am I correct that is the question the Senator from Kentucky hopes to get an answer to from the administration?

Mr. PAUL. Yes.

Mr. MCCONNELL. And I assume the Senator from Kentucky shares my view that it is a pretty easily understood question. It strikes me that the question again is pretty easily understood and has to be something the administration has given some thought to, given the development of this new weapon.

I heard Senator BARRASSO earlier today talking about how this technology has changed—we would never have thought of this a few years ago—this technology has actually changed warfare in a very dramatic way. So as I understand it, what the Senator from Kentucky is looking for is how this dramatic new weapon applies to the

U.S. Constitution—how the use of it applies to the U.S. Constitution on American soil.

So I think it is entirely appropriate that the Senator from Kentucky engage in an extended debate with the support of his colleagues to get the answer to this question. I wanted to congratulate him for his tenacity, for his conviction, and for being able to rally the support of a great many people, as well as people who have come over from the House of Representatives who feel also, I gather, that this is a legitimate question the administration ought to be answering.

I might say, at whatever point we get to a cloture vote to extend debate on the nomination of Brennan, it is my view cloture should not be invoked. This is a controversial nominee. Should cloture be invoked, I intend to oppose the nomination.

I congratulate my colleague from Kentucky for this extraordinary effort.

Mr. PAUL. Madam President, I wish to thank the minority leader for his remarks and for his insightful questions. The question about whether the President has actually gotten involved with what the rules will be has actually been somewhat broached. He was asked at Google about whether this could occur and he said, Well, the rules would have to be different outside than inside. So it implies they have thought about what the rules should be outside, but to my knowledge no one in the Intelligence Committee has been informed what the rules are inside.

It troubles me that they think they have the authority to do targeted drone strikes inside, particularly when there are examples of the Twin Towers and 1941 Pearl Harbor. Those would be attacks we would repulse no matter who we knew was coming in. There wouldn't be a targeted strike on an individual at a designated time. We would repulse those attacks militarily and they wouldn't even fall into the category of what we are talking about here as targeted drone strikes. We might use drones, but they wouldn't be what we are talking about. These are questions we have been asking all day. So they have answered a question, just not the question we asked.

Mr. MCCONNELL. I thank my friend from Kentucky.

Mr. PAUL. Madam President, I wish to yield for a question to the Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I wish to spend a couple of moments here revisiting the context in which this discussion occurred. I want to commend the Senator from Kentucky for raising what I think is an extremely important issue and forcing the attention of this body to this issue at an appropriate time, which he has done, and, I might add, at great personal inconvenience to himself.

This arose from a letter the Senator from Kentucky sent to Mr. Brennan,

the nominee for the Director of Central Intelligence, and the response he got. These are short letters. I want to review this so it is very clear exactly what was posed and what the response was and where we are at the moment in this debate.

The letter from the Senator from Kentucky begins:

Dear Mr. Brennan: In consideration of your nomination to be the director of the Central Intelligence Agency, I have repeatedly requested that you provide answers to several questions clarifying your role in the approval of lethal force against terrorism suspects, particularly those who are U.S. citizens. Your past actions in this regard as well as your view of the limitations to which you are subject are of critical importance in assessing your qualifications to lead the CIA. If it is not clear that you will honor the limits placed upon the executive branch by the Constitution, then the Senate should not confirm you to lead the CIA.

Clearly, this is the idea that is under scrutiny this evening.

The letter goes on to say:

During your confirmation process in the Senate Select Committee on Intelligence, committee members have quite appropriately made a request similar to questions I have raised in my previous letter to you, that you expound on your views on the limits of executive power in using lethal force against U.S. citizens, especially when operating on U.S. soil. In fact, the chairman of the SSCI—

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Senator Feinstein, specifically asked you in post-hearing questions, for the record, whether the administration could carry out drone strikes inside the United States. In your response, you emphasize that the administration “has not carried out” such strikes, and “has no intention of doing so.” I do not find this response sufficient.

Let me just add editorially, I do not know how anyone could find that sufficient. It clearly is an evasion of the question. That doesn’t answer the question that was posed by Senator FEINSTEIN, just as we haven’t been able to get an answer to the question posed by the Senator from Kentucky.

The letter goes on to say:

The question that I and many others have asked is not whether the administration has or intends to carry out drone strikes inside the United States, but whether it believes it has the authority to do so. This is an important distinction that should not be ignored.

And this, of course, goes to the heart of the question: Does this administration believe it has the authority to carry out a lethal strike by a drone against an American citizen on American soil.

The letter goes on to say:

Just last week, President Obama also avoided this question when posed to him directly. Instead of addressing the question of whether the administration could kill a U.S. citizen on American soil, he used a similar line that “there has never been a drone used on an American citizen on American soil.”

The evasive replies from the administration to this valid question have only con-

fused the issue further without getting us any closer to an actual answer.

I would say that is—again, this is my editorial comment—I think that is a generous assessment. When a direct question is asked and the party to whom the question is directed repetitively evades the question, it makes one seriously wonder what their intentions are.

The letter goes on to say:

For that reason, I, once again, request you answer the following question: Do you believe that the President has the power to authorize lethal force such as a drone strike against a U.S. citizen on U.S. soil and without a trial? I believe the only acceptable answer to this is no. Until you directly and clearly answer, I plan to use every procedural option at my disposal to delay your confirmation and bring added scrutiny to this issue and the administration’s policies on the use of lethal force.

The American people are rightly concerned and they deserve a frank and open discussion on these policies.

Sincerely, Rand Paul, M.D., United States Senator.

I have to say, this is a very straightforward and simple question. It has been posed clearly. It has been posed repeatedly.

Now I want to share with my colleagues the answer, such as it is, that we have received, the most recent answer that was directed to the Senator from Kentucky which, again, I would suggest is not responsive to the question.

A letter dated March 4, addressed to Senator PAUL, says:

On February 20, 2013, you—

Referring to Senator PAUL—wrote to John Brennan requesting additional information concerning the Administration’s views about whether “the President has the power to authorize lethal force, such as a drone strike, against a U.S. citizen on U.S. soil, and without trial.”

The letter goes on to say:

As members of this Administration have previously indicated, the U.S. government has not carried out drone strikes in the United States and has no intention of doing so. As a policy matter, moreover, we reject the use of military force where well-established law enforcement authorities in this country provide the best means for incapacitating a terrorist threat. We have a long history of using the criminal justice system to incapacitate individuals located in our country who pose a threat to the United States and its interests abroad. Hundreds of individuals have been arrested and convicted of terrorism-related offenses in our federal courts.

The question you have posed is therefore entirely hypothetical, unlikely to occur, and one we hope no President will ever have to confront. It is possible, I suppose, to imagine an extraordinary circumstance in which it would be necessary and appropriate under the Constitution and applicable laws of the United States for the President to authorize the military to use lethal force within the territory of the United States. For example, the President could conceivably have no choice but to authorize the military to use such force if necessary to protect the homeland in the circumstances of a catastrophic attack like the ones suffered on December 7, 1941, and September 11, 2001.

Were such an emergency to arise, I would examine the particular facts and circumstances before advising the President on the scope of his authority.

Sincerely,
Eric H. Holder, Jr.
Attorney General

The reason I read the entire letter is because I did not want anyone to think any part of this was taken out of context or anything was being left out.

When you read the entire letter, in response to the entire letter that was sent as a request, I think it is very clear. This administration refuses to answer a simple and very important and very legitimate question.

Our Attorney General suggests that under a certain set of circumstances—which he will not specify any guiding principles or rules that would allow us to understand those circumstances—he would examine the facts and circumstances and then advise the President on the scope of his authority.

There is no suggestion of what legal authority he has to do this. There is no description of the constitutional authority. I find this very disturbing. We have all observed the very new developments that we are experiencing in national security. The minority leader alluded to this in some respects.

As I mentioned earlier today, there is no question we have a relatively new phenomenon in our national security challenges. It is only in very recent times that we have come to understand the nature of a whole new kind of enemy. It is not just a nation state anymore, which has historically been the nature of military threats. But now there is a very different kind of threat—dispersed, somewhat affiliated, sometimes affiliated, hard to discern—a geographically widespread network of terrorists. That is very different than the traditional nation state. That is a different kind of threat, and we have spent a lot of time trying to come to terms with how best to address this.

In an overlapping period of time, a new technology has emerged. We have developed it. It is an amazing technology that gives us the ability from vast distances away to send out a very sophisticated unmanned aircraft that is quite lethal and quite capable of destroying a target. I think most of us probably feel that there are many cases where this is an appropriate tool under an appropriate set of circumstances. But, frankly, I think it should be the subject of an ongoing discussion: How would we use this? Under what circumstances? Does the President have unlimited unilateral authority? That is a discussion we ought to have about the use of this technology overseas where I think, as I say, it has a very important, very useful, very legitimate function.

But when we are talking about using this, the American Government using this military asset to kill American citizens on American soil, I am a little

shocked that there is not an automatic presumption that that is not permissible—certainly not legal. I cannot understand the constitutional basis for this. I would certainly suggest that the burden ought to be on those who would suggest that that is permissible.

So what the Senator from Kentucky has said is: Just tell us the answer to this question. Do you believe you actually do have this authority? And could you tell us that? If they believe they have this authority—and since they will not answer unequivocally that they lack the authority, it is hard to infer anything other than that perhaps they think they do have this authority.

It obviously raises a whole lot of very important questions, such as under what circumstances would you feel you have the authority to exercise this power? And exactly who would be targeted? And how would you decide whom to target? And in the event you are carrying out a strike using lethal force of this magnitude on American soil against an American citizen, what kind of criteria would govern your judgment about the risks that would be imposed on innocent people who are in the vicinity? And what about any judicial review at all? Would there be any appropriate role for it because, of course, we have a very long tradition of due process.

There are a lot of Americans who have serious reservations about the idea of indefinite detention on American soil. Indefinite detention is pretty tame compared to being destroyed by a drone.

So I would suggest the failure of the administration to answer this basic question of whether they believe they have the authority to do something that is completely unprecedented is a very fundamental and important question and completely legitimate. And it is completely appropriate for this body to insist on an answer to this question before we would go ahead and confirm a person who would have enormous power and authority over a variety of national security issues.

I want to commend the Senator from Kentucky for putting a bright light on this issue. This is a very important issue, and, as I mentioned earlier, he has done it at great personal inconvenience to himself because he has a passionate commitment to the liberty of the American citizens. He manifests that all the time in many ways, and this is one of the ways he is doing it. I commend him for that.

I would conclude my question by addressing the Senator, through the Presiding Officer. My question for the Senator is, has there been any change in the status of the lack of response from the administration since the last time we have heard from the administration?

Mr. PAUL. Madam President, we have been asking the question of the

White House all day, and we have said all along that we would allow the vote to proceed, but we have not gotten any response from the White House. The consideration of whether we will get a response tonight I think is unlikely. We will still keep pressing the issue in the morning as well.

But with regard to the Senator's remarks, I think one of the things I hope will come out of this debate will be that we will reassert our authority as a function of the separation of powers, where our body will say to the President: We not only would like your drone memos on how you think you can do this, but we should reassert our authority and tell the President, this is how we think you should do it, and this is the law that is going to dictate and circumscribe how you will do this.

That is an authority that I think has been long necessary and we have been letting go by the side and I think we should reassert.

At this time, Madam President, I wish to yield to—

Mr. DURBIN. Madam President, will the Senator yield for a question?

Mr. PAUL. Without relinquishing the floor, I will yield for a question.

Mr. DURBIN. I thank the Senator from Kentucky, and I apologize to my friend from Wisconsin. I know he has been waiting. But the question asked by the Senator from Pennsylvania prompted me to recall a specific set of circumstances which I think address his concerns, our mutual concerns, about the use of lethal force.

I know we are talking about this in the context of drones, but a drone is a weapon, and there are other weapons by which our government can use lethal force to kill people.

So I think, going to the question the Senator asked Mr. Brennan, in a more generic sense, the question is, When can our government use lethal force in the United States against perhaps U.S. citizens? I think it is a legitimate question.

I was not misleading the Senator earlier when I said there is a scheduled hearing—the only scheduled hearing—on this question coming up before the Judiciary Subcommittee on the Constitution, which I chair. And the ranking member is Senator CRUZ of Texas who was here earlier.

So I think it is important, and it is an important constitutional question, but, while my colleague from Pennsylvania is here, I wish to recount a set of circumstances for him, and then pose a question to the Senator.

The circumstances were September 11, 2001. Some of us were in this Capitol Building, in fact, just outside this door. As we came to work, we heard that some plane had crashed into the World Trade Center in New York. As we were watching on television, a few minutes after 9, a second plane crashed into the World Trade Center—the adjoining

building. We all know what happened following that.

As we were in our meeting here, just a few feet away, we started seeing black, billowy smoke coming across the Mall right outside our window here. A third plane, taken over by these terrorists, was crashing into the Pentagon. What we did not know at the time was that there was a fourth plane. But we evacuated the Capitol. All of us, literally every one, raced out of this building to stand on the lawn outside. It was not a safe place, but we did not know where to go—all the tourists, all the staff, and all the rest.

It was not but a few minutes that we were out there, and we heard something that sounded like a shot, a discharge of a weapon. In fact, it was fighter planes that were being scrambled to protect the United States Capitol. At that time, the order had gone out to all commercial airplanes in the United States: Land immediately, so that we would know who was in our airspace and not responding to that command.

It turns out there was a fourth plane involved, and that plane crashed in Pennsylvania, we believe because of the heroism and bravery of the passengers on board; that when they realized what was happening, they tried to take control of that plane before it could be used as a weapon.

Many people believe that plane was aimed for this building or for someplace in Washington, DC. We had scrambled our military planes. And had that plane not crashed into the countryside in Pennsylvania and come within the airspace of this Capitol, I think we know what would have happened. Our government would have used lethal force—military lethal force—to shoot down a civilian airplane that was threatening, we believed, the lives of innocent Americans. It would have been the use of lethal force on our soil to stop a person or persons whom we believed were terrorists about to kill innocent Americans.

So when I listened to the response from Attorney General Holder in hypothetical and put it in the context of 9/11, I can imagine that President Bush might have been called on in an instant to make a decision as Commander in Chief to bring down the fourth plane before it crashed into another building and killed innocent people.

That is a circumstance, I would say to the Senator from Pennsylvania and the Senator from Kentucky, which I fully understand and expect the Commander in Chief to respond to.

So I do not think this is such a clear and easy situation. It is important that we have this hearing and explore the many possibilities—the possibility of a terrorist overseas who threatens our safety and the use of lethal force, drones or otherwise, the possibility of a non-U.S. terrorist in the United States

and use of lethal force to deter them. And then obvious questions: What if it is a U.S. citizen overseas? What if it is a U.S. citizen in the United States?

I joined 10 other Senators asking for the same legal memos, which I think the Senator would like to see as well, justifying whatever course of action this administration has used. I think it is a legitimate constitutional responsibility of the Senate and the House and this Congress.

But I also understand, having lived through—as all of us did in some respect—9/11, the complexity of those decisions that have to be made in such a fashion.

So my question to the Senator—as I said before, we have to end with a question mark—don't you consider the situation of 9/11 and the use of lethal force, even military force, to shoot down a civilian plane—if it had survived the passenger effort in Pennsylvania and was headed for the U.S. Capitol—to be a legitimate exercise of a Commander in Chief to protect the United States?

Mr. PAUL. Madam President, absolutely. My answer to the question the Senator raised is absolutely. We have the right to defend ourselves. It would have been a decision that has to be made imminently because a lethal threat needs to have a lethal response immediately.

My whole problem with this whole debate is, none of us disagrees with that, I do not think. We all agree that you can repel an imminent attack. We all agree if someone is outside the Capitol with a rocket launcher or grenade launcher, lethal force can be used against them. None of us disagrees on that.

We are talking about a targeted drone program where we target individuals. Overseas, the standard seems to include people who are not actively engaged in combat who we think either might be in the future or have been in the past. I do not think that standard can be used in the United States. I think when you are in a battlefield, you do not get due process. If you are shooting at Americans, drones can hit you anytime, missiles can hit you. There is no due process in a battle.

This is a big debate because many have said the battlefield is here. But if the battlefield is here, that would imply the fifth amendment does not apply here. The President has said he will use the fifth amendment in the process of deciding drone attacks overseas, but he does not get the option to kind of use it privately. Using the fifth amendment privately to me is not using the fifth amendment.

I will say, I have a great deal of respect for the Senator from Illinois. We have often been on the same side on civil liberties issues. I do not question that he and I may well see eye to eye on this issue, that targeted killings of people in restaurants, in their house, in

a hotel, are not something we can or will tolerate. It contravenes the Constitution. It is a simple question. The President should simply answer that question. I think Attorney General Holder was coming in the direction of that. But why is it so hard? Why is it like pulling teeth to get them to admit they do not have this power? Presidents need to more easily say: By golly, no, the Constitution says you cannot do that. The fifth amendment does apply. There are no exceptions to the fifth amendment for American citizens on American soil. That is all we are asking.

But I think the 9/11 comparison and Pearl Harbor is a red herring in the sense that none of us disagrees with repelling a lethal attack, an imminent lethal attack, an ongoing lethal attack with lethal force. No one disagrees with that.

Mr. DURBIN. Will the Senator yield further for a question?

The white paper that has been presented to us by the Justice Department concludes that the right to national self-defense and the 2001 authorization to use military force gave the U.S. Government legal authority to kill a U.S. citizen in a foreign country that is not an area of active hostilities, if the target is a senior operational leader of al-Qaida or an associated force. So it is qualified in that regard.

The white paper argues, such an attack does not violate the constitutional rights of a U.S. citizen in this circumstance, “if he poses an imminent threat of violent attack against the United States.” Imminent threat. No. 2, “his capture is not feasible,” or the Justice Department white paper goes on to say, “and the operation complies with the law of war principles, such as the need to minimize collateral damage.”

I will say to the Senator, I stand with him. I want an answer to his question. I think we should pursue it on a bipartisan basis, as we have many issues together in the past. I think it is a legitimate question. But I would say that the white paper we have been given relative to this U.S. citizen overseas has some fairly narrow circumstances in terms of the use of force.

When it comes to the use of that force in the United States, I believe the circumstances should be just as narrow, if not more. I would say to the Senator, I am genuine in my concern for bringing these issues out in a full hearing of our constitutional subcommittee. I think I have answered the question. I hope he appreciates my sincerity.

Mr. PAUL. Madam President, in very quick response to that, one of the few problems with that is they also go on to say that imminent does not need to be immediate. You are also implying that you can kill this American citizen

in a noncombat situation, not an active battlefield. I do not accept that standard for the United States. It is another debate whether we accept the standard overseas. I think it is an important debate. But the debate about whether that is a sufficient standard for America, it is not. To kill someone not in combat—one, it is not wise. You are not going to get any information. When someone is eating dinner, why do you not send the police over and arrest them? To kill someone who is in a noncombat situation in America is unacceptable in America under any circumstances. I think we need to come to an agreement on that.

I wish to yield for a question to the Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Madam President, all of us have come down here to support a very legitimate request to have a legitimate question answered. I think the Senator deserves those answers. If not an answer from the White House, he at least deserves a vote.

I started watching here this morning. The Senator started about 11:57. It is now past midnight. I think my primary action is one of just being puzzled. I have been here for 2 years. I have never served in any kind of legislative body. I certainly came to the Senate thinking this was the world's greatest deliberative body. What I found is a body that is utterly dysfunctional. Even though this is actually one of the best examples of how this body ought to work, it is also an example of that dysfunction. I cannot believe this issue has not been resolved within a half hour, within an hour. Just take a vote.

We have a number of our colleagues from the House coming here in support of the Senator from Kentucky. The House is operating, I believe, as our Founders intended. They are passing budgets. They are debating issues. They are passing real pieces of legislation that, unfortunately, are being dropped over here in the Senate, where those good pieces of legislation die. That is a real shame.

For example, I serve on the Budget Committee of the Senate. I have been on that Budget Committee for 2 years. We have not yet voted on a budget in the Budget Committee. This is, by the way, when this Nation is facing a fiscal crisis unlike anything we have ever faced in our history. We have racked up 4 years now where our debt exceeds \$1 trillion. There is no end of that in sight. We have not passed or even brought to the floor an appropriations bill all year long. How can we function as a body if this is how it operates?

A number of Republican Senators joined the President at his gracious invitation for dinner tonight. It was an excellent dinner. It was a genuine, sincere, open discussion of the fiscal problems facing this Nation. I was part of a group of 44 Senators a year and a half

ago, almost 2 years now, who also joined the President prior to the final debate on the first debt ceiling in the summer of 2011. The President of the United States leaving that meeting should have come away with a very strong understanding that those 44 Republican Senators were incredibly sincere in their desire to work with the President, to work with our colleagues across the aisle, to solve these problems. I will tell you, I am one Senator who ran for office not to become a Senator but because we are losing this country. We are bankrupting it.

One of the things I do when I talk around the country, I make it a point that fortunately I do not know of any parent who would willingly max out their credit cards, get in debt way over their heads never intending ever to pay it off, but fully intending to pass it off to the children and the grandchildren. I do not know any parent that way, fortunately. But as a society that is exactly what we are doing.

Frequently in this political town, Republicans are accused of waging a war on women, waging a war on immigrants. None of that is true. What Washington is doing is we are waging a war on our children. We are mortgaging their future. It is absolutely immoral. Americans have got to stop and consider what it is we are actually doing to future generations.

So I felt good at the dinner with the President tonight—I think all of my colleagues did. I hope the President did—with a pretty strong sense, once again, that there is a great deal of sincerity, a great deal of desire to roll up our shirt sleeves, put down partisan bickering, put down partisan differences, work together to solve this problem.

I think there has got to be a realization that neither side is going away. If we are going to start solving these problems, we have got to start working together. We have got to return the Senate into that deliberative body that our Founders intended it to be. We have got to be willing to be held accountable. We have got to take votes. It should not be that hard. We should not be afraid.

I would ask the Senator from Kentucky—as I understand it, this is puzzling that we are here now after midnight. I applaud the Senator for his resolve here. That is why he sees every Member coming down here and providing the support. But I think all he wanted was either unanimous consent or possibly a vote on this simple question:

Resolved, that it is the sense of the Senate that:

No. 1, the use of drones to execute or to target American citizens on American soil who pose no imminent threat clearly violates the Constitutional due process right of citizens.

That seems like a pretty simple question, seems like one most Senators

would want to express their opinion by taking a vote, or allowing this resolution to pass by unanimous consent. So I guess my only question is, is that all the Senator is looking for, either an answer from the White House or a simple unanimous consent agreement or a simple vote?

Mr. PAUL. Madam President, I thank the Senator from Wisconsin. Yes, we had two simple requests tonight. The first was for a vote on a nonbinding resolution to express our opinion that it is unconstitutional to kill Americans on American soil. That was denied by the majority party.

The second request we have had, in communication with the White House, is for the White House to say or clarify their opinion that they are not going to be doing targeted drone strikes on noncombatants in America. We have not had much success with either one. We will continue to ask that question.

I have told them I will remove myself from the blockage of John Brennan's nomination as soon as we get some clarification from the White House. I am still hopeful in the morning that they will do that, and by doing that, we can move forward with it.

But I have been more than willing to compromise, because I do not think it is so much about John Brennan as it is about a constitutional principle, that I want the President to publicly acknowledge the fifth amendment does apply to Americans in our country, and that we are not going to cherry-pick when we apply the fifth amendment.

At this time, I wish to yield for a question from the Senator from South Carolina.

Mr. SCOTT. The drone issue is not an issue. It is not a question about Democrats versus Republicans or the DNC versus the GOP. It is not a question about the executive branch versus the legislative branch. It is not a question about conservatives versus liberals. It is a question about the Constitution.

Another one of our friends said that this Nation, our great Nation, needs to stand and recognize what RAND PAUL is doing today for Americans. All of our aspirations mean nothing, nothing at all without our rights.

Another said you do not have to like our political party. You did not even have to like Senator RAND PAUL to stand with RAND. You only need to be against the assassination of Americans without due process on U.S. soil.

I will close with the question that we have heard many times already. Why will this administration not simply state it is unconstitutional and illegal—unconstitutional and illegal—for the government to kill Americans in the United States on our soil or, as I think about it, it is illegal on the soil of Greenville, SC, it is illegal in Oconee County, SC.

It is illegal in Charleston, SC. It is illegal throughout the coast of South

Carolina, without due process, to kill an American citizen. Is that what you are asking?

Mr. PAUL. Madam President, I think it is an easy question to have answered, and it boggles my mind. I think the President in general, though, and other Presidents in general, hang on to their power with a tenacious grip, and they don't want to allow that there is any possibility that by saying they don't have this power, they have given up some power.

I think that is a mistake for Presidents. I think it goes against what the candidate, Barack Obama, was for and the Senator, Barack Obama. I hope in the morning when they wake up they will think about what Candidate Barack Obama said in 2007 and what Senator Barack Obama once stood for as a Senator; that is, the power of the Presidency is limited and checked by the Constitution.

Madam President, at this time I would like to yield for a question from the Senator from Arizona.

Mr. FLAKE. I thank the Senator for yielding, and I want to commend the Senator for this 12-hour long quest.

I think it is now. It is an important topic. I recently traveled to Afghanistan and received a briefing there about the drone program and how it is working in Afghanistan. After seeing that briefing, seeing examples of how it is being used, I have to tell you, I was awed by it. I thought what a powerful weapon, what a great weapon, in this case, to use against terrorists.

My second thought is what happens when that is in the hands of our enemy. I can tell you, it is a sobering thought to think of what happens when our enemies get this kind of technology. It is also sobering to think of what could happen if we use this technology here domestically. I think the question you have asked is totally right and proper. Where does the President derive authority? Does he believe he has the authority to use these weapons or any kind of weapon for lethal means when there is no imminent threat?

I think the question the Senator is asking, if I understand that question correctly, is right and proper. My understanding is all you want to find out is does the President believe the administration has the authority to use lethal means in this manner domestically; is that correct?

Mr. PAUL. Madam President, that is correct. It is a simple question. I think we are not asking for any heavy lifting here. We are asking the President: Do you have the authority.

I think it is important that it is a legal question in the sense we want to ask and get a legal, constitutional response. We are not asking—we probably won't do it, we don't intend to do it, or it is not appropriate, or it is not, as a policy matter we don't like doing it. We want the constitutional answer:

Do you really believe you have the constitutional authority to do this.

Mr. FLAKE. I thank the Senator.

Mr. ROBERTS. Mr. President, I rise today, in support of Senator PAUL's filibuster on the nomination of John Owen Brennan, to be Director of the Central Intelligence Agency. I have stated my opposition to Brennan's nomination from the beginning.

During my time on the Intelligence Committee and as chairman, I presided over hearings before which Mr. Brennan testified.

His inability to give a straight yes or no answer was greater than any other witness I experienced. But his approach is exactly what we see from the Obama administration today.

Senator PAUL has asked a very simple question to which the President refuses to give a direct answer. The appropriate question is: Will the administration clarify any circumstance when it is acceptable to target and kill American citizens on American soil?

Senator PAUL is only asking for a clear, unwavering statement that protects Americans' fifth Amendment rights as well as our national security. All Americans await the answer.

The Senate's duty is to conduct oversight and ensure our government is protecting its people and the Constitution. In that regard Senator PAUL's filibuster has been true to our oversight, obligations and duties; and I congratulate him.

Mr. PAUL. Madam President, at this point I would like to recognize for a question, without yielding the floor, the Senator from Utah.

Mr. LEE. A question I have with regard to an issue that was raised by my friend a few minutes ago, my friend, my distinguished colleague, the senior Senator from Illinois, touches upon an important point, upon a principle of law which dates back centuries and has application in myriad contexts, one that deals with the concept of imminence.

My friend from Illinois is certainly correct in pointing out the white paper leaked by the Obama Department of Justice to the news media recently does include some analysis that talks about imminence.

It is significant, however, to point out, on page 7 of that white paper the administration goes on to essentially eviscerate that concept of imminence. In fact it makes clear that this condition, that is the condition dealing with imminence, with the idea of protecting an imminent threat of violent attack against the United States "does not require the United States to have clear evidence that a specific attack on U.S. persons and interests will take place in the immediate future."

That is at the top of the first full paragraph on page 7 of the very same white paper that my friend from Illinois was quoting.

In response to that question, it is important to point out that they have taken the imminence out of imminent. There is no more imminence in this standard. So if, in fact, we are to believe the white paper is the correct assessment of the administration's position, it is no longer an imminent standard. It is something else. It is something of a new development. It is something that was created out of whole cloth by this administration that has nothing to do with the traditional imminent standard.

I ask my friend from Kentucky whether this is consistent with time-honored notions of due process.

Mr. PAUL. Madam President, this is exactly what I understand. It is a significant problem. I will be happy to yield if there is a question from across the aisle or a question that is in the form of an explanation as well on his understanding, if we understand this incorrectly, this is a real problem. Because the idea of imminence that people think of is someone leveling a weapon at you, you are in a battlefield, and all of these things which none of us disagrees there should be a response.

The problem is it really is. I am not an attorney, so it is easy for me to disparage attorneys even though I am standing among two I admire—more, probably. The whole point is that sounds like a bunch of government attorneys got together and tried to write some gobbledygook no one could understand and doesn't make sense; that imminence now means something that is not immediate.

I would be happy to entertain a question without yielding the floor.

Mr. DURBIN. This is getting perilously close to a debate, and I am sorry, for those observing, it looks like the Senate is actually in a debate.

The obvious question is was bin Laden an imminent threat to the United States when we took him out? I think he was.

Was he hatching a plot to cause harm to the United States in an imminent manner? Probably not.

Mr. PAUL. Madam President, I would say touche, a good response, I think well worth thinking about and difficult in the sense that I don't think there are any of us who really were opposed to getting bin Laden. There is a question, you are right, exactly whether there was imminence involved.

I think, though, when we start talking about standards, whether we have standards in battlefields, standards overseas, and standards at home, I think the standard at home has to be incredibly high. I don't believe we are involved in a battlefield here. I don't believe you have given up due process here. I don't know that bin Laden had any due process.

I yield for a question from the Senator from Texas.

Mr. CRUZ. I thank the Senator from Kentucky.

I would point out that the questions of imminence, I don't think, are difficult as has been suggested. Indeed, I would like to thank the senior Senator from Illinois for braving this long evening and for expressing his equal and heartfelt concerns about the limitations on the power of the executive to take the lives of U.S. citizens on U.S. soil.

I would point out that at the hearing we had yesterday with the Attorney General there was a series of questions exploring in further depth what the position of this administration was because, in response to the inquiry of the Senator from Kentucky, Attorney General Holder put in writing that he could imagine circumstances in which it would be permissible to take the lives of U.S. citizens on U.S. soil.

The two examples he gave were Pearl Harbor and 9/11. As the Senator for Kentucky responded, and I think everyone here agrees, those examples are unobjectionable. Both of those instances were instances of grievous military attacks. I think nobody doubts that if Kamikazi planes are coming down on our ships in Pearl Harbor, the United States can use lethal force to take out those planes and to save the lives of our service men and women. There is no question about that, legal or otherwise.

Likewise, I think nobody doubts if terrorists have taken over an airliner and are steering it into a building, that tragic a decision would be as heart-rending as the decision on 9/11 must have been for the President to give the order to shoot down that fourth commercial airline—if it began approaching yet another target where it could inflict thousands of deaths—I think nobody disputes that stopping an imminent, immediate, act of violence, and indeed, a military act of war is fully within the authority of the Federal Government.

The question posed to the Attorney General was the question Senator PAUL had asked originally—not that question—rather, it was if there is an individual, a U.S. citizen on U.S. soil who is suspected of being a terrorist, and for whom we can say arguendo there is abundant evidence to demonstrate this individual as a terrorist, and if this individual is on U.S. soil and is not currently an imminent threat of violence—if he or she is sitting in a cafe in rural Virginia having a cup of coffee, the question I posed to the Attorney General is, in those circumstances, would it be constitutional for the U.S. Government to send a drone to kill that U.S. citizen on U.S. soil with no due process of law if that individual did not pose an imminent threat?

In my judgment that was not a difficult question. I think the answer, frankly, I expected was, of course not. Of course the Federal Government cannot kill a U.S. citizen on U.S. soil who

does not pose an imminent threat. That has been the state of the law from the day our Constitution came into effect and from before.

Instead, the first response of the Attorney General was it wouldn't be appropriate to use lethal force there, and we wouldn't do so. I pressed the question again on the Attorney General and said: With respect, the question is not whether it is appropriate, it is not a question of prosecutorial discretion. Do we trust you would not choose to exercise lethal force in those circumstances? Rather, it is a question would it be constitutional to kill a U.S. citizen on U.S. soil with a drone if that individual did not pose an imminent threat?

The second time the Attorney General said: I don't believe it would be appropriate. Yet a third time I asked the Attorney General: I am not asking about appropriateness. As the Attorney General of the United States, you are the chief legal officer for this Nation. Does the Department of Justice have a legal opinion as to whether it is constitutional for the U.S. Government to kill a U.S. citizen on U.S. soil if he or she does not pose an imminent threat? Yet a third time the answer was it wouldn't be appropriate.

Then, finally, when asked a fourth time, the Attorney General said: When I say "appropriate," I mean it wouldn't be unconstitutional.

Finally, after asking four times, the Attorney General agreed.

My response to that questioning was: General Holder, I am very glad you have stated that position. I emphatically agree with that position. I don't understand why it took such gymnastics to get to that position. I wish you had simply said that in response to Senator PAUL now 2 days ago. It would have been a very straightforward and simple thing to say.

What I also said to the Attorney General is Senator PAUL and I have drafted legislation which will make explicitly clear the U.S. Government may not kill a U.S. citizen on U.S. soil who does not pose an imminent threat.

I hope, based on the Attorney General's representations, the Department will support that legislation. That ought, in my judgment, be legislation which should be bipartisan legislation that should pass this body 100 to 0 because it is truly phrased with as unobjectionable a legal truism as I could come up with.

I will admit I have been flabbergasted as these days have gone on why John Brennan, when asked by Senator PAUL this question, did not simply say no. Why didn't Eric Holder, when asked repeatedly, simply say no—at least not at the first. Why now, over 12 hours since this filibuster has proceeded, the White House has not put in writing the absolutely correct statement of constitutional law the Federal

Government cannot kill U.S. citizens on U.S. soil if they do not pose imminent threats.

I would note, with the hypothetical that the Senator from Illinois posed to Senator PAUL, even in that situation, Osama bin Laden was a horrible enemy of the United States who committed a grievous act of terror and was the mastermind behind it. I am very glad that after a decade-long manhunt, we were able to find him and we were able to, on a military battlefield, take him out. I would suggest that if he were not in Pakistan, if he were living in an apartment in the suburbs of Chicago, and if he were asleep in bed—and even if he were Osama bin Laden, a really, really, really bad guy—there is nothing in the Constitution that gives the Federal Government the authority to fire a missile at an apartment with a sleeping person in it in the United States of America if that individual was a U.S. citizen. And if he was in the United States, what we would do is what we would expect to do with any other really, really, really bad guy, which is go in and apprehend him.

Behind enemy lines, you can't always do that. There are things that happen on the battlefield that we would never do at home. But I would suggest that any argument that says someone sleeping at home in bed presents an imminent threat is an argument that stretches the bounds of the word "imminence" beyond where its natural meaning should lie.

If an individual is pointing a bazooka at the Pentagon or robbing a bank or committing another crime of violence, there is no doubt that force—and lethal force—can be used to stop that crime of violence. But I think that there likewise should be no doubt that the Federal Government lacks the authority to kill U.S. citizens on U.S. soil if there is no imminent threat of death or grievous bodily harm.

So I am hopeful that the results of this extended discussion will be several. I am hopeful, No. 1, it will prompt the White House to do what the White House has heretofore refused to do, which is, in writing, explicitly answer the question posed by Senator PAUL now over a week ago and expressly state as the position of the United States of America that the Federal Government cannot kill a U.S. citizen on U.S. soil if that individual does not pose an imminent threat of death or grievous bodily harm.

I also hope that a consequence of this extended discussion is that we will find widespread agreement in this body behind passing legislation to make clear that the Constitution does not allow such killings. I am hopeful that legislation will command wide support on the Republican side of the aisle but likewise wide support on the Democratic side of the aisle.

I would hope for and would certainly welcome the support of the senior Sen-

ator from Illinois and, indeed, every Member of the Democratic caucus. And should this body come together in a bipartisan way or, even better, in a unanimous manner and clarify that the Constitution prohibits killing U.S. citizens on U.S. soil absent an immediate threat, I would suggest this debate will have accomplished a great deal because it will have made clear the limits of the Executive power, and it would be, indeed, carrying out the finest traditions of this body—serving as a check on unchecked government power.

So I would ask the Senator from Kentucky, does he agree that if those were the outcomes of these proceedings, this would have indeed been a beneficial proceeding for helping focus the American people on these issues and helping draw a line that the Executive cannot cross consistent with the Constitution?

Mr. PAUL. Mr. President, I am hopeful that we have drawn attention to this issue; that this issue won't fade away; that the President will tomorrow come up with a response. I would like nothing more than to facilitate the voting and the continuation of the debate tomorrow. I hope the President will respond to us. We have tried repeatedly throughout the day, and we will see what the outcome of that is.

I would like to thank my staff for being here for a long day, for their help. I would like to thank fellow Senators for being supportive of this cause. I would like to thank the Members of Congress who came over to support this cause, as well as the clerks, the Capitol Police, the staff of the Senate, the doorkeepers—who, apparently, I may have gotten in trouble—and anybody else who came to support us, and even the senior Senator from Illinois, for better or worse, for being here to support the cause. The cause here is one that I think is important enough to have gone through this procedure.

I sit at Henry Clay's desk, and they call Henry Clay the "Great Compromiser." When I came to Washington, one of my fellow Senators said to me: Oh, I guess you will be the great compromiser. I kind of smiled at him and laughed. I learned a little bit about Henry Clay and his career.

People think some of us won't compromise, but there are many compromises. There are many things on which I am willing to split the difference. If the Democrats will ever come to us and say: We will fix and we will save Social Security, what age we change it to, how fast we do it—there are a lot of things on which we can split the difference. But the issue we have had today is one on which we don't split the difference. I think you don't get half of the fifth amendment. I don't think you acknowledge that the President can obey the fifth amendment when he chooses. I don't think you acknowledge that the fifth amendment, due process, can somehow occur behind closed doors.

So while I am a fan of Henry Clay, I have often said I am a fan of Cassius Clay. Cassius Clay's weapons of choice were said to be his pen and his Bowie knife. He was said to be so good with the first, that he often had recourse to the latter. He was a fierce abolitionist. He didn't suffer fools, and he didn't compromise often.

But what I would say is that it is worth fighting for what you believe in. I think the American people can tolerate a debate and a discussion. There has been nothing mean-spirited about this debate for 12 hours. I think, in fact, more of it would be even better. I wish we had more open and enjoined debate. The senior Senator from Illinois has brought up good points, and I think there is much discussion. I just hope that this won't be swept under the rug and that this isn't the end of this but that it is the beginning of this.

I would go for another 12 hours to try to break Strom Thurmond's record, but I have discovered there are some limits to filibustering, and I am going to have to go take care of one of those in a few minutes here. But I do appreciate the Senate's forbearance in this, and I hope that if there are some on the other side of the aisle who have been listening and feel they may agree on some of these issues, they will use their ability to impact the President's decision and will, No. 1, say the Senate should be trying to restrain the executive branch, Republican or Democratic, and, No. 2, will use their influence to try to tell the President to do what I think really is in his heart, and that is to say: Absolutely, we are not going to be killing Americans not in a combat situation. We will obey the fifth amendment; that the constitution does apply to all Americans and there are no exceptions.

I thank you very much for your forbearance, and I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). There will be order. Expressions of approval or disapproval are not permitted in the Senate.

The Senator from Illinois.

Mr. DURBIN. Mr. President, let me first, on a personal note, thank the Senator from Kentucky. He and I have agreed on many things and worked together on many more, and there is much common agreement on what we hope to achieve with this issue, as important as it is, and I thank him for his spirited defense of his position today in these 12 hours. I want to excuse him from the floor whenever he wishes.

NOMINATION OF JOHN OWEN BRENNAN TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

Mr. DURBIN. Mr. President, I move to proceed to consideration of Calendar No. 43.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read as follows:

Nomination: Central Intelligence Agency. John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

The PRESIDING OFFICER. The Senator from Illinois.

CLOTURE MOTION

Mr. DURBIN. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

Harry Reid, Dianne Feinstein, John D. Rockefeller IV, Debbie Stabenow, Sherrod Brown, Jack Reed, Benjamin L. Cardin, Thomas R. Carper, Christopher A. Coons, Robert P. Casey, Jr., Mark L. Pryor, Bill Nelson, Mark Begich, Barbara A. Mikulski, Patty Murray, Carl Levin, Joe Manchin III

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOR-PROFIT COLLEGES

Mr. DURBIN. Grant Schaffer is a Marine veteran. He attended the Art Institute of Pittsburgh, a for-profit college owned by Education Management Corporation. Grant saw an advertisement for the school and thought the program he enrolled in would give him the skills he needed to succeed in the workforce after he left the Marines. After enrolling at the Art Institute of Pittsburgh, Grant became concerned about the quality of the school. He started doing his own research about the school, the program, and how many of the graduates actually got a job. What he realized was the program wasn't going to provide him with the skills that were promised. In fact, the jobs that his program would have prepared him to do didn't even require a college degree.

Grant decided the program at the Art Institute of Pittsburgh was not worth his time or the Government's money—he was on the GI bill—so he decided to transfer to a community college. The problem was none of his credits from the Art Institute of Pittsburgh would transfer to any school, not even to a community college. Although he received GI bill benefits, those benefits did not cover the costs, all the costs of the inflated tuition of this Art Institute of Pittsburgh. After 1 year in the program—1 year—Grant had borrowed \$32,000 over and above his GI bill benefits. Now Grant is in debt with worthless college credits from a for-profit school, the Art Institute of Pittsburgh. He is now attending a community college, learning the skills he needs to succeed. He still is going to have to struggle to pay off \$32,000 in debt to a for-profit school that was a worthless experience. He says one-quarter of his paycheck goes to his loans and he is living paycheck to paycheck. He says he cannot save for anything and all his money goes for student loans. He would save for retirement if he could.

Grant was lucky, in some ways. Many of his peers stay at for-profit colleges and take on \$70,000 or \$80,000 or more in student loans, only later to find out the education at these for-profit schools was virtually worthless. Students also discover their credits will not transfer. That ought to be the first question any student asks: If I go to your for-profit school, will any other school recognize my credits? In this case the Art Institute of Pittsburgh would have had to answer no, and that might have given Grant some pause.

These students such as Grant are stuck with mortgage-sized debts and end up with no home to show for it and worthless college credits. Grant Schaffer's credits would not transfer because his school had a different accreditation than even the community college he now attends.

It is a little known fact these for-profit schools do not reveal to students: The credits will not transfer anywhere because the school is not accredited.

Our current accreditation system favors schools, not students. That is upside-down. Schools pay accreditors to accredit them, creating a cozy relationship that does not foster any real accountability. Once a school is accredited, the Government dollars just flow in, but an accreditation is not always the guarantee of academic quality that most students believe it is and not all accreditations are equal.

The University of Phoenix, the largest university in the United States, was recently told by its accrediting agency that the school would be put on notice. The regional accreditor, the Higher Learning Commission, announced it had some real problems with the way the University of Phoenix

is running its business and treating its students. More accreditors, both regional and national, should take a closer look at the schools they accredit and the standards used to accredit them.

How many more people have to go through the experience of Grant Schaffer? Essentially, this former Marine wasted his GI bill benefits and got into more debt than he can realistically manage and has nothing to show for it from a for-profit school. We need to look at the current system of accreditation, consider how for-profit schools are aggressively recruiting our military, as well as using up the DOD tuition assistance benefits and veterans' GI bill benefits for low-income students. We need to commit to reforming our current system to protect our students and not to protect those who are in charge of the for-profit schools. We need to direct taxpayers' dollars to affordable, meaningful education that will literally help our men and women in uniform and students across America.

I yield the floor.

TRIBUTE TO LYMAN HUBBARD, SR.

Mr. DURBIN. Mr. President, last year, we lost a great American from my hometown of Springfield, IL, and I rise today to pay tribute to him and his legacy.

Lyman Hubbard, Sr., grew up on a small farm near Springfield that had been in his family for 165 years—long enough that at one point the family's lawyer for the land was a local attorney named Abraham Lincoln.

In high school, Mr. Hubbard was a member of the National Honor Society, ran track, and played basketball and football. I have heard someone who knew him at the time say that he was "the best athlete in Springfield." And he was an Eagle Scout.

During World War II, before he had even graduated from high school, he signed up to serve his country in the Air Force.

When he graduated from pilot training, he became the only person from Springfield to join the Tuskegee Army's first African-American military aviators in the U.S. Armed Forces. From there, he fought for both our Nation and for racial equality. He logged more than 7,000 hours of flight time in the course of his multitour career, flying planes from the B-25 bomber to the EC-121 Super Constellation. He flew them well and became a leader among his peers, ultimately earning a Bronze Star, an Air Medal with oak leaf clusters, the Air Force Commendation Medal, and a Vietnamese Honor Medal. Lyman Hubbard accomplished all of this despite the well-documented discrimination that the Tuskegee Army faced.

The people of Springfield, and all of us, owe a great deal to Lyman Hubbard, Sr., not just for his exceptional valor in combat but also for his devotion to preserving the history of the city of Springfield.

When the Lincoln Colored Home, one of the first African-American orphanages in the United States and a historic property, was at risk of being destroyed, Mr. Hubbard purchased the home outright to save it and planned to turn it into a community center.

While we may have lost Lyman Hubbard, Sr., his legacy lives on.

Just last week, it was announced that his sons will donate a collection of their father's medals, badges, and photographs so that we can all have a chance to see them.

They will be displayed at the Abraham Lincoln Capitol Airport in Springfield, and I hope that those of us who can will take the time to see them and reflect on the life and heroism of Lyman Hubbard, Sr.

I know I will.

TRIBUTE TO BILL ROBERTSON

Mr. DURBIN. I rise today to say a few words in honor of Bill Robertson, an extraordinary man from Rockford, IL, whom we recently lost to illness.

Bill Robertson was a public servant in the best sense of the term. For the last few years, he was considered the voice of reason on the Rockford, IL, City Council, but his service started well before his election to the City Council.

After college, he served in the Marines before signing up for the Rockford Fire Department. To put this another way, after serving in a job where he would have been under fire, he decided to take a job running into fires. It made sense to him, and he loved it.

He spent 36 years of his life in that fire department, rising to command the department's training academy. He will be remembered for always knowing cadets by name and frequently checking in to see how recruits were doing.

He did so well that in 1991 he was asked to be the ninth chief in the Rockford Fire Department's 133-year history. He held that job for 17 years, until he retired in 2008.

Retirement turned out to be short-lived for Bill Robertson. In 2009, he was elected to the Rockford City Council, and he quickly became a leader there too.

His council colleagues recall that, even in a time of bitter and occasionally over-the-top politics, Robertson always strove for common ground and acted as a voice of reason. Perhaps that is one of the reasons one of the many reasons so many people from the Rockford community came to pay tribute and celebrate his life when he passed away. I am told there were hundreds of

well-wishers in attendance, and I am sorry Loretta and I were not able to be there to pay our respects to this generous leader.

Each and every one of them were touched by the good work he did throughout his life. He will not be forgotten, but he will be missed.

REMEMBERING DR. STEPHEN B. THACKER

Mr. HARKIN. Mr. President, I rise today in honor and memory of Stephen B. Thacker, MD, MSc, RADM/ASG, retired, USPHS, who passed away on Friday, February 15, 2013.

Dr. Thacker was a true public health hero whose long and distinguished career at the Centers for Disease Control and Prevention began as an Epidemic Intelligence Service, EIS officer in 1976. On his first day, he was sent out on an investigation of an unknown illness, which turned out to be the first recognized Legionnaire's epidemic. Throughout his 37 years at CDC, Dr. Thacker was a leader of public health science and the professionals who practice that science. Programs under his leadership introduced thousands of professionals to careers in public health and brought epidemiology directly into middle school and high school classrooms. He was instrumental in launching the field epidemiology training programs in more than 35 countries.

In all of the many position he held, Dr. Thacker was a steadfast champion of epidemiology, public health surveillance, and the development of a global public health workforce. Programs developed or expanded under his leadership have introduced thousands of professionals to careers in public health. Given all this, it is no surprise that Dr. Thacker's accomplishments were recognized through more than 40 major awards and commendations throughout his career, including the Surgeon General's Medallion, which he received just 2 weeks before his death.

Dr. Thacker's accomplishments were only exceeded by his treatment of all persons with dignity, honesty, and respect. His career has embodied the best of CDC's commitment to science and, most importantly, to service.

I offer my deep condolences to Dr. Thacker's family. Mr. President and colleagues, please join me in honoring the memory of Dr. Steve Thacker. I believe there is no question that his important influence on public health will continue well into the future.

ADDITIONAL STATEMENTS

TRIBUTE TO WOODS EASTLAND

• Mr. COCHRAN. Mr. President, I am pleased to commend Woods E. Eastland of Indianola, MS, as the recipient of the 2012 Harry S. Baker Distinguished

Service Award. The officers of the National Cotton Council of America recently selected Mr. Eastland to be the 27th recipient of this award, which is given annually to the individual who has contributed most significantly to the advancement of the U.S. cotton industry.

In bestowing this honor on Woods E. Eastland, the National Cotton Council cited his extraordinary leadership during his year as the council's chairman and his continued service to the U.S. cotton industry. The Harry S. Baker Distinguished Service Award was started in honor of former council president Harry S. Baker, and it is the industry's most prestigious award.

Woods E. Eastland is the chairman of the board of Staple Cotton Cooperative Association and the Staple Cotton Discount Corporation, which are headquartered in Greenwood, MS. He served as their president and CEO from 1986 until 2010. A native of Doddsville, MS, Mr. Eastland earned a B.A. degree from Vanderbilt University and a J.D. degree from the University of Mississippi School of Law. He practiced law and was a faculty member of the Jackson School of Law from 1972 until 1974. In 1974, Woods married Lynn Ganier Wood and became a cotton, soybean and rice grower in Sunflower County, MS. He and Lynn have two children and three grandchildren.

Woods E. Eastland, in addition to being a farmer, has built a remarkable record of service to the cotton industry, his State and our Nation. He is a past chairman of the National Cotton Council, past president and chairman of Cotton Council International, and a past director of the Memphis Branch Federal Reserve Bank of St. Louis. He was a member of the board of managers of the New York Board of Trade when it was formed from the merger of the Cotton and Coffee, Sugar and Cocoa Exchanges. He served 1 year as the vice chairman of the board of governors of the New York Board of Trade.

In 2005, during Mr. Eastland's term as the council's chairman, international trade in cotton and textiles dominated the U.S. cotton industry's policy concerns. In addition, the World Trade Organization's, WTO, Doha Round of negotiations was a primary focus of the cotton industry during Mr. Eastland's tenure as council chairman.

Under Mr. Eastland's leadership, the council worked as part of a fiber/textile/labor initiative that successfully convinced the United States to self-initiate WTO-sanctioned textile safeguards to impose a measure of discipline on the shipment of Chinese textiles into our country. U.S. officials were also persuaded to make changes in provisions of the Dominican Republic—Central America Free Trade Agreement that led to the U.S. cotton industry's support for congressional approval of that pact.

Mr. Eastland traveled to Geneva and Washington, D.C., to confer with key trade officials on trade developments and to convey the U.S. cotton industry's message that cotton should not be singled out for different treatment from the rest of agriculture in the WTO Doha negotiations.

Beyond his year of service as the Council chairman, Mr. Eastland has remained active in Council leadership. He was named chairman of the council's Trade Promotion Authority task force in 2007 to guide the industry on trade promotion policy. He is an advisor to the Council's board of directors and an active member of its Operations Committee.

I am pleased to congratulate Mr. Eastland on receiving this prestigious award, and to commend him for his contributions to the cotton industry, American agriculture and fair trade.●

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Ms. WARREN, and Mr. BROWN):

S. 468. A bill to protect the health care and pension benefits of our nation's miners; to the Committee on Finance.

By Mr. MENENDEZ:

S. 469. A bill to assist the Secretary of Housing and Urban Development in stabilizing the Home Equity Conversion Mortgage program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. HELLER, Mr. BOOZMAN, Mr. MANCHIN, and Mr. BAUCUS):

S. 470. A bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal; to the Committee on Armed Services.

By Mr. SANDERS (for himself, Mrs. BOXER, Mrs. FEINSTEIN, Mr. MENENDEZ, and Mr. LAUTENBERG):

S. 471. A bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER:

S. 472. A bill to prohibit the further extension or establishment of national monuments in the State of Nevada except by express authorization of Congress, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 473. A bill to ensure that Federal Register notices submitted to the Bureau of Land Management are reviewed in a timely manner; to the Committee on Energy and Natural Resources.

By Mrs. HAGAN (for herself, Mr. TOOMEY, Mr. WARNER, and Mr. JOHANNES):

S. 474. A bill to amend provisions in section 716 of the Dodd-Frank Wall Street Reform and Consumer Protection Act relating to Federal assistance for swaps entities; to

the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself and Mr. BLUNT):

S. 475. A bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 476. A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN:

S. 477. A bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988; to the Committee on Indian Affairs.

By Mr. GRASSLEY (for himself, Mr. CHAMBLISS, and Mr. ROBERTS):

S. 478. A bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. NELSON, Mr. PORTMAN, and Mr. PRYOR):

S. 479. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. BEGICH, Mr. FLAKE, Mr. PRYOR, and Mr. HELLER):

S. 480. A bill to improve the effectiveness of the National Instant Criminal Background Check System by clarifying reporting requirements related to adjudications of mental incompetency, and for other purposes; to the Committee on the Judiciary.

By Mrs. KLOBUCHAR (for herself, Mr. LEE, and Mr. BLUMENTHAL):

S. 481. A bill to require that Federal Communications Commission to direct that wireless providers permit the unlocking of mobile devices; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. LAUTENBERG, Mr. SANDERS, and Mr. TESTER):

S. 482. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 483. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. VITTER, Mr. COBURN, Mr. ENZI, Mrs. FISCHER, Mr. BLUNT, and Mr. GRASSLEY):

S. 484. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself and Mr. TOOMEY):

S. Res. 68. A resolution congratulating the Penn State IFC/Panhellenic Dance Marathon on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself and Ms. HEITKAMP):

S. Con. Res. 6. A concurrent resolution supporting the Local Radio Freedom Act; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 119

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 135

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 138

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 154

At the request of Mr. COBURN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 154, a bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban.

S. 210

At the request of Mr. HELLER, the names of the Senator from Texas (Mr. CORNYN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

S. 258

At the request of Mr. BARRASSO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 258, a bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Delaware

(Mr. COONS) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 346

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 443

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 443, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. RES. 60

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Delaware (Mr. COONS), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Ms. WARREN, and Mr. BROWN):

S. 468. A bill to protect the health care and pension benefits of our na-

tion's miners; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, in West Virginia, we revere our miners—the men and women who put their lives on the line every single day to provide for their families and bring light and heat to millions. Their grit, their courage and their determination are inspirational to each of us. The work they do every day provides nearly half of our Nation with power and it helps underpin the economy of the State we call home.

For their hard work in these grueling jobs mineworkers receive promised pensions and lifetime health benefits. Health care for all retirees is important. But, in many cases, it is even more so for retired miners, who have stared the possibility of injury or illness in the face every day. Unfortunately, today there are looming threats to the pensions of more than 100,000 mineworkers and to the healthcare benefits of nearly 12,000 miners and their dependents.

The miners' pension fund is on the road to insolvency. It has been hit by the perfect storm—the recent financial crisis, the smaller number of active mineworkers who provide the funding base for the pension plan, and the large number of “orphans” who receive their pensions under the plan. These “orphans” are retired mineworkers for whom a company no longer makes contributions to the pension fund, typically because the company is out of business.

Additionally, the bankruptcy of one coal company is threatening the health benefits of nearly 12,000 miners and their dependents, the vast majority of whom never worked for the company that is actually going bankrupt. So despite the fact that they were promised lifetime healthcare benefits by their employers when they gave their lives to this industry doing the hardest work imaginable under that sacred pledge they are now losing those benefits because a company they never worked for is going bankrupt. That is unfair and unjust.

That is why today I am introducing the Coalfield Accountability and Retired Employee Act. This legislation protects pensions for more than 100,000 mineworkers by taking excess funds from the Abandoned Mine Land Reclamation Program and transferring that money to the miners' 1974 pension plan. The Coalfield Accountability and Retired Employee Act also would protect retiree health benefits by making any retiree who loses benefits following the bankruptcy or insolvency of his or her employer eligible for the health benefits provided by the COAL Act. And, importantly this legislation would hold employers accountable for the commitments they make to their workers. That is just basic fairness.

Supporting our Nation's miners is not a new issue for our country and it

is not a new fight of mine. Dating back to President Harry Truman, the Federal Government has assumed a responsibility to our mineworkers. In 1992, I was deeply proud to work on the passage of the COAL Act, through which we recommitted to our miners that a promise made would be a promise kept. That bill allowed the transfer of interest accruing to the unappropriated balance of the Abandoned Mine Reclamation Fund to be used to provide health care for a large number of orphaned miners and their widows. This helped avert a nationwide coal strike and it preserved health benefits for 200,000 retired miners and their widows. This Federal commitment was renewed in the 2006 amendments to the Abandoned Mine Reclamation Program that again protected the healthcare plans of miners from insolvency.

Now, 20 years after passing the COAL Act, I am again renewing my commitment to the hardest working people I have ever known with the Coalfield Accountability and Retired Employee Act. We must preserve the solvency of our miners' pension plans and protect the healthcare benefits they need, earned and were rightfully promised. This is about human decency, it is about doing what is right, and it is about having the backs of those who have ours deep underground.

By Mr. HARKIN (for himself and Mr. BLUNT):

S. 475. A bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Eunice Kennedy Shriver Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REAUTHORIZATION OF SPECIAL OLYMPICS ACT

Sec. 101. Reauthorization.

TITLE II—BEST BUDDIES

Sec. 201. Findings and purpose.

Sec. 202. Assistance for Best Buddies.

Sec. 203. Application and annual report.

Sec. 204. Authorization of appropriations.

TITLE I—REAUTHORIZATION OF SPECIAL OLYMPICS ACT

SEC. 101. REAUTHORIZATION.

Sections 2 through 5 of the Special Olympics Sport and Empowerment Act of 2004 (42 U.S.C. 15001 note) are amended to read as follows:

“SEC. 2. FINDINGS AND PURPOSE.

“(a) FINDINGS.—Congress finds the following:

“(1) Special Olympics creates the possibilities of a world where everybody matters, everybody counts, and every person contributes.

“(2) The Government and the people of the United States recognize the dignity and value the giftedness of children and adults with intellectual disabilities.

“(3) The Government and the people of the United States recognize that children and adults with intellectual disabilities experience significant health disparities, including lack of access to primary care services and difficulties in accessing community-based prevention and treatment programs for chronic diseases.

“(4) The Government and the people of the United States are determined to end the isolation and stigmatization of people with intellectual disabilities, and to ensure that such people are assured of equal opportunities for community participation, access to appropriate health care, and inclusive education, and to experience life in a non-discriminatory manner.

“(5) For more than 40 years, Special Olympics has encouraged skill development, sharing, courage, and confidence through year-round sports training and athletic competition for children and adults with intellectual disabilities.

“(6) Special Olympics provides year-round sports training and competitive opportunities to more than 4,200,000 athletes with intellectual disabilities in 30 individual and team sports and plans to expand the benefits of participation through sport to more than a million additional people with intellectual disabilities within the United States and worldwide over the next 5 years.

“(7) Research shows that participation in activities involving both people with intellectual disabilities and people without disabilities results in more positive support for inclusion in society, including in schools.

“(8) Special Olympics has demonstrated its ability to provide a major positive effect on the quality of life of people with intellectual disabilities, improving their health and physical well-being, building their confidence and self-esteem, and giving them a voice to become active and productive members of their communities. In the United States, for example, adults with intellectual disabilities who have participated in Special Olympics have a 100 percent greater chance of being employed than adults with intellectual disabilities who have not.

“(9) In society as a whole, Special Olympics has become a vehicle and platform for reducing prejudice, improving public health, promoting inclusion efforts in schools and communities, and encouraging society to value the contributions of all members.

“(10) The Government of the United States enthusiastically supports the Special Olympics movement, recognizes its importance in improving the lives of people with intellectual disabilities and their families, and recognizes Special Olympics as a valued and important component of the global community.

“(b) PURPOSE.—The purposes of this Act are to—

“(1) provide support to Special Olympics to increase athlete participation in, and public awareness about, the Special Olympics movement, including efforts to promote broader community inclusion;

“(2) dispel negative stereotypes and establish positive attitudes about people with intellectual disabilities;

“(3) build community engagement through sports and related activities; and

“(4) promote the extraordinary gifts and contributions of people with intellectual disabilities.

“SEC. 3. ASSISTANCE FOR SPECIAL OLYMPICS.

“(a) EDUCATION ACTIVITIES.—The Secretary of Education may award grants to, or enter into contracts or cooperative agreements with, Special Olympics to carry out each of the following:

“(1) Activities to promote the expansion of Special Olympics, including activities to increase the full participation of people with intellectual disabilities in athletics, sports and recreation, and other inclusive school and community activities with people without disabilities.

“(2) The design and implementation of Special Olympics education programs, including character education and volunteer programs that support the purposes of this Act, that can be integrated into classroom instruction and community settings, and are consistent with academic content standards.

“(b) INTERNATIONAL ACTIVITIES.—The Secretary of State, acting through the Assistant Secretary of State for Educational and Cultural Affairs, may award grants to, or enter into contracts or cooperative agreements with, Special Olympics to carry out each of the following:

“(1) Activities to increase the participation of people with intellectual disabilities in Special Olympics outside of the United States.

“(2) Activities to improve the awareness outside of the United States of the abilities of people with intellectual disabilities and the unique contributions that people with intellectual disabilities can make to society, and to promote active support for sports programs for people with intellectual disabilities.

“(c) HEALTHY ATHLETES.—

“(1) IN GENERAL.—The Secretary of Health and Human Services may award grants to, or enter into contracts or cooperative agreements with, Special Olympics for the implementation of on-site health assessments, screening for health problems, health education, community-based prevention, data collection, and referrals to direct health care services.

“(2) COORDINATION.—Activities under paragraph (1) shall be coordinated with appropriate health care entities, including private health care providers, entities carrying out local, State, Federal, or international programs, and the Department of Health and Human Services, as applicable.

“(d) LIMITATION.—Amounts appropriated to carry out this section shall not be used for direct treatment of diseases, medical conditions, or mental health conditions. Nothing in the preceding sentence shall be construed to limit the use of non-Federal funds by Special Olympics.

“SEC. 4. APPLICATION AND ANNUAL REPORT.

“(a) APPLICATION.—

“(1) IN GENERAL.—To be eligible for a grant, contract, or cooperative agreement under subsection (a), (b), or (c) of section 3, Special Olympics shall submit an application at such time, in such manner, and containing such information as the Secretary of Education, Secretary of State, or Secretary of Health and Human Services, as applicable, may require.

“(2) CONTENT.—At a minimum, an application under this subsection shall contain each of the following:

“(A) ACTIVITIES.—A description of activities to be carried out with the grant, contract, or cooperative agreement.

“(B) MEASURABLE GOALS.—A description of specific measurable annual benchmarks and long-term goals and objectives to be achieved through specified activities carried out with the grant, contract, or cooperative agreement, which specified activities shall include, at a minimum, each of the following activities:

“(i) Activities to increase the full participation of people with intellectual disabilities in athletics, sports and recreation, and other inclusive school and community activities with people without disabilities.

“(ii) Education programs that dispel negative stereotypes about people with intellectual disabilities.

“(iii) Activities to increase the participation of people with intellectual disabilities in Special Olympics outside of the United States and promote volunteerism on behalf of such activities.

“(iv) Health-related activities as described in section 3(c).

“(b) ANNUAL REPORT.—

“(1) IN GENERAL.—As a condition on receipt of any funds for a program under subsection (a), (b), or (c) of section 3, Special Olympics shall agree to submit an annual report at such time, in such manner, and containing such information as the Secretary of Education, Secretary of State, or Secretary of Health and Human Services, as applicable, may require.

“(2) CONTENT.—At a minimum, each annual report under this subsection shall describe—

“(A) the degree to which progress has been made toward meeting the annual benchmarks and long-term goals and objectives described in the applications submitted under subsection (a); and

“(B) demographic data about Special Olympics participants, including the number of people with intellectual disabilities served in each program referred to in paragraph (1).

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated—

“(1) for grants, contracts, or cooperative agreements under section 3(a), \$9,500,000 for fiscal year 2014, and such sums as may be necessary for each of the 4 succeeding fiscal years;

“(2) for grants, contracts, or cooperative agreements under section 3(b), \$4,500,000 for fiscal year 2014, and such sums as may be necessary for each of the 4 succeeding fiscal years; and

“(3) for grants, contracts, or cooperative agreements under section 3(c), \$8,500,000 for fiscal year 2014, and such sums as may be necessary for each of the 4 succeeding fiscal years.”.

TITLE II—BEST BUDDIES

SEC. 201. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Best Buddies operates the first national social and recreational program in the United States for people with intellectual disabilities.

(2) Best Buddies is dedicated to helping people with intellectual disabilities become part of mainstream society.

(3) Best Buddies is determined to end social isolation for people with intellectual disabilities by promoting meaningful friendships between them and their typical peers in order to help increase the self-esteem, confidence, and abilities of people with and without intellectual disabilities.

(4) Since 1989, Best Buddies has enhanced the lives of people with intellectual disabilities by providing opportunities for 1-to-1 friendships and integrated employment.

(5) Best Buddies is an international organization spanning 1,500 middle school, high school, and college campuses.

(6) Best Buddies implements programs that will positively impact more than 700,000 individuals in 2013.

(7) The Best Buddies Middle Schools program matches middle school students with intellectual disabilities with other middle school students and supports 1-to-1 friendships between them.

(8) The Best Buddies High Schools program matches high school students with intellectual disabilities with other high school students and supports 1-to-1 friendships between them.

(9) The Best Buddies Colleges program matches adults with intellectual disabilities with college students and creates 1-to-1 friendships between them.

(10) The Best Buddies e-Buddies program supports e-mail friendships between people with and without intellectual disabilities.

(11) The Best Buddies Citizens program pairs adults with intellectual disabilities in 1-to-1 friendships with other people in the corporate and civic communities.

(12) The Best Buddies Jobs program promotes the integration of people with intellectual disabilities into the community through supported employment.

(13) The Best Buddies Ambassadors program educates and empowers people with intellectual disabilities to be leaders and public speakers in their schools, communities, and workplaces. Best Buddies Ambassadors prepares people with intellectual disabilities to become active agents of change.

(14) Best Buddies Promoters empowers youth to become advocates for people with intellectual disabilities. Students who take part in Best Buddies Promoters are introduced to the disability rights movement and the importance of inclusion through local awareness events.

(b) PURPOSE.—The purposes of this title are to—

(1) provide support to Best Buddies to increase participation in and public awareness about Best Buddies programs that serve people with intellectual disabilities;

(2) dispel negative stereotypes about people with intellectual disabilities; and

(3) promote the extraordinary contributions of people with intellectual disabilities.

SEC. 202. ASSISTANCE FOR BEST BUDDIES.

(a) EDUCATION ACTIVITIES.—The Secretary of Education may award grants to, or enter into contracts or cooperative agreements with, Best Buddies to carry out activities to promote the expansion of Best Buddies, including activities to increase the participation of people with intellectual disabilities in social relationships and other aspects of community life, including education and employment, within the United States.

(b) LIMITATIONS.—Amounts appropriated to carry out this title may not be used for direct treatment of diseases, medical conditions, or mental health conditions.

(c) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to limit the use of non-Federal funds by Best Buddies.

SEC. 203. APPLICATION AND ANNUAL REPORT.

(a) APPLICATION.—

(1) IN GENERAL.—To be eligible for a grant, contract, or cooperative agreement under section 202(a), Best Buddies shall submit an application at such time, in such manner, and containing such information as the Secretary of Education may require.

(2) CONTENT.—At a minimum, an application under this subsection shall contain the following:

(A) A description of activities to be carried out under the grant, contract, or cooperative agreement.

(B) Information on specific measurable goals and objectives to be achieved through activities carried out under the grant, contract, or cooperative agreement.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—As a condition of receipt of any funds under section 202(a), Best Buddies shall agree to submit an annual report at such time, in such manner, and containing such information as the Secretary of Education may require.

(2) CONTENT.—At a minimum, each annual report under this subsection shall describe the degree to which progress has been made toward meeting the specific measurable goals and objectives described in the applications submitted under subsection (a).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Education for grants, contracts, or cooperative agreements under section 202(a), \$4,000,000 for fiscal year 2014 and such sums as may be necessary for each of the 4 succeeding fiscal years.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 476. A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today I am proud to reintroduce legislation to support greater public involvement in the administration of one of Maryland's most treasured National Historical Parks. The Chesapeake and Ohio Canal National Historical Park Advisory Commission Act ensures that the communities located along the 184½ mile-long C&O Canal National Historical Park have a voice with the National Park Service regarding decisions affecting the administration of the Park. The Commission keeps the people and small businesses most affected by the operation of the C&O Canal National Historical Park informed and involved in the decisions surrounding the Park. Citizen involvement in the governmental process is a hallmark of our democracy and the C&O Canal National Historical Park Advisory Commission Act exemplifies the goal of ensuring the public's role in government decision making.

The importance of the Commission is intrinsically tied to the uniqueness of the C&O Canal National Historical Park. The Park covers an area of 20,000 acres winding North and West along the Potomac River from the heart of Georgetown's old industrial district in Washington D.C. to Cumberland, MD nestled in the valleys and mountains of Western Maryland. The Park's watered canal, contiguous towpath, popular among cyclists, backpackers, day hikers and runners, hundreds of historic structures and towns like Hancock, Hagerstown, Brunswick, Harpers Ferry, Williamsport and Sharpsburg that grew during the Canal's heyday,

all tell the story of how the C&O Canal once served as a crucial East/West commercial link. The Park also preserves pristine views of the Potomac River, evocative of the C&O Canal's working days. At its widest points, the C&O Canal National Historical Park spans less than two-tenths of a mile across and in many areas directly abuts neighboring commercial and residential properties bordering the Park.

During the commercial operation of the C&O Canal, these towns were local commercial centers where area farmers and tradesman utilized the canal boats to deliver their goods to market. Today, the hospitality and tourism industries of these communities thrive upon the C&O Canal National Historical Park's popularity and are integral to enhancing the park user experience. Whether it is a hotel or Bed and Breakfast to spend the night in, a restaurant or diner to grab a meal, stores to shop in and perhaps stock up on camping provisions, boathouses to rent a canoe for the afternoon, bike shops to service a flat tire or make repairs to your bike or any of the myriad of goods and services park visitors may need, the communities along the C&O Canal are as important to the Park user experience as the Park's users are to maintaining their businesses.

In 2009, more than 3.75 million people visited the C&O Canal National Historical Park. To put it in perspective, in 2009, more people visited this historic treasure than the number of people who visited Yellowstone, Yosemite, the Everglades or Shenandoah National Park. Much of the C&O Canal National Historical Park's success is attributable to the positive relationship that has developed over time between the National Park Service and the local community leaders that span the length of the Park. The Park's Commission has greatly facilitated this relationship.

The Commission provides the vital link between the affected communities that the Park runs through and the National Park Service. The Commission ensures that the public is engaged in the numerous processes surrounding operational policy and infrastructure maintenance and restoration projects on the C&O Canal National Historic Park. The Commission plays a vital consultation and planning role for park activities and operations. The cooperation that has developed between the Commission and the National Park Service helps tie the Park to its communities. The Commission serves a purely advisory function and does not have the authority to make binding park policy.

The Commission was first established as part of the 1971 Chesapeake and Ohio Canal Development Act sponsored by Rep. Gilbert Gude, R-MD. Every ten years, a bill like mine comes before Congress, when the 10-year extension of

the Commission's authorization expires. Three times over a 40-year period extension bills have passed by unanimous consent and without controversy. My bill is another 10-year extension of the Advisory Commission's authorization and makes no changes to the Commission's authority. Legislative precedent has never set an authorization amount for the Commission, but the Commission has always functioned at a nominal cost.

The General Services Administration's Federal Advisory Commissions Act database determined that the C&O Canal Advisory Commission's expenses totaled \$33,199 for fiscal year 2010. All expenses came out of the National Park Service's general operating budget. Expenses covered the cost of travel for commission members, \$295, Federal staff time, \$28,074, and miscellaneous expenses, \$4,830, like meeting space, printing, supplies and website maintenance.

The National Park System is a showcase of America's natural and historical treasures. So much of the National Park System's success is rooted in the citizen stewardship projects and the involvement of caring citizens and community leaders. Like so many of our National Parks the C&O Canal National Historical Park has an extensive backlog of maintenance and repair projects. The Commission plays a critical role in helping keep these projects moving forward and assisting the National Park Service with their completion because there is recognition of the shared responsibility between the Park Service and the Commission about the importance of continuing to make the Park a desirable tourism and outdoor recreation destination. The Commission provides that bridge between the government and public. I urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION.

Section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y-4(g)) is amended by striking "40" and inserting "50".

By Mrs. FEINSTEIN:

S. 477. A bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988; to the Committee on Indian Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Tribal Gaming Eligibility Act.

This bill sets forth what I believe is a very reasonable, moderate standard

for where tribes are allowed to open gaming establishments.

The standard is simple: a tribe must demonstrate that it has a modern and an aboriginal connection to the land before it can open a gaming establishment on it.

The new standard is needed because too many tribes in California and across the Nation are "reservation shopping." They look for a profitable casino location, and then seek to put that land in trust regardless of their historical ties to the area.

To be clear, most tribes do not fit this mold. Most play by the rules and acquire land in appropriate locations.

But as wealthy Las Vegas casino interests search for ways to expand their gaming syndicates, the problem is getting worse. These syndicates have no interest in preserving native cultures and they have little interest in pursuing other forms of economic development; so they also have little interest in limiting casinos to bona fide historical tribal lands.

The tragic part is that these casinos are going up despite objections from communities and other Native American tribes. That is why I am introducing the Tribal Gaming Eligibility Act.

This legislation addresses the problems that arise from off reservation casinos by requiring that tribes meet two simple conditions before taking land into trust for gaming:

First the tribe must demonstrate a "substantial direct modern connection to the land."

Second, the tribe must demonstrate a "substantial direct aboriginal connection to the land."

Simply put, tribes must show that both they, and their ancestors, have a connection to the land in question.

California voters thought they settled the question of reservation shopping in 2000 when Proposition 1A authorized the Governor to negotiate gambling compacts with tribes, provided that gaming only occurred "on Indian lands."

The words "on Indian lands" were critical. This made clear that gaming is appropriate only on a tribe's historical lands, and voters endorsed this bargain with 65 percent of the vote.

But fast-forward 12 years and this agreement is being put to the test. More than 100 new Las Vegas style casinos have opened in the State in the last 12 years.

Unfortunately things aren't slowing down; the Department of the Interior has approved three extremely controversial new casinos just last year, some nowhere near the tribe's aboriginal territory or current reservation.

When given the opportunity voters have rejected the idea of reservation shopping. Two years ago in Richmond, CA, a tribe proposed taking land into trust at Point Molate to open a 4,000-

slot-machine mega-casino. Proponents touted it as a major economic engine for a depressed area.

But the voters of Richmond knew the reality was far different. The project threatened to burden state and local government services, and it threatened to irreparably change the character of the community.

So Richmond voters made it clear how they felt by overwhelmingly rejecting the advisory measure by a margin of 58 to 42. Voters also elected two new city council members who strongly opposed the casino. It was an unambiguous rejection of this reservation shopping proposal.

Fortunately the Department of the Interior rejected the misguided Point Molate proposal. But voters in Yuba County were not so lucky.

In 2005, Yuba County voters had an opportunity to weigh in on a casino in this mostly rural and suburban Northern California community. By a margin of 52-48, voters rejected the proposal. Many cited concerns about crime as a reason they opposed the project.

But after the dust settled, the Department of the Interior decided to move forward with the project anyway. Despite the fact that voters rejected it and only one of the 21 public officials in the area polled on the issue expressed support for the project.

Moreover, the Department's claim that even one local official supported the project is dubious. The so-called support is based on a Memorandum of Understanding the County entered into prior to the advisory election. The county never offered a letter of support when consulted and still has not to this day.

As a former mayor, I know the financial pressures that local governments face, especially in these tough times. The temptation to support large casinos, with the promises of hundreds of construction jobs, can be strong.

But I also know the heavy price that society pays for the siren song of gambling. This price includes addiction and crime, strained public services and increased traffic congestion.

Some Indian gaming proponents and their out of state gaming syndicate backers would have us believe that these off-reservation gaming establishments are a sign of growth and economic development.

But a 2006 report, titled *Gambling in the Golden State*, paints a different picture. The report compiled a comprehensive body of research on the effects of casinos on their surrounding communities. The results were staggering.

New casinos are associated with a 10 percent increase in violent crime and a 10 percent increase in bankruptcy rates.

New casinos are also associated with an increase in law enforcement expenditures of \$15.34 per resident.

California spends an estimated \$1 billion to deal with problem-gamblers and pathological-gamblers, 75 percent of which identify Indian casinos as their primary gambling preference.

The report confirms what many local elected officials and community activists already know: casinos come at a tremendous cost.

Some have tried to mischaracterize my legislation. They have said it limits the sovereignty of tribes or it destroys the ability to undertake economic development.

But I am here today to say that nothing could be farther from the truth.

The bill preserves the right of tribes to acquire trust land in any location, provided they secure the approval of the Governor and meet the strict two-part determination standards.

The bill puts no limits on where a tribe can acquire land for any purpose other than gaming.

Because the fact of the matter is that most casinos are appropriately placed, on historical tribal lands, and there is no need to argue about the legitimacy of these establishments.

My legislation only deals with those proposals that are truly beyond the scope of Congressional intent when the Indian Gaming Regulatory Act was passed in 1988.

I look forward to working with my colleagues on this important issue.

By Mr. GRASSLEY (for himself, Mr. CHAMBLISS, and Mr. ROBERTS):

S. 478. A bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, back in 2003, the Government Accountability Office, the investigative arm of Congress, issued a report that revealed that suspected terrorists could stay in the country after their visas had been revoked on grounds of terrorism because of a legal loophole in the wording of revocation papers. The GAO shed light on a serious problem in our visa policies that posed a threat to our national security. The GAO found that many individuals were granted visas, but later, the FBI and intelligence community suspected ties of terrorism. The FBI didn't share the derogatory information with our consular officers in time. Consular officers had one tool at their disposal, and that was to revoke the visas. But, many of the individuals had made it to the United States.

What the GAO found was that even though the visas were revoked, immigration officials couldn't do a thing about it because the revocation didn't go into effect until after the alien departed. They were handicapped from locating the visa holders and deporting them. Today, our immigration agents may not be able to locate the individual even if they could deport them.

The GAO report opened our eyes and showed us how revocations were not being used effectively, and how terrorists could exploit a loophole to stay in the country. Since the GAO report was issued, I have attempted to plug this hole in the system. Today I am reintroducing a bill to give the Department of Homeland Security a critical tool that allows the Secretary to issue revocations and remove aliens from the United States without the hurdles they currently face.

Let me elaborate. Under current law, visas approved or denied by consular officers abroad are non-reviewable. We give our consular officers great latitude to protect the country and make a determination if an applicant is eligible for admission into the United States. This is known as consular non-reviewability. In 1950, the U.S. Supreme Court, in *Knauff v. Shaughnessy*, 338 U.S. 537, determined that "it is not within the province of any court, unless expressly authorized by law, to review the determination of the political branch of the Government to exclude a given alien."

Justice Minton, in his decision, stated, "At the outset we wish to point out that an alien who seeks admission to this country may not do so under any claim of right. Admission of aliens to the United States is a privilege granted by the sovereign United States Government. Such privilege is granted to an alien only upon such terms as the United States shall prescribe. It must be exercised in accordance with the procedure which the United States provides."

The doctrine of non-reviewability is a long-standing one that allows the Department of State to keep foreign nationals from entering the United States. But, the doctrine should be applied in instances when a person is granted a visa, enters in the country, and the Government subsequently revokes that visa.

There are some national security implications at stake. The ability to deport an alien on U.S. soil with a revoked visa is nearly impossible today if the alien is given the opportunity to appeal the revocation. So, in effect, the State Department doesn't use their authority to revoke. In fact, I am told they aren't doing it at all when the alien, even a potential terrorist, is in the country. They need a change so that foreign nationals are not able to freely roam our communities when they shouldn't be here in the first place.

Secretary Chertoff, former Secretary of the Department of Homeland Security agreed that the policy needed to be changed. When Secretary, he said,

The fact is that we can prevent someone who's coming in as a guest. We can say, "You can't come in overseas," but once they come in, if they abuse their terms and conditions of their coming in, we have to go

through a cumbersome process. That strikes me as not particularly sensible. People who are admitted as guests like guests in my house—if the guest misbehaves, I just tell them to leave; they don't get to go to court over it.

What's more, allowing judicial review of revoked visas, especially on terrorism grounds, could jeopardize the classified intelligence that led to the revocation. It can force agencies such as the FBI and CIA to be hesitant to share information. Why would our intelligence community share information with the State Department if they knew State wouldn't revoke a visa when the alien is in the U.S.? Current law could be reversing our progress on information sharing. Intelligence officials need to share information with immigration and consular officers to prevent terrorists from entering the United States and to impede their mobility.

My bill would give the U.S. Government the ability to expedite the deportation of suspected terrorists by applying the same "non-reviewability" standard for revocation decisions. It would treat revocations similar to visa denials. My bill gives the Federal Government the ability to deport an alien who has already entered the United States but shouldn't have ever been granted a visa.

Terrorists took advantage of our system before 9/11. We can't let that happen again. We should not allow potential terrorists and others who act counter to our laws to remain on U.S. soil and run to the courts and seek relief from deportation. We need to ensure that the government has all the tools at its disposal to keep the homeland safe.

I urge my colleagues to support my bill.

By Mr. GRASSLEY (for himself, Mr. NELSON, Mr. PORTMAN, and Mr. PRYOR):

S. 479. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations, and for other purposes; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Small Business Efficiency Act with my colleagues Senators NELSON, PORTMAN, and PRYOR. Many small businesses rely on Professional Employer Organization, PEOs, and to handle many of their human resources responsibilities. The Small Business Efficiency Act will provide an important layer of certainty and protection for small business owners and their workers by eliminating any ambiguity about a certified PEOs ability to assume employment tax responsibility. It further implements safeguards for the certified PEOs small business clients. This will give small businesses peace of mind that their human resources and employment tax

responsibilities are taken care of so they can focus on their core business and create more jobs.

I urge my colleagues to support this common sense legislation.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. LAUTENBERG, Mr. SANDERS, and Mr. TESTER):

S. 482. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, we have made great strides in improving the accountability of health insurance companies and protecting consumers from egregious practices. However, despite the progress we have made, many States still lack the ability to regulate excessive health insurance rate increases.

Health insurance premiums in the individual and small group market continue to grow beyond the rate of medical inflation. The Affordable Care Act has brought greater scrutiny to the market and we've seen some great progress. In fact, the number of requested increases in health insurance premiums beyond 10 percent comprised 75 percent of rate filings in 2010, and that has declined to 34 percent in 2012. This is a large step forward but without closing the remaining loophole not all consumers will be able to benefit from protection from unreasonable rate increases. Health insurance companies will continue to do what they have done for far too long: put their profits ahead of people. Rapidly escalating insurance costs strain businesses, families, and individuals.

Currently, 15 States still have little or no authority to block or modify unreasonable rate increases in the individual and small group markets. This means that even when the state's insurance regulators find a rate increase to be excessive, they do not have the ability to block or modify the increase. The Health Insurance Rate Review Act creates a Federal fallback for States currently lacking this authority. This will create parity across the country and give greater consistency of review and accountability for insurance companies seeking to raise rates beyond what is reasonable.

This legislation is a simple, common-sense solution: for States where the insurance commissioner does not have or use authority to block unreasonable rate increases, the Secretary of Health and Human Services can do so.

Affordability is vital to insuring access to quality health care. A 2010 survey by the Commonwealth Fund found that 70 percent of people with a health problem found it difficult or impossible to find affordable coverage on the individual market. This problem goes be-

yond the increased cost of overall medical care. From the year 2000 to 2010, average premiums for family coverage increased by 117 percent, compared to medical inflation which rose close to 49 percent.

Insurance premiums make up a higher percentage of household income than ever before, increasing around three times faster than wages are. This means that more and more families have to choose between health care and daily living expenses, saving for retirement, and education. This is unacceptable, and more must be done to protect consumers.

The Affordable Care Act made important steps forward in defining the rate review process and making rate increases and reviews public information. This has improved transparency but falls short of creating a strong rate review system in all States, and relies too heavily on the notion that public disclosure of rates will cause insurance companies to change their behavior every time they should.

I believe there needs to be a Federal fallback in states that lack the legal authority, capacity, or resources to conduct strong rate review.

In some States, like California, companies are not required to go through prior approval before rate increases go into effect. This means that when the California Insurance Commissioner finds rate increases to be unreasonable and excessive, he has no authority to actually stop or modify the increases to consumers. California is facing double digit rate hikes again this year and this legislation would help prevent such excessive increases.

Earlier this year the California Insurance Commissioner found a rate increase by Anthem Blue Cross to be unreasonable and the company decided to proceed anyway. This affected around 250,000 small business policy holders who saw an increase of around 10.6 percent, and when combined with previous increases the average rate hike over two years reaches 19.5 percent.

In 2012, proposed rate increases across nine States by the John Alden Life Insurance Company and Time Insurance Company were found to be unreasonable but went forward anyway. These increases varied from a 12 percent increase in Louisiana to a 24 percent increase in Wisconsin. These increases in the individual and small group market also affected Arizona, Idaho, Missouri, Montana, Nebraska, Virginia, and Wyoming.

In some States, insurance commissioners already have this authority and are using it to protect consumers. This bill doesn't touch what they are doing.

In New York, because state regulators have the authority to modify rates, the average individual market increase for 2013 is four and a half percent instead of the initial request of a nine and a half percent increase.

In 2011, the Connecticut Insurance Department found an increase of nearly 13 percent by Anthem Blue Cross and Blue Shield to be excessive, and approved a four percent increase instead.

Also in 2011, some North Dakota consumers on the individual health insurance market were facing a nearly 30 percent increase before state regulators stepped in and decreased the proposed hikes by almost half.

I strongly believe that we need to take action to strengthen the law so all consumers get the protection of effective health insurance rate review. I appreciate working with Representative SCHAKOWSKY, who is sponsoring the House companion bill.

I urge my colleagues to join me in supporting the Health Insurance Rate Review Act to stand up for American families struggling to pay for health coverage. I look forward to working with my colleagues on this important issue.

By Mrs. BOXER:

S. 483. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the Berryessa Snow Mountain National Conservation Area Act. Congressman MIKE THOMPSON and I introduced this legislation in the 112th Congress, and I am glad to continue working on this effort with him in this new Congress.

This important legislation designates close to 350,000 acres of public lands in Lake, Mendocino, Napa, Solano, and Yolo Counties as the Berryessa Snow Mountain National Conservation Area, or NCA. The area is a haven for hiking, camping, rafting, and horseback riding, and is home to a diverse array of wildlife including black bears and bald eagles.

My bill does not add any new lands to the Federal Government, the lands included in this NCA are already managed by the Bureau of Land Management, the Bureau of Reclamation, and the U.S. Forest Service and it does not apply to state or private lands. A National Conservation Area designation will require these three agencies to develop a multi-agency management plan in consultation with stakeholders and the public, improving coordination on wildlife preservation, habitat restoration, and recreational opportunities. Creation of the NCA will also help the agencies take a more coordinated approach to preventing and fighting wildfires, combating invasive species and water pollution, and stopping the spread of illegal marijuana growth.

By unifying these individual places under one banner, my bill helps put the Berryessa Snow Mountain region on the map as a destination for new visi-

tors. This region is one of the most biologically diverse, yet least known regions of California. By raising its profile, an NCA designation will boost tourism and increase business opportunities in the region's gateway communities. The Outdoor Industry Association has estimated that outdoor recreation supports 732,000 jobs and contributes \$85.4 billion annually in consumer spending to California's economy, underscoring the immense potential of sites such as the proposed Berryessa Snow Mountain NCA to drive local economic growth. Additionally, the region will become recognized by more people as uniform signage and publications are created to reach more diverse audiences, allowing them to learn more about this beautiful area.

Creation of this proposed National Conservation Area has strong support from a large coalition of local governments, elected officials, business owners, landowners, farmers, private individuals, and many conservation and recreation groups. This bill is the culmination of a grassroots effort of concerned citizens taking the initiative to care for the beautiful areas in their communities, and I am proud to support their work and commitment.

The Berryessa Snow Mountain region deserves national status and recognition, and I urge my colleagues to join me in supporting this effort.

By Mr. INHOFE (for himself, Mr. VITTER, Mr. COBURN, Mr. ENZI, Mrs. FISCHER, Mr. BLUNT, and Mr. GRASSLEY):

S. 484. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, I rise today to introduce the Lead Exposure Reduction Amendments Act of 2013.

In April 2010, an EPA rule governing work done in homes constructed before 1978 took effect. The aim of this rule is to protect at-risk populations, defined as pregnant women and children under the age of six, from harmful lead paint dust particles that may be generated during home construction, rehabilitation, and remodeling work. While lead paint was generally discontinued from in-home use in the 1960s and 1970s, the rule applies to all homes built before 1978 and requires all contractors to be certified by the EPA and be supervised by an EPA certified renovator while following rigorous and costly safe lead work practices.

Some of these requirements include sealing off the area where the renovation is occurring; removing all objects from the work area; covering any porous work areas with smooth, cleanable areas; using special tools that have emission exhaust controls; vacuuming all items, including people's clothes, who leave the work space;

and generally cleaning the work area to ensure there is no dust following completion of the job.

I believe everyone in this chamber stands strongly behind the intent of the rule, which is to protect children and pregnant women from the harmful effects of lead. With 20 kids and grandkids, I appreciate the importance of the rule, and the potential it has to further decrease lead exposure. But this rule does add significant cost to the completion of renovation jobs and adds significant regulatory hurdles to many small business owners in situations where it may not at all be necessary.

Fortunately, the original rule included an opt-out provision for homeowners who did not have any at-risk individuals living in their homes. Provided the contractor made them aware of the potential lead-paint risks, the homeowner could give the contractor permission to carry out the job without following the EPA's lead safe work practices. This makes sense because the health issues caused by renovation work in homes with lead paint are minor for adults and older children who are not members of the at-risk population.

But in July 2010, just three months after the rule took effect, the EPA removed this opt-out provision. By doing this, EPA more than doubled the number of homes requiring safe work practices and increased the economy-wide cost of compliance by well more than \$336 million by EPA's own estimate, which is significantly less than reality.

Further, EPA has failed to meet the requirements of its own rule because there are no commercially available lead paint test kits. Test kits would allow contractors to see whether work spaces include any lead paint, and if none is detected then the contractor would not have to follow lead safe work practices, which makes sense. Unfortunately, the test kits that are currently available produce 60-percent false positives, requiring many homeowners to pay significantly more for home remodeling work, even though there may not be any lead to protect them from.

The bill I'm introducing today is simple. It would first require the EPA to restore the opt-out provision. If homeowners have no residents who are at-risk to lead paint contamination, then they should be able to waive the regulatory requirement.

The bill will also suspend the rule for homes built after 1960 if the EPA does not develop workable test kits, unless those homes include members of the at-risk population. The bill would also provide a de minimis exemption for first-time paperwork violations against contractors. The EPA has focused its enforcement efforts on these violations despite the fact that the contractors may be appropriately following safe lead practices.

Finally, the bill prohibits EPA from expanding this regulation to commercial and public buildings until it has completed a study to determine the risk of such practices. EPA is in the process of writing these regulations even though it has not yet completed the corresponding study. If there is no risk, why would EPA issue regulations? They would be a solution in search of a problem. EPA needs to do its due diligence and determine whether there would be any meaningful health benefits from extending this rule to other areas.

In closing, I want to reiterate my dedication to the cause of protecting the health of vulnerable populations, and particularly pregnant women and children. But it is important for EPA's regulations to be pursued in a way that make sense, and that is what my bill intends to do. This is an ongoing goal of mine as a senior member of the Environment and Public Works Committee.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lead Exposure Reduction Amendments Act of 2013".

SEC. 2. DEFINITIONS.

Section 401 of the Toxic Substances Control Act (15 U.S.C. 2681) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(B) in the first sentence, by striking "The term" and inserting the following:

"(A) IN GENERAL.—The term";

(C) by striking "Such term includes—" and inserting the following:

"(B) INCLUSIONS.—The term 'abatement' includes—"; and

(D) by adding at the end the following:

"(C) EXCLUSIONS.—The term 'abatement' does not include any renovation, remodeling, or other activity—

"(i) the primary purpose of which is to repair, restore, or remodel target housing, public buildings constructed before 1978, or commercial buildings; and

"(ii) that incidentally results in a reduction or elimination of lead-based paint hazards.";

(2) by redesignating—

(A) paragraphs (4) through (12) as paragraphs (5) through (13);

(B) paragraph (13) as paragraph (15); and

(C) paragraphs (14) through (17) and paragraphs (18) through (21), respectively;

(3) by inserting after paragraph (3) the following:

"(4) EMERGENCY RENOVATION.—The term 'emergency renovation' means a renovation or remodeling activity that is carried out in response to an event—

"(A) that is an act of God, as that term is defined in section 101(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; or

"(B) that if not attended to as soon as is practicable—

"(i) presents a risk to the public health or safety; or

"(ii) threatens to cause significant damage to equipment or property.";

(4) by striking paragraph (10) (as redesignated by paragraph (2)) and inserting the following:

"(10) LEAD-BASED PAINT.—

"(A) IN GENERAL.—The term 'lead-based paint' means paint or other surface coatings that contain lead in excess of—

"(i) 1.0 milligrams per centimeter squared; or

"(ii) 0.5 percent by weight.

"(B) TARGET HOUSING.—With respect to paint or other surface coatings on target housing, the term 'lead-based paint' means paint or other surface coatings that contain lead in excess of the lower of—

"(i) the level described in subparagraph (A); or

"(ii) a level established by the Secretary of Housing and Urban Development under section 302(c) of the Lead-Based Paint Poisoning Prevention Act.";

(5) by inserting after paragraph (13) (as redesignated by paragraph (2)) the following:

"(14) POSTABATEMENT CLEARANCE TESTING.—The term 'postabatement clearance testing' means testing that—

"(A) is carried out upon the completion of any lead-based paint activity to ensure that—

"(i) the reduction is complete; and

"(ii) no lead-based paint hazards remain in the area in which the lead-based paint activity occurs; and

"(B) includes a visual assessment and the collection and analysis of environmental samples from an area in which lead-based paint activities occur."; and

(6) by inserting after paragraph (15) (as redesignated by paragraph (2)) the following:

"(16) RENOVATION.—The term 'renovation' has the meaning given such term in section 745.83 of title 40, Code of Federal Regulations, as in effect on the date of enactment of this paragraph.

"(17) RENOVATION AND REMODELING REGULATION.—The term 'renovation and remodeling regulation' means a regulation promulgated under section 402(a) and revised pursuant to section 402(c)(3)(A), as such regulation is applied to renovation or remodeling activities in target housing, public buildings constructed before 1978, and commercial buildings."

SEC. 3. LEAD-BASED PAINT ACTIVITIES TRAINING AND CERTIFICATION.

Section 402(c) of the Toxic Substances Control Act (15 U.S.C. 2682(c)) is amended—

(1) by striking paragraph (2) and inserting the following:

"(2) STUDY OF CERTIFICATION.—

"(A) IN GENERAL.—Not later than 1 year prior to proposing any renovation and remodeling regulation after the date of enactment of the Lead Exposure Reduction Amendments Act of 2012, the Administrator shall conduct, submit to the Congress, and make available for public comment (after peer review) the results of, a study of the extent to which persons engaged in various types of renovation and remodeling activities in target housing, public buildings constructed before 1978, or commercial buildings—

"(i) are exposed to lead in the conduct of such activities; and

"(ii) disturb lead and create a lead-based paint hazard on a regular or occasional basis in the conduct of such activities.

"(B) SCOPE AND COVERAGE.—Each study conducted under subparagraph (A) shall consider the risks described in clauses (i) and (ii) of such subparagraph with respect to each separate building type described in such subparagraph, as the regulation to be proposed would apply to each such building type.";

(2) in paragraph (3)—

(A) in the first sentence by striking "Within 4 years" and inserting the following:

"(A) IN GENERAL.—Not later than 4 years"; and

(B) by adding at the end the following:

"(B) EXEMPTION.—An emergency renovation shall be exempt from any renovation and remodeling regulation, and a person carrying out an emergency renovation shall be exempt from any regulation promulgated under section 406(b) with respect to the emergency renovation.

"(C) PROHIBITION ON POSTABATEMENT CLEARANCE REQUIREMENT.—No renovation and remodeling regulation may require postabatement clearance testing."; and

(3) by adding at the end the following:

"(4) TARGET HOUSING OWNERS.—

"(A) IN GENERAL.—Not later than 60 days after the date of enactment of this paragraph, and subject to subparagraph (B), the Administrator shall promulgate regulations to permit an owner of a residential dwelling that is target housing, who resides in such residential dwelling, to authorize a contractor to forgo compliance with the requirements of a renovation and remodeling regulation with respect to such residential dwelling.

"(B) WRITTEN CERTIFICATION.—The regulations promulgated under subparagraph (A) shall require that an owner of a residential dwelling that is target housing, who resides in such residential dwelling, may only authorize a contractor to forgo compliance with the requirements of a renovation and remodeling regulation if the owner submits to such contractor a written certification stating that—

"(i) the renovation or remodeling project is to be carried out at the residential dwelling in which the owner resides;

"(ii) no pregnant woman or child under the age of 6 resides in the residential dwelling as of the date on which the renovation or remodeling project commences, or will reside in the residential dwelling for the duration of such project; and

"(iii) the owner acknowledges that, in carrying out the project, such contractor will be exempt from the requirements of a renovation and remodeling regulation.

"(C) RESTRICTION.—A contractor may not forgo compliance with the requirements of a renovation and remodeling regulation pursuant to a written certification submitted under subparagraph (B) if such contractor has actual knowledge of a pregnant woman or child under the age of 6 residing in the residential dwelling as of the date on which the renovation or remodeling commences (and for the duration of such project).

"(D) LIMITATION OF CONTRACTOR LIABILITY.—The Administrator may not hold a contractor responsible for a misrepresentation made by the owner of a residential dwelling in a written certification submitted under subparagraph (B), unless the contractor has actual knowledge of such a misrepresentation.

"(5) TEST KITS.—

"(A) IN GENERAL.—

"(i) RECOGNITION.—The Administrator shall recognize for use under this title a qualifying test kit, and publish in the Federal Register notice of such recognition.

“(ii) SUSPENSION OF ENFORCEMENT OF CERTAIN REGULATIONS.—If, not later than 1 year after the date of enactment of this paragraph, the Administrator does not recognize a qualifying test kit under clause (i), the Administrator—

“(I) shall publish in the Federal Register notice of such failure to recognize a qualifying test kit; and

“(II) except as provided in clause (iii), may not enforce any post-1960 building renovation and remodeling regulation, with respect to a period beginning on the date that is 1 year after the date of enactment of this paragraph and ending on the date that is 6 months after the date on which the Administrator—

“(aa) recognizes for use under this title a qualifying test kit; and

“(bb) publishes in the Federal Register notice of such recognition and of the date on which enforcement of the post-1960 building renovation and remodeling regulations will resume.

“(iii) APPLICABILITY OF SUSPENSION.—The Administrator shall not suspend enforcement of any post-1960 building renovation and remodeling regulation for the period described in clause (ii)(II) with respect to a residential dwelling in which a pregnant woman or child under the age of 6 resides.

“(B) QUALIFYING TEST KIT.—In this subsection, the term ‘qualifying test kit’ means a chemical test that—

“(i) can determine the presence of lead-based paint, as defined in section 401(10)(A);

“(ii) has a false positive response rate of 10 percent or less;

“(iii) has a false negative response rate of 5 percent or less;

“(iv) does not require the use of off-site laboratory analysis to obtain results;

“(v) is inexpensively and commercially available; and

“(vi) does not require special training to use.

“(C) POST-1960 BUILDING RENOVATION AND REMODELING REGULATION.—In this subsection, the term ‘post-1960 building renovation and remodeling regulation’ means a renovation and remodeling regulation, as it applies to—

“(i) target housing constructed after January 1, 1960;

“(ii) public buildings constructed between January 1, 1960 and January 1, 1978; and

“(iii) commercial buildings constructed after January 1, 1960.

“(6) APPLICABILITY OF CERTAIN PENALTIES.—Any renovation and remodeling regulation requiring the submission of documentation to the Administrator shall provide—

“(A) an exemption from an applicable penalty for failure to comply with such requirement for a person who—

“(i) is submitting the required documentation for the first time; and

“(ii) submits documentation that contains only de minimus or typographical errors, as determined by the Administrator; and

“(B) a process by which a person described in subparagraph (A) may resubmit the required documentation.

“(7) ACCREDITATION OF RECERTIFICATION COURSES.—The hands-on training requirements required by subsection (a)(2)(D) shall not apply to any recertification course accredited by the Environmental Protection Agency that is otherwise required to be completed under this title by a person that is certified to engage in renovation and remodeling activities.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 68—CONGRATULATING THE PENN STATE IFC/PANHELLENIC DANCE MARATHON ON ITS CONTINUED SUCCESS IN SUPPORT OF THE FOUR DIAMONDS FUND AT PENN STATE HERSHEY CHILDREN'S HOSPITAL

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 68

Whereas the Penn State IFC/Panhellenic Dance Marathon (commonly referred to as “THON”) is the largest student-run philanthropy in the world, with 710 dancers, more than 15,000 volunteers, and more than 300 supporting organizations involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually raise money and dance for 46 consecutive hours at the Bryce Jordan Center, bringing energy and excitement to the Pennsylvania State University campus for the mission of conquering pediatric cancer and promoting awareness of the disease to thousands of individuals;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and funds research on pediatric cancer;

Whereas THON is the largest donor to the Four Diamonds Fund at Penn State Hershey Children's Hospital each year, having raised more than \$100,000,000 since 1977, when the 2 organizations first partnered;

Whereas, in 2013, THON set a new fundraising record of \$12,374,034.46, surpassing the previous record of \$10,686,924.83, set in 2012;

Whereas THON—

(1) has helped more than 2,000 families through the Four Diamonds Fund;

(2) is helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital; and

(3) has supported pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar organizations and events across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and remain involved in great charitable causes in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Penn State IFC/Panhellenic Dance Marathon (commonly referred to as “THON”) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers, and supporting organizations for their hard work in organizing another record-breaking THON.

SENATE CONCURRENT RESOLUTION 6—SUPPORTING THE LOCAL RADIO FREEDOM ACT

Mr. BARRASSO (for himself and Ms. HEITKAMP) submitted the following

concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 6

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world, due to the symbiotic relationship that has existed among those industries for many decades;

Whereas, for more than 80 years, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio air play, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and the House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disasters, such as on September 11, 2001, and during Hurricanes Katrina and Rita, as well as public affairs programming, sports, and hundreds of millions of dollars worth of time for public service announcements and local fund raising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States, and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress should not impose any new performance fee, tax, royalty, or other charge relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air, or on any business for such public performance of sound recordings.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 6, 2013, at 10 a.m. to conduct

a hearing entitled “The Department of Homeland Security at 10 Years: A Progress Report on Management.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 6, 2013, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Oversight of the U.S. Department of Justice.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans’ Affairs be authorized to meet during the session of the Senate on March 6, 2013, at 10 a.m. in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, MARCH
7, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, March 7, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later

in the day, and following any leader remarks, the Senate resume executive session and consideration of the Brennan nomination; further, that the Senate recess from 12:30 p.m. until 2 p.m. to allow for caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 12:41 a.m., adjourned until Thursday, March 7, 2013, at 10 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, March 6, 2013

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

We ask Your blessing upon our Nation. Bless the work of the Members of the people's House. May they toil diligently to bring about solutions to the pressing issues of these times.

Bless all men and women across our country, especially those who work in service to others: police, firefighters, health care providers, teachers, those who work in local, State and national government, and those men and women serving in our Armed Forces.

And bless those who give the ultimate sacrifice of their lives in service, from Santa Cruz, California, to Bangor, Maine, and comfort those who mourn their loss. May we all be inspired by the heroes who serve their neighbors.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. OLSON) come forward and lead the House in the Pledge of Allegiance.

Mr. OLSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

BETTER TO DIE AS FREE MEN— THE ALAMO DEFENDERS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, in a beat up old Spanish mission 177 years ago today, the sun rose in the mist for the last time on a small band of soldiers.

The fiery group of 187 Texas volunteers stood defiant against Dictator Santa Anna and his invading Mexican Army of several thousand on this, the 13-day siege of the Alamo.

They came from many States and many foreign countries. There were 11 Tejanos—Texans of Spanish descent. Their names were Jim Bowie, Jim Bonham, David Crockett, and William Barret Travis. They were all killed on March 6, 1836, fighting for liberty over tyranny.

Col. Travis was correct when he said that "victory would be more costly for Santa Anna than defeat." Mexican losses were so huge that General Sam Houston had time to rally a Texas army and defeat the dictator, Santa Anna, on the plains of San Jacinto, on April 21, 1836.

Texas became a free and independent nation, a republic.

The guns and bugles are silent at the Alamo, but all freedom-loving people should thank the Good Lord that in history there are those who are willing to face overwhelming odds and die for freedom rather than to live under oppression and tyranny.

And that's just the way it is.

SEQUESTRATION

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I am extremely disappointed that the sequestration has taken effect because Republicans refused to work with Democrats on a balanced plan to prevent it.

The automatic, arbitrary, and irrational cuts it has imposed could have, and I think will have, serious, negative effects. It could erode our military readiness and weaken our national security, and it could reverse the gains we've made in our economic recovery and see reductions in critical programs that help the poor and most vulnerable in our society.

Sequestration is not a solution. Only a balanced approach can achieve the savings we need to get our fiscal house in order and end the uncertainty that is keeping our businesses from creating the jobs we need.

It is not too late to act. This Republican-controlled Congress may not have

been able to avert the sequester, but it can limit its impact if both sides work together. And I still believe that if Republicans are willing to compromise, we can achieve the big, balanced solution to deficits the American people expect from us.

Today's vote is on whether you think sequester is rational. The next vote will be on keeping government open.

THE FALL OF THE ALAMO AND COLONEL TRAVIS' LAST PLEA FOR HELP

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, 177 years ago on this day, the Alamo fell. Every Texan fighting for liberty was killed.

I would like to read parts of the letter sent by the Alamo's commander pleading for help:

To the people of Texas and all Americans in the world, I am besieged by 1,000 or more of the Mexicans under Santa Anna. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man.

The enemy has demanded a surrender at discretion, otherwise the garrison are to be put to the sword if the fort is taken. I have answered that demand with a cannon shot.

I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country: victory or death.

William Barret Travis, Lieutenant Colonel Commandant.

Remember the Alamo, and God bless the republic of Texas.

DUMB AND CRUEL CUTS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, snow is keeping Federal workers at home today, and Congress will keep up to a million at home with the sequester cuts in today's CR.

No emergency like snow or even the deficit will be responsible. The responsibility lies with the House majority, which has abdicated its responsibility to govern. The CR on the floor today embeds cuts that might be tolerated if spread intelligently and selectively over time.

But even if the deficit demanded cutting, for example, the Women, Infants, and Children program, there could be no justification for doing it in only 6 months, guaranteeing that over 600,000

low-income women and our most vulnerable children will lose basic nutrition assistance.

Dumb cuts are bad; cruel cuts are much worse.

CONDEMNING ATTACKS ON MEK MEMBERS AT CAMP LIBERTY

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Mr. Speaker, I rise today in support of Chairman POE's resolution condemning the February 9 rocket and mortar attacks at Camp Liberty in Iraq and urging the President to work with the Iraqi Government and the United Nations High Commissioner for Refugees to relocate the members of the Mujahedin-e Khalq back to Camp Ashraf.

These MEK refugees can only be safe and secure at Ashraf where they have lived for over 25 years. The Iraqi Government and the High Commissioner placed these MEK members at Camp Liberty despite the great danger to them there. Now the United Nations should take the necessary steps to return them to Ashraf or settle them abroad.

I look forward to the day when these refugees can return home to Iran once the tyrannical regime there has fallen, a day that might have been hastened if President Obama had stood with brave Iranian protesters in 2009 instead of coddling the theocratic mullahs there. Let us not make that mistake again.

□ 1010

AUTISM AND SEQUESTRATION

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. On Sunday, March 3, 2 days after the failure of this body to stop the mindless budget cuts of the sequester that will slash millions of dollars for medical research, I was honored to join Bob and Suzanne Wright and thousands of others as we walked in downtown West Palm Beach to promote autism awareness, advocacy, and research.

One in 88 American children is affected by autism, which is America's fastest growing, serious developmental disability, and the Wrights will be the first to tell you that, even with the progress of their organization Autism Speaks and other fine organizations, it will take the investment of the United States of America in science to unlock the mystery of a disorder that cheats our children and stresses their families financially and emotionally.

Mr. Speaker, the sequester will hurt our most vulnerable loved ones and will risk slowing down our economy

right when it is recovering. Let's come together now and stop the sequester and reduce our deficit in a balanced way. Instead of tax breaks for oil companies, let's give an autistic child a chance to be the best that he or she can be.

SEQUESTRATION

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, the record is clear: the House of Representatives has acted responsibly. We've passed two pieces of legislation to be able to deal with sequestration and to be able to deal with it in a responsible way. The question yet to be answered is: Will the Senate, will the administration rise with us to be able to meet that challenge?

Right now, an American family making \$50,000 a year is taking about \$1,000 less home because of the expiration of the payroll tax deduction. That's a mortgage payment, books for school, a couple of months' worth of groceries. In fact, they're now under the highest tax burden since the year 2008. Families are making sacrifices while government continues to increase spending. Many Federal agencies and programs will actually receive more in their budgets this year, and the government will collect more tax revenue than ever before—\$2.7 trillion.

One of the major problems with the President's sequester is not that it initiates needed reductions in Federal spending but that its unwieldy nature casts a broad shadow of uncertainty with regards to how those cuts will be implemented. We need responsibility. This House has acted. We call on the Senate and the administration to join us.

SEQUESTRATION

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today about the recent sequestration cuts to important Federal programs, cuts that are harmful to our national security, education system, transportation and infrastructure, and economy.

Congressional Democrats have worked for months in this very Chamber in order to avoid the harmful cuts, but the House majority has so politicized the budget process that it has prevented any resolution or compromise. The Republican majority has three times blocked the consideration of a Democratic bill to end sequestration, has refused to bring any bill of its own to the House floor to end the sequester and, instead, with partisan attacks, has tried to blame President Obama.

The sequester has already taken effect with an immediate \$85 billion across-the-board spending cut; and while the worst of these impacts is yet to come, Americans will see more teachers laid off, indiscriminate cuts to special education, a loss of 4 million meals for seniors, and debilitating health care cuts for our military families.

In my home State of Texas, the sequester puts close to 1,000 teaching jobs at risk. Over 80,000 workers will lose access to job training, over 50,000 civilian defense employees will be furloughed, and 9,700 fewer children will get vaccines for diseases like measles and the whooping cough.

SEQUESTRATION

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, last Friday, sequestration went into effect. The House has passed two plans to replace sequestration with smarter, targeted spending cuts. Unfortunately, the Senate has not approved a plan. We desperately need to cut spending, but sequestration is an extremely poor way to do it.

Where I'm from in upstate New York, it means taking an ax to cybersecurity precisely when we need it the most. It means furloughing the men and women who make sure that our Armed Forces get paid. It also means slashing education programs that make our country more competitive.

We need to make tough, smart choices and reduce spending now so that we don't hand our children the most regressive tax there is—an immoral national debt approaching \$17 trillion. There is no reason and should be no reason why both sides can't agree on cutting \$85 billion. Mr. Speaker, we need to replace this sequestration with responsible cuts and reforms. Let's do it as soon as possible.

STOP CLIMATE CHANGE

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today as a member of the Safe Climate Caucus to demand that this Tea Party Congress take action to stop climate change.

Scientists agree that climate change is dangerous, and for those of you who only care about money, it's also costly. Republican skepticism of science has delayed action for far too long, but it's not too late to stop the worst of the effects. The victims of Superstorm Sandy know that we must act now.

I call on my Republican friends to reject the extreme right-wing and to also

repudiate your pollution-spewing bud-
dies and suitors. Listen to the facts,
the science, and the demands of the
American people. We must take action
now, not during the last term, by the
way, when these two measures to avoid
sequestration were passed—they're not
in effect now. We need to take action
right now.

**PROVIDING FOR CONSIDERATION
OF H.R. 933, DEPARTMENT OF
DEFENSE, MILITARY CONSTRUC-
TION AND VETERANS AFFAIRS,
AND FULL-YEAR CONTINUING
APPROPRIATIONS ACT, 2013**

Mr. COLE. Mr. Speaker, by direction
of the Committee on Rules, I call up
House Resolution 99 and ask for its im-
mediate consideration.

The Clerk read the resolution, as fol-
lows:

H. RES. 99

Resolved, That upon the adoption of this
resolution it shall be in order to consider in
the House the bill (H.R. 933) making appropria-
tions for the Department of Defense, the
Department of Veterans Affairs, and other
departments and agencies for the fiscal year
ending September 30, 2013, and for other pur-
poses. All points of order against consider-
ation of the bill are waived. The amendment
printed in the report of the Committee on
Rules accompanying this resolution shall be
considered as adopted. The bill, as amended,
shall be considered as read. All points of
order against provisions in the bill, as
amended, are waived. The previous question
shall be considered as ordered on the bill, as
amended, and on any amendment thereto
to final passage without intervening motion ex-
cept: (1) one hour of debate equally divided
and controlled by the chair and ranking mi-
nority member of the Committee on Appropria-
tions; and (2) one motion to recommit
with or without instructions.

The SPEAKER pro tempore (Mr.
HASTINGS of Washington). The gen-
tleman from Oklahoma is recognized
for 1 hour.

Mr. COLE. Mr. Speaker, for the pur-
pose of debate only, I yield the cus-
tomary 30 minutes to my good friend,
the gentleman from Worcester, Massa-
chusetts (Mr. MCGOVERN), pending
which I yield myself such time as I
may consume. During consideration of
this resolution, all time yielded is for
the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unani-
mous consent that all Members have 5
legislative days to revise and extend
their remarks.

The SPEAKER pro tempore. Is there
objection to the request of the gen-
tleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday,
the Rules Committee met and reported
a rule for the consideration of H.R. 933,
the Department of Defense, Military
Construction and Veterans Affairs, and
Full-Year Continuing Appropriations
Act, 2013.

The rule is a closed rule, which pro-
vides for the consideration of fully

conferenced Department of Defense and
Military Construction and Veterans Af-
fairs bills and a continuing resolution
for other government programs at the
FY 2012 levels. This rule provides for 1
hour of debate, equally divided between
the chairman and the ranking member
of the Committee on Appropriations. In
addition, the rule incorporates a purely
technical amendment to the bill by
Chairman ROGERS.

□ 1020

Mr. Speaker, H.R. 933 accomplishes
several key objectives.

First, it preserves military readiness
and national security capability, while
maintaining core commitments to our
troops and our veterans.

Second, it ends the current uncer-
tainty of the fiscal year 2013 budget. It
seems that over the past year, we have
moved from fiscal crisis to fiscal crisis.
Thanks to the leadership of Chairman
ROGERS and Chairman SESSIONS, we are
able to consider funding the Federal
Government through the end of the fis-
cal year at this point, avoiding the
threat of a government shutdown.

Additionally, by considering full-
year DOD and MilCon-VA bills, we are
able to establish a stable baseline for
the Department to act upon, as op-
posed to having them rely on fiscal
year 2012 priorities. This bill realigns
the appropriation accounts for Depart-
ment of Defense and MilCon-VA to bet-
ter reflect the fiscal year 2013 execu-
tion, rather than the fiscal year 2012
levels carried forward in a CR.

Mr. Speaker, this legislation operates
under the caps of the Budget Control
Act of 2011 as modified by the Amer-
ican Taxpayer Relief Act of 2012. There
are across-the-board reductions in se-
curity and nonsecurity spending to
reach the caps of \$1.043 trillion. Addi-
tionally, there is a provision which en-
sures that the funding will be reduced
to the post-sequester level of \$982 bil-
lion in total spending, a reduction of
\$85 billion in overall Federal spending
for fiscal year 2013.

Finally, Mr. Speaker, I want to spend
a moment discussing the anomalies in
this bill. Let me assure my colleagues
on both sides of the aisle that none of
the anomalies in this legislation, on
net, do anything that raise the cost of
the bill above the statutory Budget
Control Act caps.

Some of the anomalies in the bill are
things like turning off the \$100 million
in convention funding for Charlotte
and Tampa, and turning off \$31 million
in funding for the Eisenhower Commis-
sion, where funding has been delayed
indefinitely and no funds have yet been
expended.

These anomalies are limited. There
are only approximately 80 in the entire
bill. For reference, in the last full-year
continuing resolution, there were over
600 anomalies. The Appropriations
Committee has been judicious in its

use of anomalies, only providing them
in cases where mission-critical oper-
ations might be impacted.

Mr. Speaker, this is a good bill. I
urge support for the rule and the un-
derlying bill, and I reserve the balance
of my time.

Mr. MCGOVERN. Mr. Speaker, I want
to thank the gentleman from Okla-
homa, my friend, Mr. COLE, for yielding
me the customary 30 minutes, and I
yield myself such time as I may con-
sume.

Mr. Speaker, we are here to consider
the rule for H.R. 933, the continuing
resolution for the rest of fiscal year
2013. This is a disappointing bill, Mr.
Speaker, and this is a disappointing
process.

This continuing resolution, quite
frankly, is inadequate. It does not meet
the needs of our people. And because it
does not address sequestration, it actu-
ally will hurt many millions of our
people. The Department of Defense and
the VA are given some flexibility to
deal with the devastating sequestra-
tion cuts, but no other agency is given
that tool.

This is clearly, in my opinion, a tacit
statement by the majority that they
are going to keep this harmful seques-
ter, one of the stupidest things ever to
come out of Congress.

And that, Mr. Speaker, is the dis-
appointing part of this entire process.
The majority has had plenty of oppor-
tunity to address the sequester. Time
after time after time after time, Demo-
crats, through the efforts of the rank-
ing Democrat on the Budget Com-
mittee, Mr. VAN HOLLEN, have offered a
sequester alternative. And time after
time after time after time, the Repub-
lican majority has blocked this amend-
ment from being debated and voted on
the House floor.

Yet the Republicans in Congress have
yet to put forth a sequester alter-
native. Of course they will say that
they have passed two different propo-
sals, but that was last Congress. As
many of my friends on the other side of
the aisle know so well, legislation dies
at the end of each Congress. Every 2
years, Congress repopulates and every
bill must start over. There is no carry-
over from one Congress to the next. We
all learned that in the most basic polit-
ical science class, Politics 101. So this
claim that we did something last Con-
gress is irrelevant to addressing the se-
quester that the Republicans let take
effect last week.

And let's remember the context of
those two bills the House Republicans
are so proud of. They were the result
of, once again, the Republican leader-
ship walking away from difficult bipar-
tisan negotiations just at the moment
when a deal seemed to be within reach.
They both were completely partisan
bills, and they both were dead on ar-
rival in the Senate. So they were not
genuine efforts to solve problems. They

were all for show. They were simply political theater.

On the other hand, at the end of the last Congress, the House Republican leadership had a bipartisan, bicameral negotiated omnibus appropriations bill that would have taken us through fiscal year 2013, the result of hundreds of hours of careful bipartisan negotiation. But the House Republicans would not let that bill come to the floor for approval, a bill that would have passed the Senate and gone straight to the President's desk for signature.

Instead, they chose to waste the House's time on its two highly touted, highly partisan budget bills that went nowhere. But as I said, Mr. Speaker, that was the last Congress, and we must now start all over to address the sequester and provide funding for the remainder of this fiscal year.

Frankly, I don't know what the Republicans in the House are scared of. Speaker BOEHNER seems to have moved past the Hastert rule, which is a silly notion that the bill must only pass if it has a majority of the majority, and he has replaced it with selective bipartisanship. That's right, Speaker BOEHNER clearly believes that the House should operate under a process of selective bipartisanship.

This means he turns to Democrats when he needs the votes to pass important bills, like he did for VAWA, the fiscal cliff, and Hurricane Sandy relief, when only 49 Republicans, only 49 Republicans out of 232 voted to help our fellow citizens on the east coast who were devastated by that storm. The Speaker should do the same thing with the sequester and allow the House to debate and to vote on the Van Hollen amendment.

Finally, Mr. Speaker, this is part of a broader Republican economic plan that is, to put it mildly, extremely disappointing.

First, Republicans brought us to the brink of economic mayhem with the fiscal cliff. At the last minute, the Senate swooped in to save the day with leadership and help from the administration. Then House Republicans allowed the sequester to take effect, once again playing Russian roulette with our economy. Now we are going to consider this hybrid CR that just doesn't pass muster, despite the best efforts of the appropriators.

No one—no one—wants a government shutdown, and we all know that some kind of bill funding the Federal Government through the end of the fiscal year will pass before March 27. The real fights are going to come in the next few weeks and months when the Republicans outline their budget priorities with the new Ryan budget and when the debt limit, once again, needs to be raised.

What is clear is that the Republicans are hell-bent on cutting spending just for its own sake, no matter how mind-

less or senseless. We know that the economy is slowly rebounding, and we also know that these cuts in government spending—Federal, State, and local—are taking their toll on the economy. Fourth-quarter growth last year was reduced only because of reduced government spending—the cuts to cops, the cuts to firefighters, the cuts to teachers, and other workers—when that showed up in that economic report.

Now we are going to see a Republican budget that supposedly eliminates the deficit in 10 years. Call it the Ryan budget on steroids. It is going to cut Medicare, food stamps, and nearly every nondefense discretionary program funded by the Federal Government; and during the debt ceiling debate, we will see another attempt to arbitrarily cut these programs.

Mr. Speaker, this is not a responsible way to govern. The continuing resolution before us today is just one more example of how the House Republicans are leading with their heads in the sand. Instead of working to jump-start our economy, instead of engaging in true bipartisan negotiations, House Republicans continue to push on with misguided and ill-conceived budget cuts that do harm, but no good.

Like I said, this is a disappointing bill and a disappointing effort. We should be considering an omnibus appropriations bill. We should work to replace the sequester. We should be thinking long-term about economic recovery. We should be putting country ahead of political party. Instead, once again, we are playing games with our economy. This is no way to run a government.

I reserve the balance of my time.

□ 1030

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume. I just want to make a few quick comments in reference to my good friend's remarks. You referred to an interesting phrase, "selective bipartisanship." I would suggest to my friend that we've probably practiced that more in 2 months than they did in 2 years when they were in the majority.

These were major pieces of legislation that we did move in a bipartisan fashion. As my good friend knows, I helped on all three of those occasions, was happy to do so, and I'm sure the Speaker will continue to try and work across the aisle whenever he can.

My friend also referred to the nature of the cuts. Let me assure him of this: these are cuts, and they are going to occur; but we've repeatedly told our friends and the President and the Senate that we would be more than happy to redistribute where the cuts are going to occur. We did that twice: in May of last year and in December of last year, after the election, in good faith. In neither case did the Senate

pick that up or the White House respond with a serious offer. Now my friend is asking us to do it for a third time in the hopes it will be different.

Perhaps this time you should go first. Perhaps the Senate should actually pass a plan or the President actually lay one out. I don't think we've really seen that. But again, if we see that, we'll be willing to work with our friends and try and redistribute the cuts.

But don't have any illusion that we're going to eliminate them. We're not, any more than our friends eliminated the idea of tax cuts when the Bush tax cuts ran out. This is something we feel is a first step in getting our fiscal house in order.

And let me remind my friend, as I know he knows, this bill, in itself, is an effort to work with the President and the administration. The President has said, and I think quite correctly, that we need to avoid a government shutdown. Mr. ROGERS and the Appropriations Committee are acting early and acting, I think, in a very responsible manner to put a vehicle out there and begin to move it through the process.

We are more than willing for the Senate to do the same thing, would expect that they will. They may well add other departments. Frankly, speaking only for myself, I would hope that they do. I would like to recapture a lot of the appropriations work that was done for the fiscal year 2013 and lost during the CR process, and we can have, I think, a good negotiation going back and forth between the two parties.

So this is the beginning of a process. It's the beginning of a return to regular order, and it's an opportunity to work, I think, in a bipartisan fashion.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

And I have great respect for my colleague from Oklahoma, and I appreciate the efforts that he has made toward bipartisanship on a number of bills; but, quite frankly, the leadership of this House has not adhered to regular order. We haven't seen regular in order a long time.

And when he talks about trying to find an alternative to sequestration, I would remind my colleague that Mr. VAN HOLLEN, who is about to speak, has tried on four occasions—on four occasions—to be able to come to the floor and offer his alternative to sequestration that the Democrats support—I think some Republicans would support it as well—to have a debate and to have an up-or-down vote to avoid these mindless, senseless, across-the-board, indiscriminate cuts that have now gone into place. He's been denied all four times.

Now, by contrast, the Republicans have had zero alternatives. That's right, zero. They have brought nothing

to the floor in this Congress to avoid sequestration. We're in March—January, February, March. We're in March, so we've had time to come up with alternatives. We've had an alternative that we have not allowed to be brought to the floor.

And let me just say, the United States Senate did actually pass an alternative with 51 votes. That's a majority. Unfortunately, I think, partly due to the influence of some of the House leadership here, the Republicans said, no, you need 60 votes to get that thing through.

So we have been trying. The White House has been trying. So the fact that we are here and that my Republican friends have allowed sequestration to go into effect, I think, is, quite frankly, unconscionable. We should not be in this mess.

And sequestration took effect last week. We should have stayed in session all week and tried to figure this out. And my friends adjourned the House, recessed the House on Thursday—no urgency, no nothing. And research to education funding to funding for roads and bridges. It will impact, in a negative way, jobs. People will lose their jobs.

This is not a good deal. This is not a good deal. And, quite frankly, we should be here today trying to find an alternative.

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member on the Budget Committee.

Mr. VAN HOLLEN. I thank my colleague, Mr. MCGOVERN, and thank my colleague, Mr. COLE, for his efforts, but this bill falls short in a number of areas. But most of all, it falls short because it does nothing to prevent the loss of 750,000 American jobs that will result because of the sequester.

"Sequester" is just a fancy Washington name for hundreds of thousands of American jobs lost. That's going to squeeze middle class families; it's going to squeeze small businesses.

And that 750,000 jobs lost number, that's not the President's number, Mr. Speaker. That's not my number. That's the number from the nonpartisan, independent Congressional Budget Office, who have told us that if the sequester stays in place till the end of this calendar year, you'll have 750,000 less Americans working at a time when we have a very fragile recovery going on.

Just last week, the Chairman of the Federal Reserve said that it would reduce economic growth this year by one-third. Why would we want to do that when we have an alternative?

And, as Mr. MCGOVERN said, we have now tried four times to have an up-or-down vote on the floor of this House on a plan that would replace the sequester in a balanced way. So it would achieve the same amount of deficit reduction as the across-the-board sequester, but

without the massive job loss that comes with the sequester because we do it in a targeted way over a period of time.

We reduce overpayments and subsidies to the agriculture area, which there's consensus on, but we also close some big tax loopholes. We say big oil companies no longer need big taxpayer subsidies, something that President Bush proposed. And yet our colleagues are so insistent on protecting those special interest tax breaks and not allowing those funds to be used to reduce the deficit, that they haven't even allowed a vote up or down here on the floor of the House.

As my colleague, Mr. MCGOVERN said, we have now tried four times. How many times have our Republican colleagues put forward a solution to replace the sequester this year? Zero. Zero when it counts.

So this is a very simple question. As part of this bill, we should have an up-or-down vote in the people's House on a choice. We're not asking our colleagues to vote for it, but I think if you look at surveys from the American people, the overwhelming majority of the American people support this replacement approach, this balanced approach to avoiding the sequester, than the huge job losses that result as a result of the sequester.

And people should not be misled when they look at the numbers in different funding categories in this bill, because it's not what it seems. They will be cut dramatically. That will mean fewer researchers looking for cures and treatments to diseases, fewer nurses taking care of veterans at our hospitals.

So, Mr. Speaker, we just ask, in the interest of openness and transparency, give us a vote. Give the American people a vote on an alternative to the sequester so we don't lose hundreds of thousands of jobs.

Mr. COLE. Just for the purpose of response, I yield myself such time as I may consume.

I appreciate my good friend's offer on staying in session last week. It would have been nice if we'd have dealt with this 18 months ago. We've known it's been coming. We tried to do that twice.

I'm not sure the President would have been around last week. Frankly, he spent the last 6 weeks crisscrossing the country, campaigning and bludgeoning people, as opposed to having a dialogue. He did not bother to invite the Speaker, the Majority Leader, or the leader of the Senate or the minority leader of this House to a meeting until the very last day—the very last day. Now, that suggests to us there wasn't a great deal of interest in serious negotiations.

So, again, this process is going to allow that to occur. We're going to advance our bill through this Chamber. It's going to have incorporated some of

the work in the appropriations process. It's going to help the Defense Department a great deal.

We're waiting for our friends in the Senate to do the same thing. They're going to, undoubtedly, add some things. I think there will be a negotiation. I think we will end up in a good place. But we will preserve the spending reductions of the sequester in the final product of the bill.

With all due respect to my friend, revenue's off the table. You had revenue about 6, 8 weeks ago with no cuts. This time I suspect you're going to get cuts and no revenue.

With that, I yield 4 minutes to the gentleman from the great State of Texas (Mr. BURGESS), my distinguished colleague, classmate, and a distinguished physician.

□ 1040

Mr. BURGESS. I thank the gentleman for yielding.

This is an important bill that we are considering today. It's not a perfect bill. It's not the bill that I would write if I had the power to write the bill. But it's an important bill. And as a conservative, I'm going to support the rule and I'm going to support the bill.

Mr. COLE already referenced that the most important thing that's happening this morning is the savings that began last Friday are locked in in the continuing resolution. These are savings that have been anticipated for years, delayed for months, and finally arrived last Friday. The market responded yesterday with an all-time high. It's time to let those savings work their magic on the American economy.

It does allow the Department of Defense the flexibility that they asked for to be able to manage their business with the reduced level of funding. And I think protecting our soldiers and protecting the pay of our soldiers is one of the highest constitutional functions of this body and one that we should take seriously. I believe this bill does that.

This bill also protects funding for our veterans, which is also important.

I know a lot of people on my side are concerned because the President's Affordable Care Act, the President's government takeover of health care, is not damaged in this exchange. In truth, some of the funding for implementation is reduced because it's kept at last year's levels and it is affected by the savings in the sequester. But to those on my side who would say it doesn't go far enough in restricting the Affordable Care Act, I would say that we are going to get opportunities to fight that fight—multiple opportunities—in the few short weeks ahead. Where will they come? They will come in our budget. They will come in the appropriations bill. The appropriations bills, in the House, at least, will be run in an open fashion. There will be open appropriations bills. And in Labor-HHS there

will be ample opportunity to demand of the Federal agencies involved with implementation that they share with us the data about how this thing is supposed to start October 1, when they have really been very reticent to share anything.

Speaking of reticent to share anything, how about the administration, which hid the ball before election day on all these rules that have now come forward since November 6? No wonder the Governors were reluctant to accept the exchanges. No wonder the Governors have held off in some States from accepting the Medicaid expansion. Because they weren't told what the deal would be until after the President's election was reassured. That's pretty disingenuous of the administration to run things that way, and I believe they should be held to account. And more importantly, in the 6 months between now and October 1, when every American who wants to buy in the exchange is supposed to be able to go to their computer and buy on the exchange, I don't believe they can actually build that system in the time required, regardless of how much money we give them.

It is important to hold those agencies accountable. Our committee work will do that. As an oversight committee on the authorization side, we will continue to do that. And I think that's important work.

So I ask conservatives to join me in that fight as we go forward. Let's fight this on the budget, let's fight it on our open rules in the appropriations process. Today, it's an important bill. Not a perfect bill, but it's an important bill. It protects our soldiers. It protects our veterans. And it locks in those savings for the long-suffering American taxpayer that they have waited for for so long.

I urge support of the rule and support of the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Just so there is no confusion, I think it's important that I point out to my colleagues that we have had three rounds of cuts to one round of revenue increases. The cuts have overwhelmed the revenue increases. So the notion that somehow we've engaged in a balanced process I don't think is the case. And the notion that somehow closing these tax loopholes and corporate tax loopholes that even Mitt Romney and George Bush at one time supported in order that we don't cut medical research, research aimed at trying to find cures to Alzheimer's and Parkinson's and diabetes—if we found cures for those diseases, not only would we prevent a lot of human suffering, we'd save a lot of money.

But we're cutting medical research and we're pushing farther off the date that we're going to find breakthroughs in order to protect taxpayer subsidies

to big oil companies that are making zillions of dollars? They really need a handout from the United States taxpayer? And you're cutting medical research, you're cutting Head Start, you're cutting programs that help people get an education, that protect our communities, our law enforcement officials, environmental protection. We're cutting all those things mindlessly in order to protect these corporate tax loopholes.

This is crazy. I really believe that outside of this little bubble here in Washington there is a bipartisan consensus that what we're doing here is crazy. This doesn't make any sense. This does not make any sense. Mindless, senseless, across-the-board cuts.

No urgency. We're going to go home today. There's a little snow on the ground. National Airport is closed. We can't really go anywhere until it reopens. We ought to stay here and figure out an alternative to sequestration.

Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Mr. Speaker, this is not a perfect bill. This is a disgraceful bill. And this process is not on the level.

Yesterday, Wall Street celebrated its highest close in history. And today it's going higher. A few years ago, they came here, hat in hand, insisting on a bailout. They got a bailout. And it was paid for by Main Street, who didn't cause the problem but suffered the consequences, and it was paid for by the middle class, who didn't cause the problem but suffered the consequences. And now we have a budget that is doubling down, grinding down on the middle class.

What economic philosophy is at work here? America has always been at its best when it has had budgets that promote economic growth and middle class opportunity. This budget has adopted a notion that austerity is a goal in and of itself. And how will we get to fiscal balance without economic growth and an expanding middle class? Our colleagues say in this budget it will be by putting the heel of austerity on the throat of middle class opportunity. That is wrong.

Forty-four percent of the cuts are focused on 14 percent of the budget. That's kids going to college; it's little kids showing up in school hungry who can get a meal; it's TSA workers who are going to get furloughed and who pay their bills month to month. This is disgraceful, and it is also a repudiation of what has made America great—a confidence that we are all in it together. And if we have a budget where we share the pain and we share the opportunity, we'll be the better for it.

Wall Street has a second reason to celebrate today because this budget is absolutely doubling down on promoting the well-being of the haves at the expense of the middle class in the great

American tradition of middle class opportunity. Profits in this country are the highest they've been since 1950. Wages are the lowest they've been since 1966. We need to stand up for the middle class.

Mr. COLE. I yield myself such time as I may consume.

Listening to my colleagues, I'm reminded of that old saying that Washington, DC, is 10 square miles surrounded by reality.

Let's talk a little bit about the definitions we use for cuts. First of all, the Government will spend more money this year than it did last year, just as last year it spent more money than it did the year before. We're not cutting anything. We're slowing down the rate of growth. In parts of the budget there are real cuts. But in terms of overall spending, it's ever and ever higher.

According to the much quoted, much loved Congressional Budget Office, this year we will have the highest level of income for the Federal Government in history. In the history of the United States, we will have more money to spend than we have ever spent before. And yet that same CBO estimates it will run a budget deficit if we keep sequester, if we allow the revenue that occurred in January of over \$850 billion.

Now at some point you have to reconcile the highest level of income and an \$850 billion deficit. We don't have a revenue problem here; we have a spending problem of historic and massive proportions. This is one small step in the right direction to try and get that under control.

We look forward to what our friends in the Senate do. We look forward to what the administration does. And we look forward to having a conversation over not just this bill but in the next several months we're going to have that opportunity when the Senate finally presents a budget. We'll present a budget. The administration for the fourth time in 5 years will be late but surely will at some point present a budget.

□ 1050

The American people can look at all of those.

We're going to have an opportunity for a great debate, and I suspect we'll continue to try and adjust things as we move forward to get ourselves more in balance. But let's recognize the reality. We've had four trillion-dollar deficits in a row. We have, with these cuts and with additional revenue, an \$850 billion deficit, at the minimum, in front of us. Maybe that ought to be the focus.

I can assure my friends—we all talk a lot about polling and what the American people think. I can assure you, I've done a lot of polling in my lifetime. They think the Federal Government is too big; they think it spends too much; and they would like to see

us take less of their money, not more. So if we get into a real debate here, I suspect the American people will say: Figure out a way to live within the highest level of income in American history as opposed to coming to us and asking us for more.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, last night, the FAA announced that 173 air traffic control towers will be closed by April 7. So I would say to my colleague, tell the communities whose economies will be devastated by the fact that they will no longer have air service that this is not a cut. I mean, they will be losing an essential service that is vital for businesses to thrive all across this country. That is a cut.

At this point, I'd like to yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Let me thank the gentleman for yielding time this morning.

Let me associate myself with the last comments made by Mr. MCGOVERN. He is absolutely correct; the American people are beginning to feel the impacts of sequestration.

My friends on the other side of the aisle are always talking about: We don't have a revenue problem; we don't have a revenue problem; we have a spending problem in this country. Well, Mr. Speaker, we have a deficit problem in this country.

There are two ways, at least, where we can address the deficit. We can address it with more revenue, which is what I strongly recommend, and we can also address it with very important cuts. We have got to have a balanced approach to deficit reduction. So I've come to the floor today to strongly oppose this rule.

Mr. Speaker, I don't like the way H.R. 933 evolved. We read about it in the news media this weekend. We returned to Washington on Monday afternoon and there it was, posted. We were told that the rule would be taken up today and we would be voting on it tomorrow. But then a snowstorm came into this Capital City, and now we are voting on the rule and the CR today and we are leaving town. That is not the way to do it.

The Republican majority has instead elected to move with a bill that provides new funding levels and flexibility to just the Department of Defense and military construction and veterans, while keeping the antiquated funding levels for the remaining 10 appropriations bills. Mr. Speaker, I believe that if we got serious about this and rolled up our sleeves, we could make it happen.

I cannot help but to remember the days when I was a trial judge back in North Carolina. From time to time, Mr. Speaker, we would have difficult cases. But we would send the jury in

the room, we would lock the door, and we would make them deliberate; and more times than not, they would come out with a verdict. That's the way we need to engage in this business.

This is too serious, Mr. Speaker, to have a political dimension to this debate. We've got to have common sense. We've got to make it happen.

So I urge my colleagues to oppose this rule, and I urge its defeat. We must get to the real work of governing in this country and stop the political theater.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Just, again, to get back to the big picture for a moment, as my friends know, we're going to spend about \$3.5 trillion this year in the Federal budget. These dreaded cuts, in terms of the total budget, amount to 2.4 percent of all spending—2.4 percent of \$3.5 trillion. I suspect the American people think: You could find a better way to distribute those cuts than closing our towers.

I agree, actually, with my friend, Mr. MCGOVERN. One of those towers, by the way, is in my district, so I certainly understand it. I have 20,000 Federal defense employees in my district, so I'm quite aware of the problems with the distribution of the cuts.

Now, I'll leave it to my friends on the other side of the aisle and Mr. Woodward to argue whose idea this was and what purpose and how it was constructed, but it's hardly as if the President of the United States or our friends in the Senate were innocent bystanders in all of this.

We tried twice last year to sit down and renegotiate. We moved something through. We've said repeatedly this year we're willing to sit down and renegotiate the cuts. To me, that's compromise.

The President talks a lot about a balanced approach. Two months ago, he got a lot of revenue. That's his side of the equation. This time it should be cuts. That's an appropriate balance. We'll sit down and renegotiate where they should come from—we think we've got some great ideas on that—but they are going to occur. They're the first and appropriate step toward getting our fiscal house back in order.

So when my friends want to work with us about the distribution, I know they'll find a willing negotiating partner in the Speaker. Until such time, we will follow the course that the President laid out, advocated for, and signed into law. If he wants to revisit that, we agree with him, let's revisit it and redistribute it, but the cuts are going to occur.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the distinguished gentleman for his words. I

associate myself with Mr. MCGOVERN. But also, I do acknowledge Mr. COLE, my good friend. You have certainly joined us on bipartisan issues, as has already been stated, and I thank you for that. But I do want to, in essence, gently correct the gentleman on whether or not the President got his, it's now time for us to get ours.

I think what we have missed is that this is an ongoing process, an ongoing process to find the right balance of revenue and the right balance of cuts. Let it also be on the record that we've cut over \$1 trillion already, and I can tell you that it has come out of the backs of poor people.

Now, let me give you some resounding, exciting breaking news: the Dow hit the highest amount yesterday, 14,253.77, the highest in history. Wall Street is celebrating while the backs of poor people are being broken.

This is not a rule that should pass today. We should remain snowed out. We shouldn't even be here. Snow us out until we can get the right kind of balance.

This is the bill that we received in less than 24 hours, and they're asking us to vote on it. And while we're asked to vote on it, let me suggest to you that the long-term unemployed will be particularly impacted:

\$130 a month will come out of their unemployment. It will be brutal to government workers and job training programs, those that we slash and burn, but these are the men and women that work and do the business of government;

For women who are caretakers, they will find that 50 percent of them are more likely to hold government jobs, they're going to be impacted;

\$725 million is going to come out of poor people's children's education;

Those of us who support community health clinics, \$120 million of Federal support for community health centers will just drop, and 900,000 patients will not be served. 540,000 doses of vaccine will not be there.

The point is that when it comes to the backs of those who will bear the brunt, it will be those who need clean energy, education, and research and development.

I introduced H.R. 900, a simple bill to get rid of the sequester. My point would be that we need to go back to work and vote "no" on the rule. It is on the backs of poor people.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume for the purpose of response.

First, I appreciate my good friend, whom I have worked with on a number of things, most recently the Violence Against Women Act, where she certainly ably represented the bill in the Rules Committee and on the floor, and I appreciate that very much. I'm going to gently correct in return.

When we talk about cuts that were previously agreed to, with all due respect to my friends, most of those cuts

still haven't even taken place. If you look at them, they are far in the future, in the 10-year window.

These were not cuts, by the way, that the two sides found contentious. This was the easy stuff that they all agreed to right up front. It wasn't as if there was some concession.

The real discussion was in the next round of cuts, where the supercommittee wasn't able to come to an agreement. Even there, there were \$600 or \$700 million in agreed-upon "cuts" that both sides acknowledge. There just wasn't agreement about revenue, and so the cuts didn't occur.

Well, we're here today, and just as the tax increases were written into law effectively when the Bush tax cuts sunsetted in January, these cuts are also written into law.

□ 1100

Again, since they're written into law, they're going to occur. Now, we're willing, again, to sit down with our friends and redistribute where they come from. We think that would be the prudent thing to do. We tried to do it twice last year. It didn't work out. Nobody was interested in talking to us last year. The President wasn't interested in putting a proposal on until, if anything, recent days, and I really couldn't still tell you what it truly is.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. COLE. I will finish my point, and I will be happy to yield to my friend briefly.

I think that the reality is we ought to recognize—just as I urge my friends on my side of the aisle to recognize—as we approach the end of the Bush tax cuts, that they're going to end. We ought to sit down and negotiate with our friends some better and more proper distribution, whether we like it or not. That's just the case. It's going to be that way. That's what's going to happen here.

Now, we would rather renegotiate, minimize the harm and spread that 2.4 percent over the entire \$3.5 trillion budget. I suspect our friends would like to do that, too, over time, and hopefully we can arrive at that. So I look forward to continuing the dialogue, but the cuts are going to be secured. This legislation will move through the House, and then I'm sure something will move through the Senate and we'll sit down and negotiate in a bipartisan, bicameral manner.

With that, I yield to my good friend from Texas.

Ms. JACKSON LEE. Let me thank the gentleman's tone, and let it be known that all of us want to engage in that kind of civil discussion. I assume, if we all got locked up in a room, we'd be able to find the compromise.

Let me just indicate that the revenues and cuts that you just spoke about are over a 10-year period, but

they're still cuts. This bill not only adds to that, but then the sequester adds to that, as well.

Our suggestion in my remarks is that this will have a heavy, heavy, heavy, heavy impact on vulnerable and innocent persons.

The cuts are going forward, and so my question is: Why can't we continue the discussion on how we balance cuts and revenues? We must operate the government.

Mr. COLE. Reclaiming my time, if I may, I think the gentlelady asked a good question, and I look forward to working with my friends on the other side of the aisle. I actually think today is the beginning of a process where that will happen. It's one of the reasons I really commend Chairman ROGERS for moving early.

We're not in a last-minute crisis atmosphere here, and we're not trying to jam our friends in the Senate. We want them to move as quickly and expeditiously as they can. We would like to move toward the discussion and talks with them, and I'm sure the administration will be involved in that.

To me, that's a step back toward what I would like and what we all talk about around here, which is regular order. While that's going on, we can engage in the normal appropriations process for fiscal year 2014.

So, as difficult as this is—and we've been through a difficult time, I think, in recent months and over the last year plus, honestly—this may be the first step back in the right direction.

Again, I respect that my friends have a different point of view on this, but I'm talking what I would view as political reality to them, just as I did to my friends on my own side of the aisle a few weeks ago. This is going to occur, so let's just be reasonable and rational about how it is. We're going to have a lower deficit because of that. I think that's one of the reasons that Wall Street is doing well. But who knows? It's always hard to predict what's going on there.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my friend for yielding.

It's really a shame we've come to this point where the dysfunction of this Congress is going to inflict harm on families, on the military, and on communities throughout America.

I have great respect for my friend from Oklahoma. He has reached across the aisle, and he has tried to work with us to find common solutions, but he knows the truth. The truth is that discretionary domestic spending as a percentage of our GDP is at the lowest it's been since the Eisenhower administration. He knows that the Federal tax burden, the revenue side of the ledger, is the lowest since Harry Truman was

in the White House. He knows that the gap between spending and revenue has grown since the last time we balanced the budget under Bill Clinton, when it was much closer.

We have to get our arms around spending, but not in a mindless, meat-axe way. It is going to hurt America. And to bake it into this continuing resolution, in my view, is a terrible mistake. If the Republican side of the aisle wants to embrace sequestration as its own with this fairy tale that "it's just a haircut; it's not much, especially when you look at the overall size of Federal spending," that will come as news to communities, to travelers, to consumers, and to the American public who, in fact, will feel the brunt of the sequestration in this continuing resolution.

The other aspect of this continuing resolution, and why I oppose this rule, Mr. Speaker, is that, once again, we treat the Federal employee like a punching bag. For the 3rd year in a row, we freeze their salary. They have already contributed, and they were the only group singled out to contribute to the Federal debt reduction to the tune of \$100 billion in lost wages and benefit cutbacks. We use the freeze on Congress as a subterfuge to get at Federal employees.

I urge my colleagues to vote against the rule and support my bill to freeze congressional salaries, H.R. 636. Seventy-three cosponsors have already decided to do so.

It is a shame that House Republicans cannot find a way to put aside ideology to work with us to avert the devastating cuts of sequestration. The Continuing Resolution presents the perfect opportunity to stop this self-inflicted wound on our economy, our military, and our families.

The consequences of Republican inaction will be particularly hard felt in my community, which is home to so many people who work for or partner with the federal government. That pain will spread across Virginia and the rest of the nation as no community will be spared from these meat-axe cuts as they ripple through the economy. Every community that receives direct federal assistance, has residents who work for the federal government or is home to an employer who does work with the federal government will be affected.

The slowdown in government spending has been a drag on local and state economies across the entire country and the unemployment rate for the past two years. GDP growth in the 4th Quarter of 2012 slowed to 0.1% after growing at 3.1% in the 3rd Quarter based largely on a 22% reduction in defense spending.

Now the nonpartisan Congressional Budget Office projects economic growth for this year will be half of what it otherwise might be as a result of these new cuts. In addition, a study by George Mason University estimates sequestration will lead to loss of more than 2 million jobs.

Since last August, I have joined members of the regional delegation, as well as industry

leaders and federal employee groups, in calling on Congress to find a balanced alternative to sequestration. I agree that we must take reasonable steps to address our debt. However, I cannot accept the House Republican philosophy that the only way to do this is through cuts alone.

We cannot cut our way to prosperity. We must have a balanced approach that finds strategic cuts and savings while maintaining critical investments that ensure our competitiveness in the global economy.

I urge my colleagues to vote against this rule so that we can bring up a balanced approach to replace sequestration along with my bill to protect federal employees from yet another pay freeze.

My bill, H.R. 636, would freeze Member salaries for the duration of the 113th Congress. If anyone's salary should be frozen as a result of our nation's fiscal situation it is Members of Congress.

Our dedicated Federal employees are on the front lines protecting and serving the public every day in our communities. Yet House Republicans have routinely used them as a punching bag. The men and women who have dedicated their careers to public service are still weathering a pay freeze that will have lasted more than two years, and they have made sacrifices in pay and benefits totaling more than \$100 billion to help reduce our nation's debt.

Now, because House Republicans refuse to work with us to avert sequestration, they are facing furloughs and the loss of up to 20% of their pay in some cases on top of having their pay frozen for a third consecutive year as part of this CR.

Mr. Speaker, sequestration was put in place to force Congress to act, not to become law. I remain committed to preventing these harmful cuts, and I urge my colleagues to join me in voting against this rule so we can bring up a balanced approach that will do just that.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to agree with my good friend from Virginia on his point about discretionary spending. It's probably an area that he and I would find a considerable amount of common ground on. I certainly do think that far too much of this is coming out of the discretionary side of the budget, particularly in defense, but I would say across the board.

I have Indian health facilities in my district that will be hit, and I have the National Severe Storms Laboratory in my district that will be hit. I understand my friend makes those points. He's making a very important point.

Now, we've been willing to go where no man has gone before, the nondiscretionary side of the budget. The Ryan budget, which you may like or not like, or the Ryan plan on Medicare is a real attempt to deal with where we all in the room know the real problem is, and that's on the nondiscretionary side of the budget.

I hope that our friends put their ideas out there. The President has put, and sometimes withdrawn, but has put

a number of interesting ideas on the table at various points. We never seem to quite get there, whether it's chained CPI or raising age over time gradually on some of our programs.

Now, my friends on the other side, at least our distinguished minority leader, has refused to ever do that. Whether it's Social Security, Medicare, or Medicaid, it's been: We're going to defend this ground; we're not going to make any changes. At the end of the day, that's the kind of thing that we're going to have to deal with.

As an appropriator, as somebody who, like my friend from Virginia, sees the impacts of these discretionary reductions and this squeezing down, I think that is the solution. I think that's at least a big part of the solution.

I have no illusions we're going to settle all our deficit problems with this bill, but we are taking a step in the right direction. Hopefully our friends, and our side as well, will expand the dialogue to include the nondiscretionary side of the budget in the weeks and months ahead, and we can begin to arrive at common ground. But we can't simply allow Social Security, Medicare, Medicaid, food stamps, and farm programs—I'll put some of our sacred cows on the table as well—to expand by a matter of law without any effort to look at them.

We've offered to do that. We've actually written a budget that has done that. We've gone through the political fires. I can assure my friends you can do that and still survive as a majority. And we're anxious to do that going forward. If we can find willing partners in that, both on the other side of the aisle, the other side of the rotunda, and the other end of Pennsylvania Avenue, I think we'll actually be on the road to doing something.

So, with that, I reserve the balance of my time, Mr. Speaker.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. At least, over time, 750,000 people will lose their jobs as a result of the sequester.

Who are these Americans? They're Federal employees who inspect our food or who inspect toxic waste dumps or who work in the Federal court system or for the FBI. But they're also people in small businesses around the country and big businesses. It's the woman who owns a software company who has a contract with NOAA, the National Weather Service, that gets canceled or cut back. It is the caterer who serves an Air Force base or an Army base or a Coast Guard facility. It is the small businessperson who is a utility contractor on a transportation project to be funded by Federal dollars. These are real people who, over time, will be very badly affected by this.

We have a plan that would save these jobs but continue to reduce the deficit.

It's Mr. VAN HOLLEN's plan. That plan says that we should save an equal amount the sequester would save by cutting back on corporate welfare to huge oil companies, by cutting back on corporate welfare for huge agribusinesses that own land and get payments from the Federal taxpayers through the Ag Department, and that anyone who makes more than \$2 million a year should have to pay at least 30 percent of their income under the Tax Code and not exploit loopholes and deductions.

□ 1110

Today would be the right day to take a vote on that plan. My friends on the other side would probably oppose the plan. That's obviously within their right. But the House has not yet taken up any proposals to save these 750,000 jobs. That is wrong. You can disagree with our proposal, you can try to amend our proposal, you can try to do better than our proposal, but for the House not to take one vote on saving these 750,000 jobs is wrong.

We will have an opportunity on the previous question vote to remedy that wrong.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. A "no" vote on the previous question would mean that this body could take an up-or-down vote on whether or not to save these 750,000 jobs while still reducing the deficit in the ways that I just talked about.

Look, the basic job that we have around here is to make decisions and take votes. If you vote with us, that's fine; if you vote against us, that's fine. That's democracy. We should celebrate it. But to fail to take a vote is to avoid that responsibility.

Let's accept our responsibility to turn off this sequester, save those 750,000 jobs and vote "no" on the previous question.

Mr. COLE. Mr. Speaker, just very quickly I yield myself such time as I may consume.

I want to thank my friend. I can assure you that we take this very serious, as well. I have lots of Federal employees, and the real job loss won't be theirs. They will certainly be hard-hit, they'll be furloughed, but the real job loss, as my friend suggests, really is in the private sector, and that's why we should sit down and have a serious discussion about entitlement costs.

With all due respect to my friend, Mr. VAN HOLLEN, my friends on the other side of the aisle, I don't think that proposal would pass. I certainly wouldn't vote for it. I want that very much in the RECORD.

If our friends want to do something, they do have control of the United States Senate. That's a body that can do whatever it wants to do, and we'll see what happens going forward.

Again, what I'm pleased with is, I think this is the beginning of a real discussion and the beginning of a real dialogue. We're going to do some good things in terms of giving flexibility to the Defense Department and our friends that deal with military construction and the VA. We're anxious to hear ideas on the other side. But we are going to reduce spending, and we're going to reduce it not by an extraordinary amount, but by 2.4 percent of the entire \$3.5 trillion Federal budget, and we're willing to renegotiate where those cuts come from. I think that's a pretty reasonable position to have.

Mr. ANDREWS. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I thank my friend for his graciousness and fairness in all respects.

I'm not sure anyone has control over the United States Senate. But I am sure of this: last week a proposal very similar to the one that I just talked about that would save those three-quarters of a million jobs got 51 votes on the floor of the United States Senate, a majority. Of course, under their peculiar rules, it required 60 votes to go forward.

So understand this: a majority of the United States Senate, in fact, adopted the plan that I talked about. We should be given the chance to do the same thing.

Mr. COLE. Reclaiming my time, I'd be happy if the United States Senate decided to operate collectively instead of individually, but I didn't write their rules and neither did my friends. I'm sure if we got to write them—although we've both sent a lot of our friends over there, neither of them seem to be willing to sit down and change the rules to make them a more functional body.

But I'm glad you've moved the discussion to where we both agree away from our adversarial discussion toward the real enemy, the United States Senate, which has a hard time acting.

In this case, honestly I think they are going to act, and I say that with a great deal of respect to Senator REID and to Senator MCCONNELL. I think that they will produce a product to make sure that something doesn't happen that we all agree shouldn't happen. The President doesn't think the government should shut down. We don't think the government should shut down. I don't believe our friends in the Senate think it should shut down.

This is actually a pretty good day. It may not be the perfect bill from my friend's standpoint. I certainly respect that. It's probably not the perfect bill from all of our Members' standpoint.

Mr. ANDREWS. Will the gentleman yield?

Mr. COLE. I will in a moment. Let me just finish my point.

But we will move in the right direction. We will actually move to avoid a government shutdown. We'll leave open an avenue of negotiation with our friends in the Senate. I'm sure the President will be involved in discussion at some point too. So I take some heart from that.

With that, I yield to the gentleman from New Jersey.

Mr. ANDREWS. Mr. Speaker, my friend reflected on some criticism of the Senate, which I would generally agree with.

I would say this, though: the Senate did something we've not done. They put a Republican plan on the Senate floor to end the sequester and save those 750,000 jobs and a Democratic plan on the floor to save those 750,000 jobs. I think we owe it to our constituents, to our country to do the same thing. This is the opportunity to do that.

Mr. COLE. Reclaiming my time, we'll have an opportunity in the sense of the previous question. We'll see how the majority shakes out on that issue. I'm sure my friends will regard that as effectively a vote on their proposal.

With that, I reserve the balance of my time, Mr. Speaker.

Mr. MCGOVERN. Mr. Speaker, can I inquire of the gentleman whether he has any additional requests for speakers?

Mr. COLE. I'm certainly prepared to close whenever my friend is.

Mr. MCGOVERN. We are prepared to close as well, Mr. Speaker.

Mr. Speaker, I yield myself such time as I may consume, and I would say to my friend, the gentleman from Oklahoma, that the time to act has long since passed. We are now in sequester.

Budgets across the board and in a mindless and senseless way are being slashed. Air traffic control towers are being shut down. That will result in an adverse impact on local economies. We will lose jobs. You've heard over and over that we're told that we should expect a job loss of 750,000 people.

What do they do? They lose their job, and they go on unemployment. Where is the future? Where is the savings that my friends are talking about when you throw people out of work?

My friends talk about tough choices. Well, we ought to assume tough choices. You're going to have health clinics that are going to be reduced in their funding. You're going to have transportation projects reduced in their funding. You're going to have cuts in WIC; you're going to have cuts in Head Start; you're going to have cuts in programs that benefit the most vulnerable people in our communities.

None of us in this Chamber has to absorb a tough choice. It's the people we represent. It's the people in this country who are getting shafted as a result of this sequestration.

The time to act has long since passed. Mr. VAN HOLLEN has time and

time and time again—not once, not twice, not three times, but four times tried to bring an alternative to the House floor. All he's asked for is that we have an up-or-down vote on his proposal, and four times he has been rejected. By contrast, this year, my friends have brought up not a single alternative to avoid sequestration.

All we're asking for is a little democracy here on the floor of the House of Representatives, a chance for us to debate and have an up-or-down vote not on a procedural motion, but on the actual legislation, up or down. We've been denied that.

My friends, if they have an alternative they want to bring, fine. Bring that up there too. We'll have two votes, and we can debate our priorities so the American people know where we stand.

Mr. Speaker, if we defeat the previous question, I'm going to offer an amendment to the rule to ensure that the House votes on Mr. VAN HOLLEN's bill to replace the sequester and on Mr. CONNOLLY's bill to freeze pay for Members of Congress for the next 2 years.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. I just want to again say to my friends that it is important for them to appreciate the devastation of these cuts.

Head Start: the CR will allow sequestration to cut \$400 million, resulting in a potential loss of 70,000 Head Start slots for comprehensive early learning and development services.

Job training programs: the CR will allow sequester to cut \$282 million, resulting in hundreds of thousands of unemployed adults, dislocated workers, veterans, young adults and students losing access to employment services.

Title I grants, education of the disadvantaged: the CR will allow sequestration to cut \$730 million, which is the equivalent of cutting the extra instructional services for more than 2,500 schools serving more than 1 million disadvantaged children who are struggling academically.

Special education grants: the CR will allow sequestration to cut more than \$580 million, which is the rough equivalent of shifting the cost of educating nearly 300,000 students with special needs to State and local education agencies. This also may result in more than 700,00 layoffs of teachers, aides and other staff serving students with disabilities.

□ 1120

Child care: the CR will allow sequestration to cut \$115 million, which would cause, roughly, 30,000 children to

lose access to child care, further exacerbating the fact that only one in six children eligible for Federal child care assistance receives it.

Cancer screenings: the CR will allow sequestration to cut funding for cancer screenings, resulting in 25,000 fewer breast and cervical cancer screenings for low-income women.

I can go on and on and on, but here is the choice: the choice is either this process, which my Republican colleagues have embraced, or the one that Mr. VAN HOLLEN has outlined—one that would say we're not going to balance the budget on the backs of the most vulnerable, on the backs of the needy, on the backs of the middle class but that—do you know what?—we're going to get rid of some of these corporate loopholes that my friends on the other side used to be in favor of closing. We're not going to continue to have taxpayer subsidies for big oil companies. We're going to have some balance in our approach to dealing with our deficit. The problem with the approach my friends have outlined—the problem with the sequestration—is that it is not balanced. It is wrong-headed; it is mindless; it is senseless; and it is cruel.

I urge my colleagues to vote “no” and to defeat the previous question, and I urge a “no” vote on the rule.

I yield back the balance of my time.

Mr. COLE. I yield myself the balance of my time.

I want to begin by, frankly, agreeing with my friend. The time to act has long since passed. We tried to act a long time ago. We tried to act in May, but nobody in the Senate chose to pick up our bill. They sent us back something different, which was their right, but it didn't do anything at all. We tried to act in December, but nobody did anything in the Senate then.

We offered to negotiate with the President for weeks. Instead, we saw a 6-week, an 8-week campaign all over the country. There was no time, evidently, in the President's busy schedule in city after city, at photo op after photo op to simply get on the phone, call the Speaker and say—How would you like to come down and talk?—until the very last day before the sequester, when it had become evident that this type of political bullying wouldn't work.

So we believe the time has passed to act. That's why we're acting today. We are actually going to secure the cuts that are in the legislation that the President advocated for. He originated the idea—I accept the Woodward version of that, I suppose—and he signed it into law. He had 18 months to do something about it. We offered two opportunities in that timeframe to do something, and the Speaker has always been available to sit down with the President and do something.

We are going to take a small step in the right direction. Now, let's not over-

estimate what we're doing. We could probably take more pride in this than is warranted. Our friends, I think, are shouting more alarm than is necessary. This is \$85 billion in a \$3.5 trillion deficit—2.4 percent. We ought to be able to do that in our sleep. Quite frankly, we are willing to sit down and renegotiate with our friends from where they come. We are not willing to renegotiate the total amount of the money involved. Over time, it does add up to \$1.2 trillion. That's a lot of money, but it's not anywhere near what it's going to take to get our budget in balance.

I look forward to the debates we're going to have on that in the budget discussions ahead; but let's right now, while we have that debate and while we go through that process, take the responsible step that the President urges us to take and that we all agree on, which is simply to make sure that the government doesn't shut down while we have our discussion and sort out our differences.

I applaud Chairman ROGERS and Chairman SESSIONS for making that possible, particularly for bringing this bill in a timely fashion, giving us enough time when we're not going to be jammed. I know our friends in the Senate are going to try and do the same thing. They're going to produce, I have no doubt, a different product than we have. That's fine. We'll negotiate it out, and we'll avoid a government shutdown, but we will secure these savings for the taxpayers of the United States, and we will then take the next step in a longer discussion.

I believe we've had a good debate on the rule. I believe the underlying bill provides the American people with the hope that we can do the basic functions that we were sent here to accomplish—funding the government. I would urge my colleagues to support this rule and the underlying legislation.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 99 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 699) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to repeal and replace the 2013 sequestration. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means, the chair and ranking minority member of the Committee on the Budget, and the chair and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of con-

sideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Immediately after disposition of H.R. 699 the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 636) to prohibit Members of Congress from receiving any automatic pay adjustments through the end of the One Hundred Thirteenth Congress. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on House Administration and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bills specified in sections 2 or 3 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the

opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 227, nays 188, not voting 16, as follows:

[Roll No. 59]

YEAS—227

Aderholt	Bachus	Bentivolio
Alexander	Barletta	Billirakis
Amash	Barr	Bishop (UT)
Amodei	Barton	Black
Bachmann	Benishek	Blackburn

Bonner	Harper	Pittenger
Boustany	Harris	Pitts
Brady (TX)	Hartzler	Poe (TX)
Bridenstine	Hastings (WA)	Pompeo
Brooks (AL)	Heck (NV)	Posey
Brooks (IN)	Hensarling	Price (GA)
Broun (GA)	Herrera Beutler	Radel
Buchanan	Holding	Reed
Bucshon	Hudson	Reichert
Burgess	Huelskamp	Renacci
Calvert	Huizenga (MI)	Ribble
Camp	Hultgren	Rice (SC)
Campbell	Hunter	Rigell
Cantor	Hurt	Roby
Capito	Issa	Roe (TN)
Carter	Jenkins	Rogers (AL)
Cassidy	Johnson (OH)	Rogers (KY)
Chabot	Johnson, Sam	Rogers (MI)
Chaffetz	Jordan	Rohrabacher
Coffman	Joyce	Rokita
Cole	Kelly	Roskam
Collins (GA)	King (IA)	Ross
Collins (NY)	King (NY)	Rothfus
Conaway	Kingston	Royce
Cook	Kinzinger (IL)	Runyan
Cotton	Kline	Ryan (WI)
Cramer	Labrador	Salmon
Crawford	LaMalfa	Scalise
Crenshaw	Lamborn	Schock
Culberson	Lance	Schweikert
Daines	Lankford	Scott, Austin
Davis, Rodney	Latham	Sensenbrenner
Denham	Latta	Sessions
Dent	LoBiondo	Shimkus
DeSantis	Long	Shuster
DesJarlais	Lucas	Simpson
Duffy	Luetkemeyer	Smith (NE)
Duncan (SC)	Lummis	Smith (NJ)
Duncan (TN)	Marchant	Smith (TX)
Ellmers	Marino	Southerland
Farenthold	Masse	Stewart
Fincher	Matheson	Stivers
Fitzpatrick	McCarthy (CA)	Stockman
Fleischmann	McCaul	Stutzman
Fleming	McClintock	Terry
Flores	McHenry	Thompson (PA)
Forbes	McKeon	Thornberry
Fortenberry	McKinley	Tiberi
Fox	McMorris	Tipton
Franks (AZ)	Rodgers	Turner
Frelinghuysen	Meadows	Upton
Gardner	Meehan	Valadao
Garrett	Messer	Wagner
Gerlach	Mica	Walberg
Gibbs	Miller (FL)	Walden
Gibson	Miller (MI)	Walorski
Gingrey (GA)	Miller, Gary	Weber (TX)
Gohmert	Mullin	Webster (FL)
Goodlatte	Mulvaney	Wenstrup
Gosar	Murphy (PA)	Westmoreland
Gowdy	Neugebauer	Whitfield
Granger	Noem	Williams
Graves (GA)	Nugent	Wilson (SC)
Graves (MO)	Nunes	Wittman
Green, Gene	Nunnelee	Wolf
Griffin (AR)	Olson	Womack
Griffith (VA)	Palazzo	Woodall
Grimm	Paulsen	Yoder
Guthrie	Pearce	Yoho
Hall	Perry	Young (FL)
Hanna	Petri	Young (IN)

NAYS—188

Andrews	Castro (TX)	DelBene
Barber	Chu	Deutch
Barrow (GA)	Cicilline	Doggett
Bass	Clarke	Doyle
Beatty	Clay	Duckworth
Becerra	Cleaver	Edwards
Bera (CA)	Clyburn	Ellison
Bishop (GA)	Cohen	Engel
Bishop (NY)	Connolly	Enyart
Blumenauer	Conyers	Eshoo
Bonamici	Cooper	Esty
Brady (PA)	Costa	Farr
Braley (IA)	Courtney	Fattah
Brown (FL)	Crowley	Foster
Brownley (CA)	Cuellar	Frankel (FL)
Bustos	Cummings	Fudge
Butterfield	Davis (CA)	Gabbard
Capps	Davis, Danny	Gallego
Carney	DeFazio	Garamendi
Carson (IN)	DeGette	Garcia
Cartwright	Delaney	Grayson
Castor (FL)	DeLauro	Green, Al

Grijalva	Maffei	Ryan (OH)
Gutierrez	Maloney,	Sánchez, Linda
Hahn	Carolyn	T.
Hanabusa	Maloney, Sean	Sarbanes
Hastings (FL)	Markey	Schakowsky
Heck (WA)	Matsui	Schiff
Higgins	McCarthy (NY)	Schneider
Himes	McCollum	Schrader
Hinojosa	McDermott	Schwartz
Holt	McGovern	Scott (VA)
Honda	McNerney	Scott, David
Horsford	Meng	Serrano
Hoyer	Michaud	Sewell (AL)
Huffman	Moore	Shea-Porter
Israel	Moran	Sherman
Jackson Lee	Murphy (FL)	Sinema
Jeffries	Nadler	Slaughter
Johnson (GA)	Napolitano	Smith (WA)
Johnson, E. B.	Neal	Speier
Jones	Negrete McLeod	Swalwell (CA)
Kaptur	Nolan	Takano
Keating	O'Rourke	Thompson (CA)
Kennedy	Owens	Thompson (MS)
Kildee	Pallone	Tierney
Kilmer	Pascrell	Titus
Kind	Pastor (AZ)	Tonko
Kirkpatrick	Payne	Tsongas
Kuster	Pelosi	Van Hollen
Langevin	Perlmutter	Vargas
Larsen (WA)	Peters (CA)	Veasey
Larson (CT)	Peters (MI)	Velázquez
Lee (CA)	Peterson	Pocan
Levin	Pingree (ME)	Price (NC)
Lewis	Pocan	Quigley
Lipinski	Price (NC)	Rahall
Loeb sack	Quigley	Rangel
Lofgren	Rahall	Richmond
Lowenthal	Rangel	Roybal-Allard
Lowey	Richmond	Ruiz
Lujan Grisham	Roybal-Allard	Ruppersberger
(NM)	Ruiz	Rush
Luján, Ben Ray	Ruppersberger	
(NM)	Rush	

NOT VOTING—16

Capuano	McIntyre	Sanchez, Loretta
Cárdenas	Meeks	Sires
Coble	Miller, George	Wilson (FL)
Diaz-Balart	Polis	Young (AK)
Dingell	Rooney	
Lynch	Ros-Lehtinen	

□ 1148

Mr. BARBER, Ms. KUSTER, and Ms. MICHELLE LUJAN GRISHAM of New Mexico changed their vote from "yea" to "nay."

Messrs. GINGREY of Georgia and SOUTHERLAND changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. CÁRDENAS. Mr. Speaker, on rollcall No. 59, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 197, not voting 22, as follows:

[Roll No. 60]

AYES—212

Aderholt	Amodei	Bachus
Alexander	Bachmann	Barber

Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)

NOES—197

Amash
Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)

Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris
Furner
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Perry

Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kingston
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb
Loeb
Lofgren
Lowenthal
Lowey
Lujan, Ben Ray
(NM)

Capuano
Coble
Dingell
Farr
Griffith (VA)
Larsen (WA)
Lujan Grisham
(NM)

Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Massie
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meng
Michaud
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascarella
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Price (NC)
Quigley
Rahall
Richmond
Rohrabacher
Roybal-Allard
Ruiz

NOT VOTING—22

Lynch
McIntyre
Meeks
Miller, George
Peters (CA)
Polis
Rangel
Rooney
Ros-Lehtinen
Sanchez, Loretta
Shea-Porter
Sires
Vargas
Wilson (FL)
Young (AK)

□ 1157

Ms. KUSTER changed her vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PETERS of California. Mr. Speaker, on rollcall No. 60 I was unavoidably detained. Had I been present, I would have voted “no.”

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on rollcall No. 60 I was unavoidably detained. Had I been present, I would have voted “no.”

Ms. SHEA-PORTER. Mr. Speaker, on rollcall No. 60, had I been present, I would have voted “no.”

□ 1200

PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of

House Concurrent Resolution 14, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 14

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The rotunda of the Capitol is authorized to be used on April 11, 2013, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY TO AWARD THE CONGRESSIONAL GOLD MEDAL TO PROFESSOR MUHAMMAD YUNUS

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 20, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 20

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR CEREMONY TO AWARD CONGRESSIONAL GOLD MEDAL TO PROFESSOR MUHAMMAD YUNUS.

The rotunda of the Capitol is authorized to be used on April 17, 2013, for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus in recognition of his contributions to the fight against global poverty. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. ROGERS of Kentucky. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the consideration of H.R. 933 and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 99, I call up the bill (H.R. 933) making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 99, the amendment printed in House Report 113-12 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Division A—Department of Defense Appropriations Act, 2013
- Division B—Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013
- Division C—Full-Year Continuing Appropriations Act, 2013
- Division D—Across-the-Board Reductions

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in division A, B, or C of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act printed in the House of Representatives section of the Congressional Record on or about March 7, 2013 by the Chairman of the Committee on Appropriations of the House shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985

shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$40,199,263,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$26,902,346,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,531,549,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,052,826,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of

title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,456,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,874,023,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$658,251,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,722,425,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,981,577,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code,

or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,153,990,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$35,409,260,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$41,614,453,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,034,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$34,780,406,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$31,862,980,000: *Provided*, That not more than \$30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the

service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,182,923,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,256,347,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$277,377,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,261,324,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as

authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,154,161,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,494,326,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,516,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the

transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY
USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND
CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid pro-

grams of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$50,198,000.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,028,754,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,535,433,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to

approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,857,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,641,306,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,741,664,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,382,152,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,036,871,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$659,897,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, \$565,371,000;
Virginia Class Submarine, \$3,217,601,000;
Virginia Class Submarine (AP), \$1,652,557,000;
CVN Refuelings, \$1,613,392,000;
CVN Refuelings (AP), \$70,010,000;
DDG-1000 Program, \$669,222,000;
DDG-51 Destroyer, \$4,036,628,000;
DDG-51 Destroyer (AP), \$466,283,000;
Littoral Combat Ship, \$1,784,959,000;
LPD-17 (AP), \$263,255,000;
Joint High Speed Vessel, \$189,196,000;
Moored Training Ship, \$307,300,000;
LCAC Service Life Extension Program, \$85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, \$290,035,000.

Completion of Prior Year Shipbuilding Programs, \$372,573,000.

In all: \$15,584,212,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests there-

in, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,955,078,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,411,411,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$11,774,019,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,962,376,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing

purposes, \$594,694,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,082,508,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,878,985,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$223,531,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$8,676,627,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$16,963,398,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$25,432,738,000, to remain

available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,631,946,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION,
DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$223,768,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be con-

sidered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,715,304,000; of which \$30,885,165,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to \$15,934,952,000 may be available for contracts entered into under the TRICARE program; of which \$521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which \$1,308,377,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided to develop a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated Electronic Health Record, not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,301,786,000, of which \$635,843,000 shall be for operation and maintenance, of which no less than \$53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$22,214,000 for activities on military installations and \$31,734,000, to remain available until September 30, 2014, to assist State and local governments; \$18,592,000 shall

be for procurement, to remain available until September 30, 2015, of which \$1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which \$627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,159,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$350,321,000, of which \$347,621,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$2,700,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$534,421,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the

Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activi-

ties for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of

\$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F/A-18E, F/A-18F, and EA-18G aircraft; up to 10 DDG-51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN-774 Virginia class submarine and government-furnished equipment; CH-47 Chinook helicopter; and V-22 Osprey aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states

of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States: *Provided*, That for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or

manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section:

Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,404,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$9,298,000 shall be available from “Air-craft Procurement, Air Force”; and

(3) \$932,000 shall be available from “Other Procurement, Air Force” for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department’s fiscal year 2014 budget request, submit a report representing the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate

for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a “Made in America” inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and

was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or
(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 8040. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods

stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer, \$98,400,000;

"Shipbuilding and Conversion, Navy, 2007/2018": DDG-51 Destroyer Advance Procurement, \$2,500,000;

"Shipbuilding and Conversion, Navy, 2007/2018": CVN Refueling Overhaul, \$14,100,000;

"Procurement of Ammunition, Army, 2011/2013", \$14,862,000;

"Other Procurement, Army, 2011/2013", \$108,098,000;

"Aircraft Procurement, Navy, 2011/2013", \$43,860,000;

"Shipbuilding and Conversion, Navy, 2011/2015": DDG-51 Destroyer, \$215,300,000;

"Weapons Procurement, Navy, 2011/2013", \$22,000,000;

"Aircraft Procurement, Air Force, 2011/2013", \$93,400,000;

"Other Procurement, Air Force, 2011/2013", \$9,500,000;

"Operation and Maintenance, Defense-Wide, 2012/XXXX", \$21,000,000;

"Aircraft Procurement, Army, 2012/2014", \$47,400,000;

"Other Procurement, Army, 2012/2014", \$179,608,000;

"Aircraft Procurement, Navy, 2012/2014", \$19,040,000;

"Shipbuilding and Conversion, Navy, 2012/2016": Littoral Combat Ship, \$28,800,000;

"Shipbuilding and Conversion, Navy, 2012/2016": DDG-51 Destroyer, \$83,000,000;

"Weapons Procurement, Navy, 2012/2014", \$36,467,000;

"Procurement of Ammunition, Navy and Marine Corps, 2012/2014", \$16,300,000;

"Procurement, Marine Corps, 2012/2014", \$132,555,000;

"Aircraft Procurement, Air Force, 2012/2014", \$394,299,000;

"Missile Procurement, Air Force, 2012/2014", \$52,898,000;

"Other Procurement, Air Force, 2012/2014", \$55,800,000;

"Procurement, Defense-Wide, 2012/2014", \$16,000,000;

"Research, Development, Test and Evaluation, Army, 2012/2013", \$41,000,000;

"Research, Development, Test and Evaluation, Navy, 2012/2013", \$246,800,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", \$149,460,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the

Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the au-

thority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged

to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8060. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8061. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8062. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for

goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8063. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8064. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of “armor penetrator”, “armor piercing (AP)”, “armor piercing incendiary (API)”, or “armor-piercing incendiary tracer (API-T)”, except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8065. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8066. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Army”, \$133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8068. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. During the current fiscal year, not to exceed \$200,000,000 from funds available under “Operation and Maintenance, Defense-Wide” may be transferred to the Department of State “Global Security Contingency Fund”: *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State “Global Security Contingency Fund”, notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8070. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the headings “Procurement, Defense-Wide” and “Research, Development, Test and Evaluation, Defense-Wide”, \$479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations,

and procedures, \$74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8072. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C-130 and KC-135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", \$372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program \$156,685,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2008/2013": LPD-17 Amphibious Transport Dock Program \$80,888,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program \$135,000,000.

SEC. 8074. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8075. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8076. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United

States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8077. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8078. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8079. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8080. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8081. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8082. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any avail-

able Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8083. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8084. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8085. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8086. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8087. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8088. The Director of National Intelligence shall include the budget exhibits

identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, Research, Development, Test and Evaluation Program; R-2, Research, Development, Test and Evaluation Budget Item Justification; R-3, Research, Development, Test and Evaluation Project Cost Analysis; and R-4, Research, Development, Test and Evaluation Program Schedule Profile.

SEC. 8089. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8091. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of \$10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8092. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8093. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8094. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8097. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8098. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8099. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8100. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$139,204,000, shall be available for transfer

to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8101. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8102. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8103. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8104. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide", the following amounts shall be available to the Secretary of Defense, for the following authorized purposes, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam: (1) \$13,000,000 for addressing the need for construction of a regional public health laboratory; and (2) \$106,400,000 for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for either of the foregoing purposes, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated \$2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining,

equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, and the Whidbey Island-class dock landing ships LSD-41 and LSD-46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer.

SEC. 8106. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicapped-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8107. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume quarterly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8108. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8110. In addition to amounts provided elsewhere in the Act, there is appropriated \$270,000,000 for an additional amount for "Operation and Maintenance, Defense-Wide", to

be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8111. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8112. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the

transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "individual detained at Guantánamo" means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term "foreign terrorist organization" means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8113. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8114. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have

been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8115. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8116. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8117. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, assistance under section 1206 of the National Defense Authorization Act for Fiscal year 2006 (Public Law 109-163; 119 Stat. 3456) issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1).

SEC. 8118. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8119. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve: *Provided*, That this section shall not apply to actions affecting C-5, C-17, or E-8 aircraft, or the units associated with such aircraft: *Provided further*, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

SEC. 8120. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ-4B Global Hawk and C-27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8121. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

SEC. 8122. None of the funds made available by this Act shall be used to retire C-23 Sherpa aircraft.

SEC. 8123. The total amount available in the Act for pay for civilian personnel of the

Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by \$72,718,000.

SEC. 8124. None of the funds made available by this Act may be used to enter into a contract for UH-60 Leak Proof Drip Pans using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

SEC. 8125. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1244 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision of an Act authorizing appropriations for the Department of Defense for fiscal year 2013 relating to sharing classified ballistic missile defense information with Russia.

SEC. 8126. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8127. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8128. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8129. None of the funds made available by this Act for the Department of Defense may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to Rosoboronexport: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8130. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$774,225,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$1,425,156,000: *Pro-*

vided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$28,452,018,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,839,934,000: *Provided*, That such amount is designated by the

Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$4,116,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$9,249,736,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$7,714,079,000: *Provided*, That of the funds provided under this heading, not to exceed \$1,650,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom, and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY

RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$157,887,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$60,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$392,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$34,500,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$582,884,000 for the "Overseas Contingency Operations Transfer Fund" for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: *Provided*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That

the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND (INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", \$325,000,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the "appropriate committees of Congress" are the Committees on Armed Services, For-

eign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$5,124,167,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$550,700,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for

Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$338,493,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,740,157,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$215,698,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$22,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$283,059,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$822,054,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$305,600,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,680,270,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$188,099,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,500,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$29,660,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$243,600,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$1,622,614,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making

transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$3,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$200,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal

year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and

part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the "Afghanistan Infrastructure Fund" (AIF) and any project in excess of \$5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Notwithstanding any other provision of law, up to \$93,000,000 of funds made available in this title under the heading "Operation and Maintenance, Army" may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to \$508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service personnel in an institutional environment to

address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

(RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Retroactive Stop Loss Special Pay Program, 2009/XXXX”, \$127,200,000;

“Afghanistan Security Forces Fund, 2012/2013”, \$1,000,000,000;

“Other Procurement, Army, 2012/2014”, \$207,600,000;

“Procurement of Ammunition, Navy and Marine Corps, 2012/2014”, \$32,176,000;

“Procurement, Marine Corps, 2012/2014”, \$2,776,000;

“Mine Resistant Ambush Protected Vehicle Fund, 2012/2013”, \$400,000,000;

“Research, Development, Test and Evaluation, Air Force, 2012/2013”, \$50,000,000;

“Joint Improvised Explosive Device Defeat Fund, 2012/2014”, \$40,300,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

This division may be cited as the “Department of Defense Appropriations Act, 2013”.

DIVISION B—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,684,323,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed \$80,173,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,549,164,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed \$102,619,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$322,543,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed \$18,635,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,582,423,000, to remain available until September 30, 2017: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$315,562,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, \$26,969,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$613,799,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$26,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$42,386,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not

to exceed \$4,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$305,846,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$15,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$49,532,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$2,118,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$10,979,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed \$2,879,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$254,163,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, ex-

tension, and alteration, as authorized by law, \$4,641,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$530,051,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$102,182,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$378,230,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$83,824,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$497,829,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$52,238,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$1,786,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$151,000,000, to remain available until September 30, 2017, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Clo-

sure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$409,396,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$126,697,000, to remain available until expended: *Provided*, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: *Provided further*, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement

of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appro-

priated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United

States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of canceling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the

same purposes as the appropriation to which transferred.

SEC. 125. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicapped-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 126. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 127. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 128. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available to the Department of Defense for military construction in this or any other Act, may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for “Military Construction, Defense-Wide”, from prior appropriations Acts, \$20,000,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget

and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for “Department of Defense Base Closure Account 2005”, from prior appropriations Acts, \$132,513,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer \$10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$60,599,855,000, to remain available until expended: *Provided*, That not to exceed \$9,204,000 of the amount appropriated under this heading shall be reimbursed to “General operating expenses, Veterans Benefits Administration”, “Medical support and compliance”, and “Information technology systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and pensions” appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical care collections fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, \$12,023,458,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104

of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$104,600,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2013, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$157,814,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$346,000, which may be paid to the appropriation for “General operating expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,089,000.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$155,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2012; and in addition, \$43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: *Provided*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a

priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$6,033,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$582,674,000, plus reimbursements, shall remain available until September 30, 2014.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$258,284,000, of which not to exceed \$25,828,000 shall remain available until September 30, 2014: *Provided*, That none of the funds under this heading may be used to expand the Urban Initiative project beyond

those sites outlined in the fiscal year 2012 or previous budget submissions or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: *Provided further*, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: *Provided further*, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above: *Provided further*, That this strategy shall be submitted no later than 180 days after the date of enactment of this Act: *Provided further*, That the Secretary of Veterans Affairs shall issue guidelines on committal services held at cemeteries under the jurisdiction of the National Cemetery Administration to ensure that: (1) veterans' families may arrange to hold committal services with any religious or secular content they desire; (2) the choice by a family of an honor guard and the content and presentation of military honors may not be interfered with; and (3) attendance at committal services by outside organizations dedicated to the support of veterans will not be constrained except at the request of family members: *Provided further*, That the Department shall not edit, control, or exercise prior restraints on the content of religious speech and expression by speakers at events at veterans national cemeteries except as provided in section 2413 of title 38, United States Code: *Provided further*, That actions permitted by the foregoing provisos shall be subject to compliance with Department security, safety, and law enforcement regulations.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative

expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$424,737,000, of which not to exceed \$20,837,000 shall remain available until September 30, 2014: *Provided*, That the Board of Veterans Appeals shall be funded at not less than \$86,006,000: *Provided further*, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)): *Provided further*, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,164,074,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed \$113,000,000 shall remain available until September 30, 2014.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,327,444,000, plus reimbursements: *Provided*, That \$1,021,000,000 shall be for pay and associated costs, of which not to exceed \$30,630,000 shall remain available until September 30, 2014: *Provided further*, That \$1,812,045,000 shall be for operations and maintenance, of which not to exceed \$126,000,000 shall remain available until September 30, 2014: *Provided further*, That \$494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That

amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That of the funds provided for information technology systems development, modernization, and enhancement for the development of a joint Department of Defense—Department of Veterans Affairs (DOD-VA) integrated electronic health record (iEHR), not more than 25 percent may be obligated until the DOD-VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both Agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$115,000,000, of which \$6,000,000 shall remain available until September 30, 2014.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$532,470,000, of which \$502,470,000 shall remain

available until September 30, 2017, and of which \$30,000,000 shall remain available until expended: *Provided*, That \$5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: *Provided further*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$607,530,000, to remain available until September 30, 2017, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by

sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2013 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: *Provided*, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates

as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and pensions”, “Readjustment benefits”, and “Veterans insurance and indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2012.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2013, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General operating expenses, Veterans Benefits Administration” and “Information technology systems” accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2013 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2013 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the “General administration” and “Information technology systems” accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease

of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, major projects” and “Construction, minor projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, major projects” and “Construction, minor projects”.

SEC. 214. Amounts made available under “Medical services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to “Medical services”, to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough,

the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, major projects” and “Construction, minor projects” accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the “Medical services”, “Medical support and compliance”, “Medical facilities”, “General operating expenses, Veterans Benefits Administration”, “General administration”, and “National Cemetery Administration” accounts for fiscal year 2013, may be transferred to or from the “Information technology systems” account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the “Medical facilities” account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for “Medical services”, “Medical support and compliance”, “Medical facilities”, “Construction, minor projects”, and “Information technology systems”, up to \$247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs

Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division H of Public Law 112-74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

(1) "Department of Veterans Affairs, Medical services", \$1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 227. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 229. The Secretary of the Department of Veterans Affairs shall provide on a quar-

terly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2013, the funding allocated for a medical care initiative identified in the fiscal year 2013 expenditure plan is adjusted by more than \$25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 231. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3))) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

SEC. 232. Funds made available under the heading "Medical services" in title II of division H of Public Law 112-74 may be used to carry out section 1787 of title 38, United States Code.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$62,929,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$32,481,000: *Provided*, That \$2,726,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington

National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$65,800,000, of which not to exceed \$27,000,000 shall remain available until September 30, 2015. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, \$103,000,000, to remain available until September 30, 2017, of which, \$84,000,000 shall be for planning and design and construction associated with the Millennium Project at Arlington National Cemetery; and \$19,000,000 shall be for study, planning, design, and architect and engineer services for future expansion of burial space at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,590,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading, "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$150,768,000, to remain available until September 30, 2013: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112-10 and division H in title IV of Public Law 112-74, \$150,768,000 are hereby rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for

obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 504. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 505. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 508. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 509. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 510. None of the funds made available in this Act may be distributed to the Asso-

ciation of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 511. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 512. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 513. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 514. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or co-operative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 515. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or co-operative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 516. Such sums as may be necessary for fiscal year 2013 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 517. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency that are stationed within the United

States at any single conference occurring outside a state of the United States, except for employees of the Department of Veterans Affairs stationed in the Philippines, unless the relevant Secretary reports to the Committees on Appropriations of both Houses of Congress at least 5 days in advance that such attendance is important to the national interest.

This division may be cited as the “Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013”.

DIVISION C—FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

TITLE I—GENERAL PROVISIONS

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (division A of Public Law 112–55), except for the appropriations designated by the Congress as being for disaster relief in section 735 of such Act.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (division B of Public Law 112–55), except for the appropriation designated by the Congress as being for disaster relief in the second paragraph under the heading “Department of Commerce, Economic Development Administration, Economic Development Assistance Programs” in such Act.

(3) The Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of Public Law 112–74).

(4) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74).

(5) The Department of Homeland Security Appropriations Act, 2012 (division D of Public Law 112–74).

(6) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74).

(7) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112–74).

(8) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112–74).

(9) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74).

(10) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112–55), except for the appropriations designated by the Congress as being for disaster relief under the heading “Department of Transportation, Federal Highway Administration, Emergency Relief” and in the last proviso of section 239 of such Act.

(11) The Disaster Relief Appropriations Act, 2012 (Public Law 112-77), except for appropriations under the heading “Corps of Engineers—Civil”.

(b) For purposes of this division, the term “level” means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

(1) the 0.16 percent across-the-board rescission in section 436 of division E of Public Law 112-74 (relating to the Department of the Interior, Environment, and Related Agencies); and

(2) the 0.189 percent across-the-board rescission in section 527 of division F of Public Law 112-74, (relating to the Departments of Labor, Health and Human Services, and Education, and Related Agencies).

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2012, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 1105. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101 shall continue in effect through the date specified in section 1106.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2013.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Resolution, 2013 (Public Law 112-175) shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2012.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2014:

(1) “Department of Labor, Office of Workers’ Compensation Programs, Special Benefits for Disabled Coal Miners”, for benefit

payments under title IV of the Federal Mine Safety and Health Act of 1977, \$40,000,000, to remain available until expended.

(2) “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid”, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$106,335,631,000, to remain available until expended.

(3) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs”, for payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,100,000,000, to remain available until expended.

(4) “Department of Health and Human Services, Administration for Children and Families, Payments for Foster Care and Permanency”, for payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$2,200,000,000.

(5) “Social Security Administration, Supplemental Security Income Program”, for benefit payments under title XVI of the Social Security Act, \$19,300,000,000, to remain available until expended.

SEC. 1110. (a) Each amount made available in this division by reference to an appropriation that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) Of the amount made available by section 1101 for “Social Security Administration, Limitation on Administrative Expenses”, \$483,484,000 is additional new budget authority specified for purposes of subsection 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1111. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2013 or 2014 in an appropriations Act for fiscal year 2012, in addition to amounts otherwise made available by this division, advance appropriations are provided in the same amount for fiscal year 2014 or 2015, respectively, with a comparable period of availability.

SEC. 1112. (a) Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111-242), as added by section 1(a)(2) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 111-322; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after “ending on” and before “shall be made” and inserting “December 31, 2013,”; and

(2) in subsection (c), by striking the matter after “ending on” and before “no senior executive” and inserting “December 31, 2013.”.

(b) Section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112-175; 5 U.S.C. 5303 note) is repealed.

SEC. 1113. (a) Not later than 30 days after the date of the enactment of this division, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2013—

(1) at the program, project, or activity level (or, for foreign assistance programs funded in titles III, IV and VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act, at the country, regional, and central program level, and for any international organization); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 1101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) If a sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, the spending, expenditure, or operating plan required by this section shall reflect such sequestration.

(c) The departments and agencies to which this section applies are as follows:

- (1) The Department of Agriculture.
- (2) The Department of Commerce.
- (3) The Department of Education.
- (4) The Department of Energy.
- (5) The Department of Health and Human Services.
- (6) The Department of Homeland Security.
- (7) The Department of Housing and Urban Development.
- (8) The Department of the Interior.
- (9) The Department of Justice.
- (10) The Department of Labor.
- (11) The Department of State and United States Agency for International Development.
- (12) The Department of Transportation.
- (13) The Department of the Treasury.
- (14) The National Aeronautics and Space Administration.
- (15) The National Science Foundation.
- (16) The Judiciary.

(17) With respect to amounts made available under the heading “Executive Office of the President and Funds Appropriated to the President”, agencies funded under such heading.

(18) The Federal Communications Commission.

(19) The General Services Administration.

(20) The Office of Personnel Management.

(21) The National Archives and Records Administration.

(22) The Securities and Exchange Commission.

(23) The Small Business Administration.

(24) The Environmental Protection Agency.

(25) The Indian Health Service.

(26) The Smithsonian Institution.

(27) The Social Security Administration.

(28) The Corporation for National and Community Service.

(29) The Corporation for Public Broadcasting.

(30) The Food and Drug Administration.

(31) The Commodity Futures Trading Commission.

SEC. 1114. Not later than May 1, 2013, and each month thereafter through November 1, 2013, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on all obligations incurred in fiscal year 2013, by each department and agency, using funds made available by this division. Such report shall—

- (1) set forth obligations by account; and
- (2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012.

TITLE II—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ASSISTANCE, AND RELATED AGENCIES

SEC. 1201. Notwithstanding section 1101, the level for “Domestic Food Programs, Food and Nutrition Service, Commodity Assistance Program”, shall be \$253,952,000, of which \$186,935,000 shall be for the Commodity Supplemental Food Program.

SEC. 1202. Notwithstanding section 1101, the amounts included under the heading “Agricultural Programs, Farm Service Agency, Agricultural Credit Insurance Fund Program Account” in division A of Public Law 112-55 shall be applied to funds appropriated by this division as follows: by substituting “\$2,000,000,000” for “\$1,500,000,000” the first place it appears; by substituting “\$1,258,887,000” for “\$1,050,090,000”; and by substituting “\$70,120,000” for “\$59,120,000”.

SEC. 1203. Notwithstanding section 1101, the Secretary of Agriculture may transfer funds among the loan and loan guarantee programs within the Rural Development mission area to maintain the 2012 program levels, to the extent possible, for such programs and activities during fiscal year 2013.

SEC. 1204. Notwithstanding section 1101, amounts otherwise provided by section 1101 for “Department of Health and Human Services, Food and Drug Administration, Salaries and Expenses” for medical device user fees shall be increased by the amounts by which the authorized levels of such fees for fiscal year 2013 exceed the authorized levels of such fees for fiscal year 2012: *Provided*, That amounts collected for fees specified in this section for fiscal year 2013 that exceed applicable fiscal year 2013 limitations for such fees are appropriated and shall be credited to such account and remain available until expended.

SEC. 1205. Notwithstanding section 1101, fees authorized for fiscal year 2013 pursuant to section 744B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42) shall be credited to “Department of Health and Human Services, Food and Drug Administration, Salaries and Expenses” and remain available until expended.

SEC. 1206. Sections 744 and 748 of division A of Public Law 112-55 shall not apply to funds appropriated by this division.

SEC. 1207. Of the funds made available for “Rural Development Programs, Rural Business—Cooperative Service, Rural Economic Development Loans Program Account”, of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936 (7 U.S.C. 940c), \$180,000,000 shall not be obligated and \$180,000,000 is rescinded.

SEC. 1208. (a) Notwithstanding section 1101, the first and second provisos of section 726(15) of division A of Public Law 112-55 shall be applied to funds appropriated by this division as if “, in this fiscal year,” appeared before “section 19(i)(1)(E)” the first place it appears, by substituting “\$39,000,000” for “\$20,000,000”, and by substituting “\$117,000,000” for “\$133,000,000”.

(b) Of the unobligated balances available under section 14222(b)(2)(A)(v) of Public Law 110-246 (7 U.S.C. 612c-6(b)(2)(A)(v)), \$150,000,000 is rescinded.

SEC. 1209. In addition to amounts provided elsewhere in this division, \$48,256,765 is appropriated for activities under section 403 of the Agricultural Credit Act of 1978 (Emergency Watershed Protection Program; 16 U.S.C. 2203) for necessary expenses resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et

seq.): *Provided*, That the Secretary of Agriculture shall transfer these funds to the Natural Resources Conservation Service.

SEC. 1210. Section 1109(a) of this division shall not be construed to change the requirement that \$3,000,000,000, to remain available until September 30, 2014, be placed in reserve for “Domestic Food Programs, Food and Nutrition Service, Supplemental Nutrition Assistance Program”.

SEC. 1211. Notwithstanding section 1101, the level for “Agricultural Programs, National Agricultural Statistics Service” shall be \$179,477,000, of which up to \$62,500,000 shall be available until expended for the Census of Agriculture.

TITLE III—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

SEC. 1301. Notwithstanding section 1101, the level for “National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction” shall be \$1,951,036,000, of which \$802,000,000 shall be for the Geostationary Operational Environmental Satellite-R system.

SEC. 1302. Notwithstanding section 1101, the level for each of the following accounts shall be \$0: “Department of Justice, General Administration, National Drug Intelligence Center”; “Department of Justice, Drug Enforcement Administration, Construction”.

SEC. 1303. Notwithstanding section 1101, the level for “Department of Justice, General Administration, Justice Information Sharing Technology” shall be \$22,000,000.

SEC. 1304. Notwithstanding section 1101, the level for “Department of Justice, Federal Bureau of Investigation, Salaries and Expenses” shall be \$8,165,520,000.

SEC. 1305. Notwithstanding section 1101, the level for “Department of Justice, Federal Prison System, Salaries and Expenses” shall be \$6,689,481,000.

SEC. 1306. Notwithstanding section 1101, the level for “Department of Justice, Office of Justice Programs, State and Local Law Enforcement Assistance” shall be \$1,062,500,000: *Provided*, That the amounts included under such heading in division B of Public Law 112-55 shall be applied to funds appropriated by this division as follows: by substituting “\$370,000,000” for “\$470,000,000”; and by substituting “\$0” for “\$100,000,000”.

SEC. 1307. Of the unobligated balances available for “Department of Justice, Legal Activities, Assets Forfeiture Fund”, \$675,000,000 is rescinded.

SEC. 1308. Of the unobligated balances available for “Department of Justice, Federal Prison System, Buildings and Facilities”, \$64,700,000 is rescinded, to be derived from amounts for the “Acquire Existing Institution for Higher Security FCI” project.

SEC. 1309. Section 505 of division B of Public Law 112-55 shall be applied to funds appropriated by this division by substituting “45” for “15”.

SEC. 1310. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2013.

(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2013, and any use, obligation, transfer, or allocation of such funds shall be treated as a reprogramming of funds under section 505 of division B of Public Law 112-55.

(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section

524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2013, and any use, obligation, transfer, or allocation of such funds shall be treated as a reprogramming of funds under section 505 of division B of Public Law 112-55.

(d) Of amounts available in the Department of Justice Assets Forfeiture Fund in fiscal year 2013, \$154,700,000 shall be for payments associated with joint law enforcement operations in fiscal year 2013 as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this division detailing the planned distribution of the Department of Justice Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2013.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2013.

SEC. 1311. Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Exploration” shall be \$4,152,000,000: *Provided*, That the amounts included under such heading in division B of Public Law 112-55 shall be applied to funds appropriated by this division as follows: by substituting “\$2,119,000,000” for “\$1,860,000,000”; by substituting “\$525,000,000” for “\$406,000,000”; by substituting “\$308,000,000” for “\$304,800,000”; by substituting “\$454,000,000” for “\$316,500,000”; and by substituting “\$265,000,000” for “\$58,000,000”.

SEC. 1312. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: “National Aeronautics and Space Administration, Space Operations”, \$4,000,000,000; and “National Aeronautics and Space Administration, Cross Agency Support”, \$2,847,400,000.

TITLE IV—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES

SEC. 1401. (a) Notwithstanding section 1101, the level for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities” shall be \$7,577,341,000.

(b) Section 301(c) of division B of Public Law 112-74 shall not apply to amounts made available by this section.

SEC. 1402. In addition to amounts otherwise made available by this division, \$150,000,000 is appropriated for “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation” for domestic uranium enrichment research, development, and demonstration.

SEC. 1403. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this division by substituting the date specified in section 1106 of this division for “October 1, 2012”.

TITLE V—FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1501. (a) Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19-381), as modified as of the date of the enactment of this division.

(b) Section 803(b) of the Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112-74; 125 Stat. 940) is amended by striking “November 1, 2012” and inserting “November 1, 2013”.

SEC. 1502. Notwithstanding section 1101, the level for “District of Columbia, Federal Funds, Federal Payment for Emergency Planning and Security Costs in the District of Columbia” shall be \$24,700,000, of which not less than \$9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 1503. Notwithstanding section 1101, the fifth proviso under the heading “Federal Communications Commission, Salaries and Expenses” in division C of Public Law 112-74 shall be applied by substituting “\$98,739,000” for “\$85,000,000”.

SEC. 1504. Notwithstanding any other provision of this division, amounts made available by section 1101 for “Department of the Treasury, Departmental Offices, Salaries and Expenses” and “Department of the Treasury, Office of Inspector General, Salaries and Expenses” may be used for activities in connection with section 1602(e) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112-141).

SEC. 1505. Notwithstanding section 1101, the level for “Office of Government Ethics, Salaries and Expenses” shall be \$18,664,000, of which \$5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112-105).

SEC. 1506. Notwithstanding section 1101, the level for “Small Business Administration, Business Loans Program Account” for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 shall be \$333,600,000.

SEC. 1507. Of the unobligated balances available for “Department of the Treasury, Treasury Forfeiture Fund”, \$950,000,000 is rescinded.

TITLE VI—HOMELAND SECURITY

SEC. 1601. (a) Amounts made available by this division for “Department of Homeland Security, U.S. Customs and Border Protection, Salaries and Expenses” shall be obligated as necessary to maintain the staffing levels (including by backfilling vacant positions) of Border Patrol agents, Customs and Border Protection officers, and Air and Marine interdiction agents in effect at the end of the fourth quarter of fiscal year 2012, or, with respect to Border Patrol agents, at such greater levels as may otherwise be required in the second proviso under such heading in division D of Public Law 112-74.

(b) Not later than 30 days after the date of the enactment of this division, the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for “Department of Homeland Security, U.S. Customs and Border Protection, Salaries and Expenses” at the program, project, and activity level that specifies how the Commissioner will maintain staffing levels as required under subsection (a) throughout fiscal year 2013.

SEC. 1602. (a) Amounts made available by this division for “Department of Homeland Security, U.S. Immigration and Customs Enforcement, Salaries and Expenses” shall be obligated as necessary to maintain a level not less than 34,000 detention beds as required in the sixth proviso under such heading in division D of Public Law 112-74.

(b) Not later than 30 days after the date of the enactment of this division, the Assistant Secretary of U.S. Immigration and Customs Enforcement shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for “Department of Homeland Security, U.S. Immigration and Customs Enforcement, Salaries and Expenses” at the program, project, and activity level that specifies how the Assistant Secretary will maintain detention bed levels as required under subsection (a) throughout fiscal year 2013.

SEC. 1603. Notwithstanding section 1101, the levels for the following accounts of the Department of Homeland Security shall be as follows:

(1) “Office of the Secretary and Executive Management”, \$126,074,000.

(2) “Analysis and Operations”, \$322,280,000.

(3) “U.S. Customs and Border Protection, Salaries and Expenses”, \$9,024,610,000.

(4) “U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology”, \$324,099,000.

(5) “U.S. Customs and Border Protection, Air and Marine Interdiction, Operations, Maintenance, and Procurement”, \$515,436,000.

(6) “Transportation Security Administration, Transportation Security Support”, \$954,277,000.

(7) “Transportation Security Administration, Federal Air Marshals”, \$910,563,000.

(8) “United States Secret Service, Salaries and Expenses”, \$1,601,454,000.

(9) “National Protection and Programs Directorate, United States Visitor and Immigrant Status Indicator Technology”, \$279,133,000.

(10) “Office of Health Affairs”, \$132,499,000 of which \$85,390,000 shall be for BioWatch and \$26,702,000 is for salaries and expenses.

(11) “Federal Emergency Management Agency, Salaries and Expenses”, \$837,090,000, of which \$35,180,000 shall be for the National Urban Search and Rescue Response System, not to exceed \$22,000,000 shall be for capital improvements at the Mount Weather Emergency Operations Center, and not less than \$5,000,000 shall be for expenses related to modernization of automated systems.

(12) “United States Citizenship and Immigration Services”, \$111,924,000 for the E-Verify Program.

SEC. 1604. Notwithstanding section 1101, the level for “Department of Homeland Security, Transportation Security Administration, Aviation Security” shall be \$5,048,008,000: *Provided*, That the amounts included under such heading in division D of Public Law 112-74 shall be applied to funds appropriated by this division by substituting “\$3,972,020,000” for “\$4,167,631,000”; by substituting “\$408,930,000” for “\$543,103,000”; by substituting “\$115,204,000” for “\$204,768,000”; by substituting “\$1,075,988,000” for “\$1,086,325,000”; by substituting “9 percent” for “10 percent”; and by substituting “\$2,978,008,000” for “\$3,223,956,000”.

SEC. 1605. Notwithstanding section 1101, the level for “Department of Homeland Security, Coast Guard, Acquisition, Construction, and Improvements” shall be \$1,468,393,000, of which \$1,005,800,000 shall be for vessels, small boats, and related equipment, including 6 Fast Response Cutters, 1 National Security Cutter, 5 Response Boat-Mediums, and initial development of an ice-breaker; and \$190,500,000 shall be for aircraft including 1 missionized HC-130J aircraft, 1 missionized HC-144 aircraft, and one H-60 helicopter, \$64,000,000 shall be for other acquisition programs, \$94,411,000 shall be for shore, military housing, and aids to navigation, and

\$113,682,000 shall be for personnel compensation and benefits and other costs: *Provided*, That funds under this heading for vessels shall be immediately available and allotted to contract for the production of the sixth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the Coast Guard may decommission one High Endurance Cutter, retire 3 HU-24 aircraft, disestablish the Patrol Boat High-Tempo-Maintenance Operations, and disestablish the Vintage Vessel National Center of Expertise.

SEC. 1606. The following amounts are rescinded:

(1) Of the funds made available for “Department of Homeland Security, Coast Guard, Acquisition, Construction, and Improvements” in division D of Public Law 110-329, \$25,000,000, to be derived from the amounts made available under such heading for the fourth National Security Cutter.

(2) Of the funds made available for “Department of Homeland Security, Coast Guard, Acquisition, Construction, and Improvements” in Public Law 112-10, \$43,500,000, to be derived from the amounts made available under such heading for the fifth National Security Cutter.

SEC. 1607. (a) Notwithstanding section 1101, the level for “Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Protection and Information Security” shall be \$1,138,528,000: *Provided*, That of such amount, \$328,000,000 shall be for Network Security Deployment, and \$218,000,000 shall be for Federal Network Security to establish and sustain essential cybersecurity activities, including procurement and operations of continuous monitoring and diagnostics systems and intrusion detection systems for civilian Federal computer networks: *Provided further*, That of the aggregate amount made available in the preceding proviso for Network Security Deployment and Federal Network Security, \$213,000,000 shall remain available until September 30, 2014.

(b) Not later than 15 days after the date of the enactment of this division, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the House of Representatives and the Senate an updated expenditure plan for essential cybersecurity activities described in subsection (a).

SEC. 1608. Section 532(a) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295) is amended by striking “2012” and inserting “2013”.

SEC. 1609. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note) is amended by striking “on October 4, 2012” and inserting “on October 4, 2013”.

SEC. 1610. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2012,” and inserting “Until September 30, 2013,”; and

(2) in subsection (c)(1), by striking “September 30, 2012,” and inserting “September 30, 2013.”

SEC. 1611. (a) The third, fourth, and fifth provisos under the heading “Department of Homeland Security, Office of the Secretary and Executive Management” in division D of Public Law 112-74 shall not apply to funds appropriated by this division.

(b) The second, third, and fourth provisos under the heading “Department of Homeland Security, National Protection and Programs Directorate, Management and Administration” in division D of Public Law 112-74 shall not apply to funds appropriated by this division.

TITLE VII—INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1701. The contract authority provided for fiscal year 2013 by 16 U.S.C. 4601-10a is rescinded.

SEC. 1702. Notwithstanding section 1101, the level for “Department of the Interior, Department-wide Programs, Wildland Fire Management” shall be \$823,473,000: *Provided*, That of the amounts made available by section 140(b) of Public Law 112-175 (126 Stat. 1321), \$7,500,000 is rescinded.

SEC. 1703. Section 10101(a) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended by section 430 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112-74; 125 Stat. 1047), is further amended—

(1) in paragraph (1) in the first sentence, by striking “on” the first place it appears and inserting “before, on,”; and

(2) in paragraph (2)—

(A) by striking “located” the second place it appears;

(B) by inserting at the end of the following: “Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 to 28e) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).”; and

(C) by striking “(a)” in the first sentence and inserting “(a)(1)”.

SEC. 1704. (a) Of the unobligated balances available under the following headings from prior appropriation Acts, the following amounts are rescinded:

(1) “Hazardous Substance Superfund”, \$15,000,000.

(2) “State and Tribal Assistance Grants”, \$35,000,000, as follows:

(A) \$10,000,000 from unobligated Brownfields balances.

(B) \$5,000,000 from unobligated categorical grant balances.

(C) \$10,000,000 from unobligated Drinking Water State Revolving Funds balances.

(D) \$10,000,000 from unobligated Clean Water State Revolving Funds balances.

(b) No amounts may be rescinded under subsection (a) from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1705. Notwithstanding subsection (d)(2) of section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8), the Administrator of the Environmental Protection Agency may assess pesticide registration service fees under such section for fiscal year 2013.

SEC. 1706. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, Wildland Fire Management” shall be \$2,444,390,000. In addition to such amount, there is appropriated \$40,000,000 for an additional amount for fiscal year 2013 for such account, to remain available until expended, for repayment to other appropriations accounts from which funds were transferred in fiscal year 2012 for wildfire suppression.

SEC. 1707. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106-113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 1106 of this division.

SEC. 1708. Notwithstanding section 1101, the level for “Presidio Trust, Presidio Trust

Fund” and “Dwight D. Eisenhower Memorial Commission, Capital Construction” shall be \$0.

SEC. 1709. Notwithstanding section 1101, section 408 of division E of Public Law 112-74 (125 Stat. 1038) shall be applied to funds appropriated by this division by substituting “112-10, and 112-74” for “112-10” and by substituting “2012” for “2011”.

TITLE VIII—LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

SEC. 1801. Of the funds made available to the “Department of Labor, Employment and Training Administration” from any previous appropriations acts that remain unobligated as of the date of enactment of this division, up to \$40,000,000 may be transferred to “Employment and Training Administration, Office of Job Corps” for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: *Provided*, That not less than \$15,000,000 shall be transferred within 30 days of enactment of this division to support Job Corps operations for the program year ending June 30, 2013: *Provided further*, That, not later than 15 days after any transfer has been made under the authority of this section, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds and the specific programs, projects, or activities for which such funds will be used, and provides a detailed explanation of the need for such transfer.

SEC. 1802. Notwithstanding section 1101, the level for “Department of Labor, Veterans Employment and Training” shall be \$264,436,000, of which \$226,251,000 shall be derived from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That the level provided under such heading for Veterans Workforce Investment Program grants shall be used for the Transition Assistance Program and activities authorized by the VOW to Hire Heroes Act of 2011, shall be available through September 30, 2013, and shall be in addition to any other funds available for those purposes: *Provided further*, That of the level provided under such heading, not less than \$14,000,000 shall be for the Transition Assistance Program, and \$3,414,000 shall be for the National Veterans’ Employment and Training Services Institute.

SEC. 1803. The first proviso under the heading “Department of Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance” in division F of Public Law 112-74 shall be applied to amounts made available by this division by substituting “2013” for “2012”.

SEC. 1804. Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance” shall be \$992,000,000.

SEC. 1805. Notwithstanding section 1101, the rescissions made in sections 522 and 525 of division F of Public Law 112-74 shall be repeated in this division with respect to funds available for fiscal year 2013.

SEC. 1806. Of the amount provided by section 1101 for “Department of Education, Safe Schools and Citizenship Education” for subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, \$3,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local

educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis.

TITLE IX—LEGISLATIVE BRANCH

SEC. 1901. (a) Of the amounts made available by section 1101 for accounts under the heading “Architect of the Capitol”, the Architect of the Capitol may transfer an aggregate amount of not more than \$61,247,000 to “Architect of the Capitol, Capitol Building”, solely for expenses related to the rehabilitation of the United States Capitol Dome.

(b) The transfer of amounts under the authority of subsection (a) shall be subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(c) Any amounts transferred under the authority of subsection (a) shall remain available until expended.

TITLE X—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 2001. (a) Notwithstanding section 1101, the level for the following accounts shall be as follows: “Overseas Contingency Operations/Global War on Terrorism, Department of State, Administration of Foreign Affairs, Diplomatic and Consular Programs”, \$4,169,640,000, of which \$952,695,000 is for Worldwide Security Protection (to be available until expended); and “Overseas Contingency Operations/Global War on Terrorism, Department of State, Administration of Foreign Affairs, Embassy Security, Construction, and Maintenance”, \$1,362,124,000: *Provided*, That funds made available under this subsection shall be used for operations at high threat posts, security programs to protect personnel and property under Chief of Mission authority, preventing the compromise of classified United States Government information and equipment, and security construction or upgrade requirements at Department of State facilities worldwide, including for Worldwide Security Upgrades.

(b) Of the unobligated balances from funds appropriated in title VIII of division I of Public Law 112-74 under the heading “Overseas Contingency Operations/Global War on Terrorism, Department of State, Administration of Foreign Affairs, Diplomatic and Consular Programs” and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, \$1,109,700,000 is rescinded.

(c) The Secretary of State shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate providing an assessment of security requirements at United States diplomatic facilities abroad, a comprehensive plan for addressing such requirements, and a detailed description of embassy security improvements to be supported from funds made available under this section. Such report shall be submitted in unclassified form, but may include a classified annex if appropriate.

SEC. 2002. The amounts included in the first paragraph under the heading “International Security Assistance, Funds Appropriated to the President, Foreign Military Financing Program” in title IV of division I of Public Law 112-74 shall be applied to funds appropriated by this division by substituting in the second proviso “\$3,100,000,000” for “\$3,075,000,000” and by substituting in the fourth proviso “\$815,300,000” for “\$808,725,000”.

SEC. 2003. (a) Notwithstanding section 1101, the level for each of the following accounts shall be \$0: “Multilateral Assistance, International Financial Institutions, Contribution to the Enterprise for the Americas Multilateral Investment Fund” and “Multilateral Assistance, International Financial Institutions, European Bank for Reconstruction and Development, Limitation on Callable Capital Subscriptions”.

(b) Notwithstanding section 1101, the level for the second paragraph for each of the following accounts shall be \$0: “Multilateral Assistance, International Financial Institutions, Contribution to the International Development Association”, “Multilateral Assistance, International Financial Institutions, Contribution to the Inter-American Development Bank”, and “Multilateral Assistance, International Financial Institutions, Contribution to the African Development Fund”.

SEC. 2004. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(a) in section 599D (8 U.S.C. 1157 note)—

(1) in subsection (b)(3), by striking “and 2012” and inserting “2012, and 2013”; and

(2) in subsection (e), by striking “2012” each place it appears and inserting “2013”; and

(b) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2012” and inserting “2013”.

SEC. 2005. Of the unexpended balances available under the heading “Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation” from prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$216,213,000 is rescinded.

TITLE XI—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 2101. (a) Section 120 of division C of Public Law 112-55 shall not apply to amounts made available by this division.

(b) During the period covered by this division, section 1102 of Public Law 112-141 shall be applied—

(1) in subsection (a)(1), by substituting “\$39,143,582,670” for “\$39,699,000,000”;

(2) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(3) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

SEC. 2102. Notwithstanding section 1101, the level for “Department of Transportation, National Highway Traffic Safety Administration, Highway Traffic Safety Grants” shall be \$501,828,000: *Provided*, That the matter under such heading in division C of Public Law 112-55 shall be applied to amounts made available by this division as follows:

(1) by substituting “\$501,828,000” for “\$550,328,000” the second place it appears;

(2) by substituting “23 U.S.C. 402 and 405 (‘National Priority Safety Programs’), section 31101(a)(6) of Public Law 112-141, and section 2009 of Public Law 109-59 (as amended by Public Law 112-141)” for “23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109-59” each place it appears;

(3) by substituting “fiscal year 2013” for “fiscal year 2012”;

(4) by substituting “‘Occupant Protection Grants’ under 23 U.S.C. 405(b)” for “‘Occupant Protection Incentive Grants’ under 23 U.S.C. 405”;

(5) by substituting “\$0” for “\$48,500,000”;

(6) by substituting “‘State Traffic Safety Information System Improvements’ under 23 U.S.C. 405(c)” for “‘State Traffic Safety Information System Improvements’ under 23 U.S.C. 408”;

(7) by substituting “‘Impaired Driving Countermeasures’ under 23 U.S.C. 405(d)” for “‘Alcohol-Impaired Driving Countermeasures Incentive Grant Program’ under 23 U.S.C. 410”;

(8) by substituting “‘Administrative Expenses’ under section 31101(a)(6) of Public Law 112-141” for “‘Administrative Expenses’ under section 2001(a)(11) of Public Law 109-59”;

(9) by substituting “‘Motorcyclist Safety’ under 23 U.S.C. 405(f)” for “‘Motorcyclist Safety’ under section 2010 of Public Law 109-59”;

(10) by substituting “‘Occupant Protection Grants’ under 23 U.S.C. 405(b)” for “‘Child Safety and Child Booster Seat Safety Incentive Grants’ under section 2011 of Public Law 109-59”;

(11) by substituting “section 405(a)(1)(C) of title 23, United States Code” for “section 410 ‘Alcohol-Impaired Driving Countermeasures Grants’”;

(12) by substituting “\$0” for “\$750,000”; and

(13) by substituting “\$0” for “\$25,000,000”.

SEC. 2103. The matter under the heading “Department of Transportation, Federal Transit Administration, Formula and Bus Grants” in division C of Public Law 112-55 shall be applied to amounts made available by this division by substituting “49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5335, 5337, 5339, and 5340” for “49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105-178, as amended” each place it appears.

SEC. 2104. Section 601(e)(1)(B) of division B of Public Law 110-432 shall be applied by substituting the date specified in section 1106 of this division for “4 years after such date”.

SEC. 2105. Section 112 of division C of Public Law 112-55 shall be applied to funds appropriated by this division by treating such section as if it were amended by striking “49 U.S.C. 41742(b) shall not apply, and”.

SEC. 2106. The first proviso under the heading “Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants” in division C of Public Law 112-55 (125 Stat. 685) shall be applied to amounts appropriated by this division by substituting “not more than” for “not less than”.

SEC. 2107. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Public and Indian Housing, Indian Housing Loan Guarantee Fund Program Account” shall be \$7,360,000: *Provided*, That the second proviso under such heading in division C of Public Law 112-55 shall be applied to funds appropriated by this division by substituting “\$976,000,000” for “\$360,000,000”.

This division may be cited as the “Full-Year Continuing Appropriations Act, 2013”.

DIVISION D—ACROSS-THE-BOARD REDUCTIONS

SEC. 3001. (a) There is hereby rescinded the applicable percentage (as specified in subsection (b)) of—

(1) the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through C of this Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program subject to limitation incorporated or otherwise contained in divisions A through C of this Act.

(b)(1) For purposes of subsection (a), the applicable percentage shall be—

(A) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.098 percent; and

(B) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.109 percent.

(2) If, for fiscal year 2013, the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limits set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act on new budget authority for any category due to estimating differences with the Congressional Budget Office, the Director of the Office of Management and Budget shall increase the applicable percentage in paragraph (1) with respect to that category by such amount as is necessary to eliminate the amount of the excess in that category.

(c) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(d) This section shall not apply to—

(1) amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; or

(2) the amount made available by division C of this Act for “Social Security Administration, Limitation on Administrative Expenses” for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act.

(e) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

SEC. 3002. Notwithstanding any other provision of this Act, if, on or after the date of enactment of this Act, a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is in effect, the reductions in each discretionary account under such order shall apply to the amounts provided in this Act consistent with section 253(f) of that Act, and shall be in addition to any reductions required by section 251(a) of that Act.

EXPLANATORY STATEMENT SUBMITTED BY MR. ROGERS OF KENTUCKY, CHAIRMAN OF THE HOUSE COMMITTEE ON APPROPRIATIONS REGARDING H.R. 933, THE DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The following is an explanation of the Department of Defense, Military Construction

and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013.

The divisions contained in the Act are as follows:

Division A—Department of Defense Appropriations Act, 2013;

Division B—Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013;

Division C—Full-Year Continuing Appropriations Act, 2013; and

Division D—Across-the-Board Reductions.

Section 3 of the Act states that, unless expressly provided otherwise, any reference to “this Act” contained in any division shall be treated as referring only to the provisions of that division.

Section 4 of the Act specifies that this explanatory statement shall have the same effect with respect to the allocation of funds and implementation of this legislation as if it were a joint explanatory statement of a committee of conference.

Section 5 of the Act states that each amount designated by Congress as being for Overseas Contingency Operations/Global War on Terrorism is contingent on the President so designating all such amounts and transmitting such designations to Congress. The provision is consistent with the requirements in the Budget Control Act of 2011 for Overseas Contingency Operations/Global War on Terrorism designations by the President.

References in this explanatory statement to “conferees” are deemed to be references to the Committees on Appropriations of the House of Representatives and the Senate, and references to the “conference agreement” are deemed, in the case of division A, to be references to the Department of Defense Appropriations Act, 2013, and in the case of division B, to be references to the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

The conference agreement on the Department of Defense Appropriations Act, 2013, incorporates some of the provisions of both the House and the Senate versions of the bill. The language and allocations set forth in House Report 112-493 and Senate Report 112-196 shall be complied with unless specifically addressed to the contrary in the accompanying bill and explanatory statement.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the terms “program, project, and activity” for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2013, the related classified annexes and explanatory statements, and the P-1 and R-1 budget justification documents as subsequently modified by congressional action. The following exception to the above definition shall apply: for the military personnel and the operation and maintenance accounts, for which the term “program, project, and activity” is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits the budget for fiscal year 2014, the Department

of Defense is directed to transmit to the congressional defense committees budget justification documents to be known as the “M-1” and “O-1” which shall identify, at the budget activity, activity group, and sub-activity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2014.

In carrying out any Presidential sequestration, the Department of Defense and related agencies shall conform to the definition for “program, project, and activity” set forth above except that military personnel accounts will be exempt from sequestration per the notification made by the Director of the Office of Management and Budget on July 31, 2012.

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in the accompanying classified annex.

CONGRESSIONAL SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidance for acquisition accounts as specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110-279). For operation and maintenance accounts, the Department of Defense shall continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008. The dollar threshold for reprogramming funds shall remain at \$15,000,000 for operation and maintenance; \$20,000,000 for procurement; and \$10,000,000 for research, development, test and evaluation.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees annual DD Form 1416 reports for titles I and II and quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of an operation and maintenance (O-1), a procurement (P-1), or a research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

FUNDING INCREASES

The funding increases outlined in the tables for each appropriation account shall be provided only for the specific purposes indicated in the tables.

SHIP MODERNIZATION, OPERATIONS AND SUSTAINMENT FUND

As detailed in House Report 112-493 and Senate Report 112-196, the conferees remain concerned with the Navy’s proposal to prematurely retire capable and relevant ships with over 100 years of remaining service life following an initial investment of no less than \$11,600,000,000 in current fiscal year 2012 dollars.

Therefore, the conferees recommend denying these proposed retirements and direct the Secretary of the Navy to retain this force structure in its entirety. The conferees recommend full funding, as identified by the Navy, to man, operate, sustain, upgrade, and modernize only CG-63, CG-64, CG-65, CG-66, CG-68, CG-69, CG-73, LSD-41, and LSD-46 in the “Ship Modernization, Operations and Sustainment Fund”, as specified elsewhere in this conference agreement. The conferees recommend full funding for all known requirements only for these specific platforms for the next two fiscal years, and provide the Secretary of the Navy the authority to transfer funds from the “Ship Modernization, Operations and Sustainment Fund” to the appropriate appropriation accounts in the year of execution following 30 day prior notification to the congressional defense committees. The conferees direct funds to be transferred in accordance with the requirements previously identified to the congressional defense committees by the Navy and further direct that any deviation from those requirements shall be fully and clearly identified to the congressional defense committees prior to the initiation of any such transfer. The conferees believe that this approach provides the fiscal relief required by the Navy to maintain this force structure and allows the Navy sufficient time to plan and budget for this force structure in future budget submissions.

Additionally, the conferees direct the Comptroller General to review the Navy’s methodology and analysis regarding its decommissioning proposal, to include an analysis of the extent to which readiness metrics, maintenance, and inspection data; operating and support costs; and cost metrics related to initial and proposed curtailed service lives were considered. This review shall also address the extent to which decommissioning costs and any costs for maintaining or acquiring like capabilities were considered, the extent to which combatant command requirements were taken into account when the proposal was made, and the impact of the reduced fleet size on the Navy’s ability to meet operational and personnel tempo goals and maintenance requirements. The results of this review should be submitted to the congressional defense committees not later than 180 days after the enactment of this Act.

In addition, the USS Port Royal (CG-73) incurred significant damage following a grounding incident in 2009. Following the incident, the ship was repaired and has since completed a deployment. However, while the Navy claims that the ship never completely recovered from the grounding, the Navy has failed to provide adequate analysis and cost data on the structural condition of the USS Port Royal. Therefore, the conferees direct the Secretary of the Navy to carry out an independent structural assessment of the Port Royal that includes a comparative

structural assessment to other cruisers of the same class. The independent review shall provide a detailed cost estimate to repair the ship and how that estimate differs from the cost to repair other cruisers of the same class, including what issues would be corrected during planned maintenance availabilities. The conferees further direct that this independent assessment be certified by the Government Accountability Office (GAO). Both the independent review and the GAO certification should be submitted to the congressional defense committees not later than 180 days after the enactment of this Act.

FORCE STRUCTURE

The conferees agree to include a provision that prohibits the Air Force from using funds made available by this Act to retire, divest, realign, or transfer aircraft, or to disestablish or convert units, with an exception for actions proposed in the fiscal year 2013

budget request affecting C-5, C-17, and E-8 aircraft, and their associated units.

The conferees do not agree to require the Air Force to submit cost-benefit analyses for the force structure proposals in the fiscal year 2013 budget request, as proposed by the House. However, the conferees expect that any future force structure proposals submitted by the Air Force will be transparently and comprehensively justified.

CONFERENCES

The conferees agree to not retain a reporting requirement as established in House Report 112-493 accompanying the Department of Defense Appropriations Act, 2013, which directs the Inspector General to provide reports to the congressional defense committees on conferences.

TREATY COMPLIANCE

The conferees believe compliance with nuclear arms control treaties is vital to our na-

tional security. The Secretary of Defense is directed to notify the congressional defense committees if any parties with which the United States has signed a nuclear arms control treaty are violating or acting inconsistently with the terms of that treaty.

BASE REALIGNMENT AND CLOSURE

The conferees do not support further rounds of Base Realignment and Closure (BRAC). As such, there are no funds included in this Act for new BRAC activities.

TITLE I—MILITARY PERSONNEL

The conference agreement provides \$127,533,073,000 in Title I, Military Personnel, instead of \$128,462,794,000 as proposed by the House and \$127,502,463,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

RECAPITULATION		
MILITARY PERSONNEL, ARMY.....	40,777,844	40,199,263
MILITARY PERSONNEL, NAVY.....	27,090,893	26,902,346
MILITARY PERSONNEL, MARINE CORPS.....	12,481,050	12,531,549
MILITARY PERSONNEL, AIR FORCE.....	28,048,539	28,052,826
RESERVE PERSONNEL, ARMY.....	4,513,753	4,456,823
RESERVE PERSONNEL, NAVY.....	1,898,668	1,874,023
RESERVE PERSONNEL, MARINE CORPS.....	664,641	658,251
RESERVE PERSONNEL, AIR FORCE.....	1,741,365	1,722,425
NATIONAL GUARD PERSONNEL, ARMY.....	8,103,207	7,981,577
NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,110,065	3,153,990
GRAND TOTAL, MILITARY PERSONNEL.....	128,430,025	127,533,073
	=====	=====

SUMMARY OF MILITARY PERSONNEL END STRENGTH

	Fiscal Year 2012 Authorized	Budget Request	Fiscal Year 2013 Recommendation	Change from Request
Active Forces (End Strength)				
Army*.....	562,000	552,100	552,100	-
Navy.....	325,700	322,700	322,700	-
Marine Corps**.....	202,100	197,300	197,300	-
Air Force.....	332,800	328,900	330,008	1,108
Total, Active Forces.....	1,422,600	1,401,000	1,402,108	1,108
Guard and Reserve Forces (End Strength)				
Army Reserve.....	205,000	205,000	205,000	-
Navy Reserve.....	66,200	62,500	62,500	-
Marine Corps Reserve.....	39,600	39,600	39,600	-
Air Force Reserve.....	71,400	70,500	71,365	865
Army National Guard.....	358,200	358,200	358,200	-
Air National Guard.....	106,700	101,600	106,621	5,021
Total, Selected Reserve.....	847,100	837,400	843,286	5,886
Total, Military Personnel.....	2,269,700	2,238,400	2,245,394	6,994

*For FY12, Army Active Forces end strength includes Temporary End Strength Increase of 14,600 troops

*For FY13, Army Active Forces end strength includes 49,700 Army end strength requested in the Overseas Contingency Operations budget, as well as 12,400 increase requested in the base budget for the Army's Temporary End strength Army Medical (TEAM) program associated with non-deployable soldiers in the Integrated Disability Evaluation System

**For FY13, Marine Corps Active Forces end strength includes 15,200 Marine Corps end strength requested in the Overseas Contingency Operations budget

SUMMARY OF GUARD AND RESERVE FULL-TIME SUPPORT

	Fiscal Year 2012 Authorized	Fiscal Year 2013		Change from Request
		Budget Request	Recommendation	
Army Reserve:				
AGR.....	16,261	16,277	16,277	-
Technicians.....	8,395	8,445	8,445	-
Navy Reserve:				
AR.....	10,337	10,114	10,114	-
Marine Corps Reserve:				
AR.....	2,261	2,261	2,261	-
Air Force Reserve:				
AGR.....	2,662	2,888	2,888	-
Technicians.....	10,777	10,283	10,697	414
Army National Guard:				
AGR.....	32,060	32,060	32,060	-
Technicians.....	27,210	28,380	28,380	-
Air National Guard:				
AGR.....	14,833	14,305	14,681	376
Technicians.....	22,509	21,101	22,355	1,254
Totals:				
AGR/AR.....	78,414	77,905	78,281	376
Technicians.....	68,891	68,209	69,877	1,668
Total, Full-Time Support	147,305	146,114	148,158	2,044

PERMANENT CHANGE OF STATION EFFICIENCIES

The conferees recommend a total reduction of \$146,793,000 in the Permanent Change of Station (PCS) budgets for program efficiencies. The conferees recognize that potential cost savings could be found in the PCS program. The conferees direct the Under Secretary of Defense (Personnel and Readiness) to conduct a review of the PCS program to identify potential efficiencies and to submit a report to the congressional defense committees not later than 180 days after the enactment of this Act on its findings. The conferees understand that each of the Services have increased time on station requirements but that the Services are not meeting these goals. As such, the report should include a review of the reasons that the Services have not met the increased time on sta-

tion goals and a plan to achieve them, including the budget efficiencies that can be gained by increased tour lengths. Furthermore, the report should consider the potential impact of increased tour lengths on servicemembers' job performance and on morale and quality of life for servicemembers and their families. It should also include how a change in policy would impact promotion and professional development opportunities, personnel readiness, and quality of life issues for servicemembers serving in hardship or overseas locations.

COMPOSITE PAY RATES

For a number of years, the Government Accountability Office (GAO) has used the Department of Defense's composite pay rates in its military personnel end strength analysis to estimate the financial impact of work

year variances on the Services' military personnel budget requests. Although this information has been important to the congressional defense committees in their budget analyses, the conferees believe that GAO's estimates would be more useful if the analysis was made available earlier in the budget process. Therefore, to improve the timeliness of the GAO analysis, the conferees direct that the Services' composite budget pay rates should be reviewed, approved, and published not later than 30 days after the President's budget request is submitted to the Congress.

MILITARY PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
50 MILITARY PERSONNEL, ARMY		
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
150 BASIC PAY.....	6,046,542	6,237,542
200 RETIRED PAY ACCRUAL.....	1,936,899	1,936,899
250 BASIC ALLOWANCE FOR HOUSING.....	1,852,895	1,852,895
300 BASIC ALLOWANCE FOR SUBSISTENCE.....	252,272	252,272
350 INCENTIVE PAYS.....	102,530	102,530
400 SPECIAL PAYS.....	340,023	340,023
450 ALLOWANCES.....	232,696	232,696
500 SEPARATION PAY.....	90,679	90,679
550 SOCIAL SECURITY TAX.....	460,046	460,046
600 TOTAL, BUDGET ACTIVITY 1.....	11,314,582	11,505,582
650 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
700 BASIC PAY.....	13,198,604	12,548,604
750 RETIRED PAY ACCRUAL.....	4,233,149	4,233,149
800 BASIC ALLOWANCE FOR HOUSING.....	4,735,765	4,735,765
850 INCENTIVE PAYS.....	114,035	114,035
900 SPECIAL PAYS.....	699,801	681,801
950 ALLOWANCES.....	880,308	880,308
1000 SEPARATION PAY.....	378,455	378,455
1050 SOCIAL SECURITY TAX	1,009,678	1,009,678
1100 TOTAL, BUDGET ACTIVITY 2.....	25,249,795	24,581,795
1150 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
1200 ACADEMY CADETS.....	77,680	77,680
1250 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
1300 BASIC ALLOWANCE FOR SUBSISTENCE.....	1,357,570	1,357,570
1350 SUBSISTENCE-IN-KIND.....	753,551	728,551
1400 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	1,911	1,911
1450 TOTAL, BUDGET ACTIVITY 4.....	2,113,032	2,088,032

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
1500 ACTIVITY 5: PERMANENT CHANGE OF STATION		
1550 ACCESSION TRAVEL.....	163,294	163,294
1600 TRAINING TRAVEL.....	167,995	167,995
1650 OPERATIONAL TRAVEL	495,917	471,121
1700 ROTATIONAL TRAVEL	677,396	643,526
1750 SEPARATION TRAVEL.....	193,262	193,262
1800 TRAVEL OF ORGANIZED UNITS.....	12,150	12,150
1850 NON-TEMPORARY STORAGE.....	9,726	9,726
1900 TEMPORARY LODGING EXPENSE.....	67,841	67,841
1950 TOTAL, BUDGET ACTIVITY 5.....	1,787,581	1,728,915
2000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
2050 APPREHENSION OF MILITARY DESERTERS.....	1,434	1,434
2100 INTEREST ON UNIFORMED SERVICES SAVINGS.....	687	687
2150 DEATH GRATUITIES.....	62,800	62,800
2200 UNEMPLOYMENT BENEFITS.....	264,874	264,874
2250 EDUCATION BENEFITS.....	698	698
2300 ADOPTION EXPENSES.....	494	494
2350 TRANSPORTATION SUBSIDY.....	7,436	7,436
2400 PARTIAL DISLOCATION ALLOWANCE.....	428	428
2450 RESERVE OFFICERS TRAINING CORPS (ROTC).....	107,370	107,370
2500 JUNIOR ROTC.....	42,845	42,845
2550 TOTAL, BUDGET ACTIVITY 6.....	489,066	489,066
2600 LESS REIMBURSABLES.....	-253,892	-253,892
2650 UNDISTRIBUTED ADJUSTMENT.....	---	-17,915
2700 TOTAL, ACTIVE FORCES, ARMY.....	40,777,844	40,199,263
6300 TOTAL, MILITARY PERSONNEL, ARMY.....	40,777,844	40,199,263

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	6,046,542	6,237,542
Lower than budgeted average strength levels		-9,000
Army identified shortfall for officer pay		200,000
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	13,198,604	12,548,604
Lower than budgeted average strength levels		-50,000
Army requested transfer to title IX Basic Pay Officers		-182,000
Army requested transfer to title IX Basic Pay Enlisted Personnel		-418,000
SPECIAL PAYS	699,801	681,801
Enlistment bonuses - Army requested transfer to Loan Repayment Program		-18,000
Reenlistment bonuses excess to requirement		-18,000
Loan Repayment Program - Army requested transfer from enlistment bonuses to meet identified shortfall		18,000
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
SUBSISTENCE-IN-KIND	753,551	728,551
Army requested transfer to title IX Subsistence-In-Kind		-25,000
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	495,917	471,121
PCS efficiency		-24,796
ROTATIONAL TRAVEL	677,396	643,526
PCS efficiency		-33,870
UNDISTRIBUTED ADJUSTMENT		-17,915
Unobligated/Unexpended balances		-17,915

MILITARY PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

6400 MILITARY PERSONNEL, NAVY		
6450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
6500 BASIC PAY.....	3,949,301	3,949,301
6550 RETIRED PAY ACCRUAL.....	1,266,753	1,266,753
6600 BASIC ALLOWANCE FOR HOUSING.....	1,381,431	1,381,431
6650 BASIC ALLOWANCE FOR SUBSISTENCE.....	158,373	158,373
6700 INCENTIVE PAYS.....	135,303	135,303
6750 SPECIAL PAYS.....	423,059	423,059
6800 ALLOWANCES.....	108,203	108,203
6850 SEPARATION PAY	33,001	27,308
6900 SOCIAL SECURITY TAX.....	300,287	300,287
6950 TOTAL, BUDGET ACTIVITY 1.....	7,755,711	7,750,018
7000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
7050 BASIC PAY.....	8,439,026	8,321,026
7100 RETIRED PAY ACCRUAL.....	2,708,787	2,708,787
7150 BASIC ALLOWANCE FOR HOUSING.....	3,864,310	3,864,310
7200 INCENTIVE PAYS.....	101,491	101,491
7250 SPECIAL PAYS.....	699,482	699,482
7300 ALLOWANCES.....	515,163	515,163
7350 SEPARATION PAY.....	229,632	196,489
7400 SOCIAL SECURITY TAX.....	645,586	645,586
7450 TOTAL, BUDGET ACTIVITY 2.....	17,203,477	17,052,334
7500 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN		
7550 MIDSHIPMEN.....	76,628	76,628
7600 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
7650 BASIC ALLOWANCE FOR SUBSISTENCE.....	751,528	743,528
7700 SUBSISTENCE-IN-KIND.....	429,247	429,247
7750 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	13	13
7800 TOTAL, BUDGET ACTIVITY 4.....	1,180,788	1,172,788

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
7850 ACTIVITY 5: PERMANENT CHANGE OF STATION		
7900 ACCESSION TRAVEL.....	90,302	90,302
7950 TRAINING TRAVEL.....	119,663	119,663
8000 OPERATIONAL TRAVEL	271,324	257,758
8050 ROTATIONAL TRAVEL	313,309	297,644
8100 SEPARATION TRAVEL.....	138,273	138,273
8150 TRAVEL OF ORGANIZED UNITS.....	24,342	24,342
8200 NON-TEMPORARY STORAGE.....	5,700	5,700
8250 TEMPORARY LODGING EXPENSE.....	6,426	6,426
8300 OTHER.....	5,622	5,622
8350 TOTAL, BUDGET ACTIVITY 5.....	974,961	945,730
8400 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
8450 APPREHENSION OF MILITARY DESERTERS.....	262	262
8500 INTEREST ON UNIFORMED SERVICES SAVINGS.....	2,464	2,464
8550 DEATH GRATUITIES.....	16,100	16,100
8600 UNEMPLOYMENT BENEFITS.....	103,735	121,235
8650 EDUCATION BENEFITS.....	23,758	20,758
8700 ADOPTION EXPENSES.....	275	275
8750 TRANSPORTATION SUBSIDY.....	6,254	6,254
8800 PARTIAL DISLOCATION ALLOWANCE.....	57	57
8900 RESERVE OFFICERS TRAINING CORPS (ROTC).....	22,945	22,945
8950 JUNIOR ROTC.....	12,784	12,784
9000 TOTAL, BUDGET ACTIVITY 6.....	188,634	203,134
9050 LESS REIMBURSABLES.....	-289,306	-289,306
9100 UNDISTRIBUTED ADJUSTMENT.....	---	-8,980
9200 TOTAL, ACTIVE FORCES, NAVY.....	27,090,893	26,902,346
11000 TOTAL, MILITARY PERSONNEL, NAVY.....	27,090,893	26,902,346

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
SEPARATION PAY	33,001	27,308
Navy identified excess to requirement		-5,693
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	8,439,026	8,321,026
Navy identified excess to requirement - transfer to Unemployment		
Benefits		-17,500
Navy identified excess to requirement		-100,500
SEPARATION PAY	229,632	196,489
Navy identified excess to requirement		-33,143
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	751,528	743,528
Navy identified excess to requirement		-8,000
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	271,324	257,758
PCS efficiency		-13,566
ROTATIONAL TRAVEL	313,309	297,644
PCS efficiency		-15,666
BA-6: OTHER MILITARY PERSONNEL COSTS		
UNEMPLOYMENT BENEFITS	103,735	121,235
Navy identified shortfall - transfer from Basic Pay Enlisted Personnel		17,500
EDUCATION BENEFITS	23,758	20,758
Excess to requirement		-3,000
UNDISTRIBUTED ADJUSTMENT		-8,980
Unobligated/Unexpended balances		-8,980

MILITARY PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

12000 MILITARY PERSONNEL, MARINE CORPS		
12050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
12100 BASIC PAY.....	1,331,519	1,331,519
12150 RETIRED PAY ACCRUAL.....	427,088	427,088
12200 BASIC ALLOWANCE FOR HOUSING.....	446,183	446,183
12250 BASIC ALLOWANCE FOR SUBSISTENCE.....	57,318	57,318
12300 INCENTIVE PAYS.....	52,549	47,549
12350 SPECIAL PAYS.....	21,356	21,356
12400 ALLOWANCES.....	35,637	35,637
12450 SEPARATION PAY.....	15,056	39,459
12500 SOCIAL SECURITY TAX.....	100,832	100,832
12550 TOTAL, BUDGET ACTIVITY 1.....	2,487,538	2,506,941
12600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
12650 BASIC PAY.....	4,617,777	4,601,777
12700 RETIRED PAY ACCRUAL.....	1,478,142	1,478,142
12750 BASIC ALLOWANCE FOR HOUSING.....	1,639,289	1,639,289
12800 INCENTIVE PAYS.....	9,832	9,832
12850 SPECIAL PAYS.....	165,326	151,326
12900 ALLOWANCES.....	302,682	299,682
12950 SEPARATION PAY.....	71,143	164,337
13000 SOCIAL SECURITY TAX.....	352,300	352,300
13050 TOTAL, BUDGET ACTIVITY 2.....	8,636,491	8,696,685
13100 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
13150 BASIC ALLOWANCE FOR SUBSISTENCE.....	421,262	421,262
13200 SUBSISTENCE-IN-KIND.....	315,470	315,470
13250 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	50	50
13300 TOTAL, BUDGET ACTIVITY 4.....	736,782	736,782

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
13350 ACTIVITY 5: PERMANENT CHANGE OF STATION		
13400 ACCESSION TRAVEL.....	65,546	65,546
13450 TRAINING TRAVEL.....	13,060	13,060
13500 OPERATIONAL TRAVEL	222,404	211,284
13550 ROTATIONAL TRAVEL	104,397	99,177
13600 SEPARATION TRAVEL.....	84,374	88,506
13650 TRAVEL OF ORGANIZED UNITS.....	768	768
13700 NON-TEMPORARY STORAGE.....	6,600	6,600
13750 TEMPORARY LODGING EXPENSE.....	14,621	14,621
13800 OTHER.....	3,387	3,387
13850 TOTAL, BUDGET ACTIVITY 5.....	515,157	502,949
13900 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
13950 APPREHENSION OF MILITARY DESERTERS.....	968	968
14000 INTEREST ON UNIFORMED SERVICES SAVINGS.....	19	19
14050 DEATH GRATUITIES.....	10,100	10,100
14100 UNEMPLOYMENT BENEFITS.....	104,060	112,060
14150 EDUCATION BENEFITS.....	4,105	4,105
14200 ADOPTION EXPENSES.....	73	73
14250 TRANSPORTATION SUBSIDY.....	3,048	3,048
14300 PARTIAL DISLOCATION ALLOWANCE.....	159	159
14400 JUNIOR ROTC.....	5,911	5,911
14450 TOTAL, BUDGET ACTIVITY 6.....	128,443	136,443
14500 LESS REIMBURSABLES.....	-23,361	-23,361
14600 UNDISTRIBUTED ADJUSTMENT.....	---	-24,890
14650 TOTAL, ACTIVE FORCES, MARINE CORPS.....	12,481,050	12,531,549
16000 TOTAL, MILITARY PERSONNEL, MARINE CORPS.....	12,481,050	12,531,549

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
INCENTIVE PAYS	52,549	47,549
Aviation Continuation Bonus excess to requirement		-5,000
SEPARATION PAY	15,056	39,459
Marine Corps identified shortfall - transfer from P,MC line 2		24,403
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	4,617,777	4,601,777
Lower than budgeted average strength levels		-16,000
SPECIAL PAYS	165,326	151,326
Projected underexecution		-4,000
Reenlistment bonuses excess to requirement		-10,000
ALLOWANCES	302,682	299,682
Clothing Allowance projected underexecution		-3,000
SEPARATION PAY	71,143	164,337
Marine Corps identified shortfall - transfer from P,MC line 2		93,194
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	222,404	211,284
PCS efficiency		-11,120
ROTATIONAL TRAVEL	104,397	99,177
PCS efficiency		-5,220
SEPARATION TRAVEL	84,374	88,506
Marine Corps identified shortfall - transfer from P,MC line 2		4,132
BA-6: OTHER MILITARY PERSONNEL COSTS		
UNEMPLOYMENT BENEFITS	104,060	112,060
Marine Corps identified shortfall - transfer from P,MC line 2		8,000
UNDISTRIBUTED ADJUSTMENT		-24,890
Unobligated/Unexpended balances		-24,890

MILITARY PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

17000 MILITARY PERSONNEL, AIR FORCE		
17050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS		
17100 BASIC PAY.....	4,879,598	4,857,898
17150 RETIRED PAY ACCRUAL.....	1,558,889	1,558,889
17200 BASIC ALLOWANCE FOR HOUSING.....	1,398,746	1,421,846
17250 BASIC ALLOWANCE FOR SUBSISTENCE.....	196,731	196,731
17300 INCENTIVE PAYS.....	218,362	218,362
17350 SPECIAL PAYS.....	303,583	303,583
17400 ALLOWANCES.....	142,100	142,100
17450 SEPARATION PAY	61,644	61,644
17500 SOCIAL SECURITY TAX.....	371,372	371,372
17550 TOTAL, BUDGET ACTIVITY 1.....	9,131,025	9,132,425
17600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
17650 BASIC PAY.....	8,715,826	8,715,826
17700 RETIRED PAY ACCRUAL.....	2,789,838	2,789,838
17750 BASIC ALLOWANCE FOR HOUSING.....	3,361,407	3,451,107
17800 INCENTIVE PAYS.....	40,899	40,899
17850 SPECIAL PAYS.....	363,794	363,794
17900 ALLOWANCES.....	590,662	590,662
17950 SEPARATION PAY.....	137,532	137,532
18000 SOCIAL SECURITY TAX	666,760	666,760
18050 TOTAL, BUDGET ACTIVITY 2.....	16,666,718	16,756,418
18100 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS		
18150 ACADEMY CADETS.....	70,369	70,369
18200 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL		
18250 BASIC ALLOWANCE FOR SUBSISTENCE.....	1,008,796	1,008,796
18300 SUBSISTENCE-IN-KIND.....	146,157	146,157
18350 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE.....	34	34
18400 TOTAL, BUDGET ACTIVITY 4.....	1,154,987	1,154,987

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
18450 ACTIVITY 5: PERMANENT CHANGE OF STATION		
18500 ACCESSION TRAVEL.....	87,255	87,255
18550 TRAINING TRAVEL.....	75,236	70,236
18600 OPERATIONAL TRAVEL	320,117	304,111
18650 ROTATIONAL TRAVEL	530,984	489,435
18700 SEPARATION TRAVEL.....	187,760	158,760
18750 TRAVEL OF ORGANIZED UNITS.....	15,779	15,779
18800 NON-TEMPORARY STORAGE.....	42,843	42,843
18850 TEMPORARY LODGING EXPENSE.....	30,281	30,281
18950 TOTAL, BUDGET ACTIVITY 5.....	1,290,255	1,198,700
19000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS		
19050 APPREHENSION OF MILITARY DESERTERS.....	149	149
19100 INTEREST ON UNIFORMED SERVICES SAVINGS.....	2,514	2,514
19150 DEATH GRATUITIES.....	16,000	16,000
19200 UNEMPLOYMENT BENEFITS.....	71,683	71,683
19300 EDUCATION BENEFITS.....	340	340
19350 ADOPTION EXPENSES.....	519	519
19400 TRANSPORTATION SUBSIDY.....	5,326	5,326
19450 PARTIAL DISLOCATION ALLOWANCE.....	1,975	1,975
19550 RESERVE OFFICERS TRAINING CORPS (ROTC).....	37,228	37,228
19600 JUNIOR ROTC.....	16,565	16,565
19650 TOTAL, BUDGET ACTIVITY 6.....	152,299	152,299
19700 LESS REIMBURSABLES.....	-417,114	-417,114
19750 UNDISTRIBUTED ADJUSTMENT.....	---	4,742
19800 TOTAL, ACTIVE FORCES, AIR FORCE.....	28,048,539	28,052,826
21000 TOTAL, MILITARY PERSONNEL, AIR FORCE.....	28,048,539	28,052,826

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	4,879,598	4,857,898
Excess to requirement		-21,700
BASIC ALLOWANCE FOR HOUSING	1,398,746	1,421,846
Air Force identified shortfall		23,100
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR HOUSING	3,361,407	3,451,107
Air Force identified shortfall		89,700
BA-5: PERMANENT CHANGE OF STATION		
TRAINING TRAVEL	75,236	70,236
Excess to requirement		-5,000
OPERATIONAL TRAVEL	320,117	304,111
PCS efficiency		-16,006
ROTATIONAL TRAVEL	530,984	489,435
Excess to requirement		-15,000
PCS efficiency		-26,549
SEPARATION TRAVEL	187,760	158,760
Excess to requirement		-29,000
UNDISTRIBUTED ADJUSTMENTS		4,742
Retain Global Hawk Block 30		22,000
Retain Air Force force structure		27,400
Unobligated/Unexpended balances		-44,658

RESERVE PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
23000 RESERVE PERSONNEL, ARMY		
23050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
23100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	1,447,614	1,447,614
23150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	38,868	38,868
23200 PAY GROUP F TRAINING (RECRUITS).....	275,318	275,318
23250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	12,665	12,665
23300 MOBILIZATION TRAINING	7,473	7,473
23350 SCHOOL TRAINING.....	216,544	216,544
23400 SPECIAL TRAINING.....	283,620	283,620
23450 ADMINISTRATION AND SUPPORT.....	2,060,896	2,044,896
23500 EDUCATION BENEFITS.....	41,063	41,063
23550 HEALTH PROFESSION SCHOLARSHIP	66,834	66,834
23600 OTHER PROGRAMS	62,858	62,858
23650 TOTAL, BUDGET ACTIVITY 1.....	4,513,753	4,497,753
23800 UNDISTRIBUTED ADJUSTMENT.....	---	-40,930
24000 TOTAL RESERVE PERSONNEL, ARMY.....	4,513,753	4,456,823

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
ADMINISTRATION AND SUPPORT	2,060,896	2,044,896
Selected Reserve Incentive Program bonuses excess to requirement		-16,000
UNDISTRIBUTED ADJUSTMENTS		-40,930
Unexecutable OPTEMPO growth		-11,000
Unobligated/Unexpended balances		-29,930

RESERVE PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

26000 RESERVE PERSONNEL, NAVY		
26050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
26100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	607,595	602,595
26150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	9,459	9,459
26200 PAY GROUP F TRAINING (RECRUITS).....	51,028	51,028
26250 MOBILIZATION TRAINING.....	9,037	9,037
26300 SCHOOL TRAINING.....	53,791	53,791
26350 SPECIAL TRAINING.....	96,138	96,138
26400 ADMINISTRATION AND SUPPORT.....	1,009,599	1,003,399
26450 EDUCATION BENEFITS.....	1,377	1,377
26500 HEALTH PROFESSION SCHOLARSHIP.....	60,644	60,644
26550 TOTAL, BUDGET ACTIVITY 1.....	1,898,668	1,887,468
26600 UNDISTRIBUTED ADJUSTMENT.....	---	-13,445
27000 TOTAL, RESERVE PERSONNEL, NAVY.....	1,898,668	1,874,023
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	607,595	602,595
Inactive Duty Training unjustified growth		-5,000
ADMINISTRATION AND SUPPORT	1,009,599	1,003,399
Prior service enlistment bonuses excess to requirement		-1,200
Officer retention bonuses excess to requirement		-5,000
UNDISTRIBUTED ADJUSTMENT		-13,445
Unobligated/Unexpended balances		-13,445

RESERVE PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

28000 RESERVE PERSONNEL, MARINE CORPS		
28050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
28100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	222,952	221,952
28150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	32,908	32,908
28200 PAY GROUP F TRAINING (RECRUITS).....	124,226	124,226
28300 MOBILIZATION TRAINING.....	2,239	2,239
28350 SCHOOL TRAINING.....	11,164	11,164
28400 SPECIAL TRAINING.....	19,927	20,927
28450 ADMINISTRATION AND SUPPORT.....	233,056	233,056
28500 PLATOON LEADER CLASS.....	11,759	11,759
28550 EDUCATION BENEFITS.....	6,410	6,410
28600 TOTAL, BUDGET ACTIVITY 1.....	664,641	664,641
28700 UNDISTRIBUTED ADJUSTMENT.....	---	-6,390
29000 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	664,641	658,251
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	222,952	221,952
Annual Training projected underexecution - transfer to Special Training		-1,000
SPECIAL TRAINING	19,927	20,927
Restore unjustified efficiency reduction - transfer from Pay Group A Training		1,000
UNDISTRIBUTED ADJUSTMENT		-6,390
Unobligated/Unexpended balances		-6,390

RESERVE PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

30000 RESERVE PERSONNEL, AIR FORCE		
30050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
30100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	698,550	698,550
30150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	103,514	103,514
30200 PAY GROUP F TRAINING (RECRUITS).....	64,919	64,919
30250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	50	50
30300 MOBILIZATION TRAINING.....	773	773
30350 SCHOOL TRAINING.....	146,738	146,738
30400 SPECIAL TRAINING.....	277,193	277,193
30450 ADMINISTRATION AND SUPPORT.....	372,149	350,149
30500 EDUCATION BENEFITS.....	17,512	17,512
30550 HEALTH PROFESSION SCHOLARSHIP.....	55,095	55,095
30600 OTHER PROGRAMS (ADMIN & SUPPORT).....	4,872	4,872
30650 TOTAL, BUDGET ACTIVITY 1.....	1,741,365	1,719,365
30750 UNDISTRIBUTED ADJUSTMENT.....	---	3,060
31000 TOTAL, RESERVE PERSONNEL, AIR FORCE.....	1,741,365	1,722,425
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
ADMINISTRATION AND SUPPORT	372,149	350,149
Full Time Pay and Allowances lower than budgeted average strength levels		-14,000
Reserve Incentive Program - Air Force Reserve identified excess to requirement		-8,000
UNDISTRIBUTED ADJUSTMENTS		3,060
Retain Air Force Reserve force structure		11,800
Unobligated/Unexpended balances		-8,740

NATIONAL GUARD PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

32000 NATIONAL GUARD PERSONNEL, ARMY		
32050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
32100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	2,446,262	2,446,262
32150 PAY GROUP F TRAINING (RECRUITS).....	623,345	623,345
32200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	29,528	24,128
32250 SCHOOL TRAINING.....	500,423	500,423
32300 SPECIAL TRAINING.....	536,856	536,856
32350 ADMINISTRATION AND SUPPORT.....	3,855,110	3,752,610
32400 EDUCATION BENEFITS.....	111,683	111,683
	-----	-----
32450 TOTAL, BUDGET ACTIVITY 1.....	8,103,207	7,995,307
32600 UNDISTRIBUTED ADJUSTMENT.....	---	-13,730
	-----	-----
33000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....	<u>8,103,207</u>	<u>7,981,577</u>

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP P TRAINING (PIPELINE RECRUITS)	29,528	24,128
Individual Clothing and Uniform Allowance excess to requirement		-5,400
ADMINISTRATION AND SUPPORT	3,855,110	3,752,610
Reenlistment bonuses excess to requirement		-39,500
Full Time Pay and Allowances - Army Guard identified excess to requirement		-63,000
UNDISTRIBUTED ADJUSTMENT		-13,730
Unobligated/Unexpended balances		-13,730

NATIONAL GUARD PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

34000 NATIONAL GUARD PERSONNEL, AIR FORCE		
34050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT		
34100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	910,733	903,733
34150 PAY GROUP F TRAINING (RECRUITS).....	122,985	122,985
34200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	4,811	4,811
34250 SCHOOL TRAINING.....	245,857	245,857
34300 SPECIAL TRAINING.....	142,591	142,591
34350 ADMINISTRATION AND SUPPORT.....	1,648,453	1,641,953
34400 EDUCATION BENEFITS.....	34,635	34,635
34450 TOTAL, BUDGET ACTIVITY 1.....	3,110,065	3,096,565
34700 UNDISTRIBUTED ADJUSTMENT.....	---	57,425
35000 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	3,110,065	3,153,990
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

M-1	Budget Request	Conference
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	910,733	903,733
Inactive Duty Training projected underexecution		-3,000
Clothing Allowances excess to requirement		-4,000
ADMINISTRATION AND SUPPORT	1,648,453	1,641,953
Enlistment bonuses excess to requirement		-4,000
Reenlistment bonuses excess to requirement		-2,500
UNDISTRIBUTED ADJUSTMENTS		57,425
Retain Air National Guard force structure		65,600
Unobligated/Unexpended balances		-8,175

TITLE II—OPERATION AND MAINTENANCE

The conference agreement provides \$173,494,558,000 in Title II, Operation and Maintenance, instead of \$175,103,569,000 as proposed by the House and \$170,785,490,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

RECAPITULATION		
OPERATION & MAINTENANCE, ARMY.....	36,608,592	35,409,260
OPERATION & MAINTENANCE, NAVY.....	41,606,943	41,614,453
OPERATION & MAINTENANCE, MARINE CORPS.....	5,983,163	6,034,963
OPERATION & MAINTENANCE, AIR FORCE.....	35,435,360	34,780,406
OPERATION & MAINTENANCE, DEFENSE-WIDE.....	31,993,013	31,862,980
OPERATION & MAINTENANCE, ARMY RESERVE.....	3,162,008	3,182,923
OPERATION & MAINTENANCE, NAVY RESERVE.....	1,246,982	1,256,347
OPERATION & MAINTENANCE, MARINE CORPS RESERVE.....	272,285	277,377
OPERATION & MAINTENANCE, AIR FORCE RESERVE.....	3,166,482	3,261,324
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.....	7,108,612	7,154,161
OPERATION & MAINTENANCE, AIR NATIONAL GUARD.....	6,015,455	6,494,326
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES...	13,516	13,516
ENVIRONMENTAL RESTORATION, ARMY.....	335,921	335,921
ENVIRONMENTAL RESTORATION, NAVY.....	310,594	310,594
ENVIRONMENTAL RESTORATION, AIR FORCE.....	529,263	529,263
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE.....	11,133	11,133
ENVIRONMENTAL RESTORATION, FORMERLY USED DEF. SITES...	237,543	287,543
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID.....	108,759	108,759
COOPERATIVE THREAT REDUCTION ACCOUNT.....	519,111	519,111
DOD ACQUISITION WORKFORCE DEVELOPMENT FUND.....	274,198	50,198
GRAND TOTAL, OPERATION & MAINTENANCE.....	<u>174,938,933</u>	<u>173,494,558</u>

REPROGRAMMING GUIDANCE FOR OPERATION AND MAINTENANCE ACCOUNTS

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidelines specified in the conference report accompanying H.R. 3222, the Department of Defense Appropriations Act, 2008. Specifically, the dollar threshold for reprogramming funds shall remain at \$15,000,000 for operation and maintenance accounts.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees annual DD Form 1416 reports for service and defense-wide accounts in titles I and II of this Act. Further, the conferees direct the Under Secretary of Defense (Comptroller) to submit the Base for Reprogramming (DD Form 1414) for each of the fiscal year 2013 appropriations accounts not later than 60 days after the enactment of this Act. The Secretary of Defense is prohibited from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and Senate Appropriations Committees.

The Secretary of Defense is directed to use the normal prior approval reprogramming procedures to transfer funds in the Services' operation and maintenance accounts between O-1 budget activities in excess of \$15,000,000. In addition, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 out of the following budget sub-activities:

Army:
 Maneuver units
 Modular support brigades
 Land forces operations support
 Force readiness operations support
 Land forces depot maintenance
 Base operations support
 Facilities Sustainment, Restoration, and Modernization

Navy:
 Aircraft depot maintenance
 Ship depot maintenance
 Facilities Sustainment, Restoration, and Modernization
 Marine Corps:
 Depot maintenance
 Facilities Sustainment, Restoration, and Modernization
 Air Force:
 Primary combat forces
 Combat enhancement forces
 Combat communications
 Facilities Sustainment, Restoration, and Modernization
 Operating forces depot maintenance
 Mobilization depot maintenance
 Training and recruiting depot maintenance
 Administration and service-wide depot maintenance
 Air Force Reserve:
 Depot maintenance
 Air National Guard:
 Depot maintenance

Finally, the Secretary of Defense should follow prior approval reprogramming procedures for transfers in excess of \$15,000,000 into the following budget sub-activity:

Operation and Maintenance, Army National Guard: Other personnel support/recruiting and advertising

With respect to Operation and Maintenance, Defense-Wide, proposed transfers of funds to or from the levels specified for defense agencies in excess of \$15,000,000 shall be subject to prior approval reprogramming procedures.

MILITARY INFORMATION SUPPORT OPERATIONS

The conference agreement includes \$187,200,000 for Department of Defense military information support operations, instead of \$170,100,000 as proposed by the House and \$228,600,000 as proposed by the Senate. Of the total amount, the conference agreement includes \$32,400,000 in title II and \$154,800,000 in title IX of this division. The allocation of

funding by combatant command and funding levels for certain programs is specifically delineated in the classified annex accompanying this Act. Those items shall be considered congressional special interest items and be subject to normal reprogramming procedures. The conferees reiterate the direction in House Report 112-493 regarding congressional budget justifications and reporting requirements for military information support operations.

SPECIAL OPERATIONS COMMAND NATIONAL CAPITAL REGION

The conferees are aware of a proposal to establish a Special Operations Command National Capital Region (SOCOM-NCR) entity. While no funds were requested for this activity in either the fiscal year 2012 or fiscal year 2013 budget submissions, the conferees understand that SOCOM began this initiative using fiscal year 2012 Overseas Contingency Operations funds. Unfortunately, few details have been provided regarding the basis for this proposal and the expected efficiencies. Therefore, the conferees direct that no funds made available in this Act shall be used for the SOCOM-NCR until 30 days after the congressional defense committees have received a copy of the Secretary of Defense's waiver of Section 8018 of this Act and a report which describes the purpose of, and activities to be performed by the SOCOM-NCR, an explanation of the impact of this proposal on existing activities at SOCOM headquarters, and a detailed, by fiscal year, breakout of the staffing and costs associated with its establishment over the future years defense program.

OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, ARMY		
BUDGET ACTIVITY 1: OPERATING FORCES		
LAND FORCES		
10	MANEUVER UNITS.....	1,223,087 1,055,242
20	MODULAR SUPPORT BRIGADES.....	80,574 67,902
30	ECHELONS ABOVE BRIGADES.....	723,039 620,651
40	THEATER LEVEL ASSETS.....	706,974 602,581
50	LAND FORCES OPERATIONS SUPPORT.....	1,226,650 1,086,855
60	AVIATION ASSETS.....	1,319,832 1,297,479
LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT.....	3,447,174 3,447,174
80	LAND FORCES SYSTEMS READINESS.....	454,774 454,774
90	LAND FORCES DEPOT MAINTENANCE.....	1,762,757 1,110,780
LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT.....	7,401,613 7,669,366
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION..	3,041,074 3,215,474
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS.....	410,171 410,171
130	COMBATANT COMMANDER'S CORE OPERATIONS.....	177,819 177,819
170	COMBATANT COMMANDERS ANCILLARY MISSIONS.....	461,333 461,333
TOTAL, BUDGET ACTIVITY 1.....		22,436,871 21,677,601
BUDGET ACTIVITY 2: MOBILIZATION		
MOBILITY OPERATIONS		
180	STRATEGIC MOBILITY.....	405,496 405,496
190	ARMY PREPOSITIONED STOCKS.....	195,349 195,349
200	INDUSTRIAL PREPAREDNESS.....	6,379 6,379
TOTAL, BUDGET ACTIVITY 2.....		607,224 607,224

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
210	ACCESSION TRAINING OFFICER ACQUISITION.....	112,866 112,866
220	RECRUIT TRAINING.....	73,265 73,265
230	ONE STATION UNIT TRAINING.....	51,227 51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS.....	443,306 481,306
250	BASIC SKILL AND ADVANCED TRAINING SPECIALIZED SKILL TRAINING.....	1,099,556 1,079,556
260	FLIGHT TRAINING.....	1,130,627 1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION.....	191,683 191,683
280	TRAINING SUPPORT.....	652,095 652,095
290	RECRUITING AND OTHER TRAINING AND EDUCATION RECRUITING AND ADVERTISING.....	507,510 507,510
300	EXAMINING.....	156,964 156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION.....	244,343 244,343
320	CIVILIAN EDUCATION AND TRAINING.....	212,477 203,477
330	JUNIOR RESERVE OFFICERS TRAINING CORPS.....	182,691 182,691
	TOTAL, BUDGET ACTIVITY 3.....	5,058,610 5,067,610

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
350	LOGISTICS OPERATIONS SERVICEWIDE TRANSPORTATION.....	601,331 601,331
360	CENTRAL SUPPLY ACTIVITIES.....	741,324 741,324
370	LOGISTICS SUPPORT ACTIVITIES.....	610,136 610,136
380	AMMUNITION MANAGEMENT.....	478,707 478,707

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
390 SERVICEWIDE SUPPORT ADMINISTRATION.....	556,307	556,307
400 SERVICEWIDE COMMUNICATIONS.....	1,547,925	1,490,880
410 MANPOWER MANAGEMENT.....	362,205	332,205
420 OTHER PERSONNEL SUPPORT.....	220,754	220,754
430 OTHER SERVICE SUPPORT.....	1,153,556	1,153,556
440 ARMY CLAIMS ACTIVITIES.....	250,970	240,970
450 REAL ESTATE MANAGEMENT.....	222,351	211,351
460 BASE OPERATIONS SUPPORT.....	222,379	222,379
460 SUPPORT OF OTHER NATIONS SUPPORT OF NATO OPERATIONS.....	459,710	459,393
470 MISC. SUPPORT OF OTHER NATIONS.....	25,637	25,637
OTHER PROGRAMS OTHER PROGRAMS.....	1,052,595	1,061,495
TOTAL, BUDGET ACTIVITY 4.....	8,505,887	8,406,425
INVENTORY OF SPARE PARTS AND SECONDARY ITEMS.....	---	-100,000
CIVILIAN PERSONNEL COMPENSATION.....	---	-34,000
EXCESS WORKING CAPITAL FUND CARRYOVER.....	---	-146,600
TRANSFER TO RESEARCH, DEVELOPMENT, TEST AND EVALUATION ARMY.....	---	-22,000
IT CONTRACT SUPPORT GROWTH.....	---	-47,000
TOTAL, OPERATION AND MAINTENANCE, ARMY.....	36,608,592	35,409,260

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
111 MANEUVER UNITS	1,223,087	1,055,242
Unjustified program growth		-167,845
112 MODULAR SUPPORT BRIGADES	80,574	67,902
Unjustified program growth		-12,672
113 ECHELONS ABOVE BRIGADES	723,039	620,651
Unjustified program growth		-97,742
Excess growth in travel		-4,646
114 THEATER LEVEL ASSETS	706,974	602,581
Unjustified program growth		-74,593
Excess growth in travel		-11,715
Army identified excess for Balkans mission contract support		-18,085
115 LAND FORCES OPERATIONS SUPPORT	1,226,650	1,086,855
Unjustified program growth		-139,795
116 AVIATION ASSETS	1,319,832	1,297,479
Unjustified program growth		-22,353
123 LAND FORCES DEPOT MAINTENANCE	1,762,757	1,110,780
Depot Maintenance - Aviation - transfer to title IX		-150,483
Depot Maintenance - Communications Electronics - transfer to title IX		-203,560
Depot Maintenance - General Purpose - transfer to title IX		-102,707
Depot Maintenance - Missiles - transfer to title IX		-161,174
Depot Maintenance - Post Production Software Support - transfer to title IX		-34,053
131 BASE OPERATIONS SUPPORT	7,401,613	7,669,366
Restore funding attributed to unrealistic efficiency saving targets		462,000
Funds to be appropriated to Cemeterial Expenses, Army		-25,000
Army requested transfer to OP,A line 191		-52,000
Unjustified request		-101,247
Budget justification does not match summary of price and program changes for the Building Maintenance Fund		-29,000
Environmental conservation for ranges to address shortfalls		13,000
132 FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	3,041,074	3,215,474
Restore unjustified efficiency reduction		174,400
314 SENIOR RESERVE OFFICER TRAINING CORP	443,306	481,306
Maintain ratio of 63% public and 37% private colleges		38,000
321 SPECIALIZED SKILL TRAINING	1,099,556	1,079,556
Program decreases for TRADOC centers of excellence and joint service schools not properly accounted for in budget justification		-20,000
331 RECRUITING AND ADVERTISING	507,510	507,510
Active Army NASCAR sponsorship costs eliminated for fiscal year 2013		-2,300

O-1	Budget Request	Conference
Transfer funds to increase online presence for recruiting and advertising efforts		2,300
334 CIVILIAN EDUCATION AND TRAINING	212,477	203,477
Training load decreases not properly accounted for in budget justification		-9,000
411 SECURITY PROGRAMS	1,052,595	1,061,495
Classified adjustment		8,900
432 SERVICEWIDE COMMUNICATIONS	1,547,925	1,490,880
Expand ABIS to improve data sharing with federal partner agencies - the Unique Identity Task Force		5,000
Overstatement of information technology enterprise collaboration requirement		-57,045
Duplicate request for pricing adjustment for Defense Information Systems Agency		-5,000
433 MANPOWER MANAGEMENT	362,205	332,205
Overstatement of civilian personnel resources support		-30,000
435 OTHER SERVICE SUPPORT	1,153,556	1,153,556
Army support to the Capitol 4th		4,900
Unjustified request		-4,900
436 ARMY CLAIMS ACTIVITIES	250,970	240,970
Overestimate of unemployment compensation cost growth		-10,000
437 REAL ESTATE MANAGEMENT	222,351	211,351
Budget justification does not match summary of price and program changes for the Pentagon Reservation Maintenance Revolving Fund		-11,000
441 INTERNATIONAL MILITARY HEADQUARTERS	459,710	459,393
Finance foreign currency fluctuation from the Foreign Currency Account		-317
INVENTORY OF SPARE PARTS AND SECONDARY ITEMS		-100,000
ARMY IDENTIFIED EXCESS FOR CIVILIAN PERSONNEL COMPENSATION		-34,000
EXCESS WORKING CAPITAL FUND CARRYOVER		-146,600
TRANSFERS TO RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY NOT PROPERLY ACCOUNTED FOR IN BUDGET JUSTIFICATION		-22,000
BUDGET JUSTIFICATION DOES NOT MATCH SUMMARY OF PRICE AND PROGRAM CHANGES FOR IT CONTRACT SUPPORT GROWTH		-47,000

OPERATION AND MAINTENANCE, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, NAVY		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	MISSION AND OTHER FLIGHT OPERATIONS.....	4,918,144 4,918,144
20	FLEET AIR TRAINING.....	1,886,825 1,847,825
30	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES.....	44,032 44,032
40	AIR OPERATIONS AND SAFETY SUPPORT.....	101,565 101,565
50	AIR SYSTEMS SUPPORT.....	374,827 374,827
60	AIRCRAFT DEPOT MAINTENANCE.....	960,802 960,802
70	AIRCRAFT DEPOT OPERATIONS SUPPORT.....	37,545 37,545
80	AVIATION LOGISTICS.....	328,805 328,805
SHIP OPERATIONS		
90	MISSION AND OTHER SHIP OPERATIONS.....	4,686,535 4,686,535
100	SHIP OPERATIONS SUPPORT AND TRAINING.....	769,204 769,204
110	SHIP DEPOT MAINTENANCE.....	5,089,981 5,239,981
120	SHIP DEPOT OPERATIONS SUPPORT.....	1,315,366 1,304,485
COMBAT COMMUNICATIONS/SUPPORT		
130	COMBAT COMMUNICATIONS.....	619,909 619,909
140	ELECTRONIC WARFARE.....	92,364 92,364
150	SPACE SYSTEMS AND SURVEILLANCE.....	174,437 174,437
160	WARFARE TACTICS.....	441,035 441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY.....	333,554 333,554
180	COMBAT SUPPORT FORCES.....	910,087 910,087
190	EQUIPMENT MAINTENANCE.....	167,158 167,158
200	DEPOT OPERATIONS SUPPORT.....	4,183 4,183
210	COMBATANT COMMANDERS CORE OPERATIONS.....	95,528 95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT.....	204,569 204,569

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
230 WEAPONS SUPPORT CRUISE MISSILE.....	111,884	111,884
240 FLEET BALLISTIC MISSILE.....	1,181,038	1,181,038
250 IN-SERVICE WEAPONS SYSTEMS SUPPORT.....	87,606	87,606
260 WEAPONS MAINTENANCE.....	519,583	539,583
270 OTHER WEAPON SYSTEMS SUPPORT	300,435	300,435
280 BASE SUPPORT ENTERPRISE INFORMATION TECHNOLOGY.....	1,077,924	1,069,924
290 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	2,101,279	2,189,179
300 BASE OPERATING SUPPORT.....	4,822,093	4,828,093
TOTAL, BUDGET ACTIVITY 1.....	33,758,297	33,964,316
BUDGET ACTIVITY 2: MOBILIZATION READY RESERVE AND PREPOSITIONING FORCES		
310 SHIP PREPOSITIONING AND SURGE.....	334,659	334,659
320 ACTIVATIONS/INACTIVATIONS AIRCRAFT ACTIVATIONS/INACTIVATIONS.....	6,562	6,562
330 SHIP ACTIVATIONS/INACTIVATIONS.....	1,066,329	983,783
340 MOBILIZATION PREPAREDNESS FLEET HOSPITAL PROGRAM.....	83,901	83,901
350 INDUSTRIAL READINESS.....	2,695	2,695
360 COAST GUARD SUPPORT.....	23,502	23,502
TOTAL, BUDGET ACTIVITY 2.....	1,517,648	1,435,102
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
370 ACCESSION TRAINING OFFICER ACQUISITION.....	147,807	147,807
380 RECRUIT TRAINING.....	10,473	10,473
390 RESERVE OFFICERS TRAINING CORPS.....	139,220	139,220
400 BASIC SKILLS AND ADVANCED TRAINING SPECIALIZED SKILL TRAINING.....	582,177	582,177
410 FLIGHT TRAINING.....	5,456	5,456
420 PROFESSIONAL DEVELOPMENT EDUCATION.....	170,746	170,746
430 TRAINING SUPPORT.....	153,403	153,403

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

RECRUITING, AND OTHER TRAINING AND EDUCATION		
440 RECRUITING AND ADVERTISING.....	241,329	242,366
450 OFF-DUTY AND VOLUNTARY EDUCATION.....	108,226	108,226
460 CIVILIAN EDUCATION AND TRAINING.....	105,776	105,776
470 JUNIOR ROTC.....	51,817	51,817
TOTAL, BUDGET ACTIVITY 3.....	1,716,430	1,717,467
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
SERVICEWIDE SUPPORT		
480 ADMINISTRATION.....	797,177	797,177
490 EXTERNAL RELATIONS.....	12,872	12,872
500 CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT.....	120,181	120,181
510 MILITARY MANPOWER AND PERSONNEL MANAGEMENT.....	235,753	235,753
520 OTHER PERSONNEL SUPPORT.....	263,060	263,060
530 SERVICEWIDE COMMUNICATIONS.....	363,213	363,213
LOGISTICS OPERATIONS AND TECHNICAL SUPPORT		
550 SERVICEWIDE TRANSPORTATION.....	182,343	182,343
570 PLANNING, ENGINEERING AND DESIGN.....	282,464	282,464
580 ACQUISITION AND PROGRAM MANAGEMENT.....	1,092,123	1,092,123
590 HULL, MECHANICAL AND ELECTRICAL SUPPORT.....	53,560	53,560
600 COMBAT/WEAPONS SYSTEMS.....	25,299	25,299
610 SPACE AND ELECTRONIC WARFARE SYSTEMS.....	64,418	64,418
SECURITY PROGRAMS		
620 NAVAL INVESTIGATIVE SERVICE.....	580,042	580,042
SUPPORT OF OTHER NATIONS		
680 INTERNATIONAL HEADQUARTERS AND AGENCIES.....	4,984	4,984
OTHER PROGRAMS		
OTHER PROGRAMS.....	537,079	540,979
TOTAL, BUDGET ACTIVITY 4.....	4,614,568	4,618,468
EXCESS WORKING CAPITAL FUND CARRYOVER.....	---	-120,900
TOTAL, OPERATION AND MAINTENANCE, NAVY.....	41,606,943	41,614,453

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
1A2A FLEET AIR TRAINING	1,886,825	1,847,825
Inadequate budget justification		-39,000
1B4B SHIP DEPOT MAINTENANCE	5,089,981	5,239,981
Navy identified shortfall to repair USS Miami		150,000
1B5B SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,304,485
Removal of one-time fiscal year 2012 increase		-10,881
1D4D WEAPONS MAINTENANCE	519,583	539,583
Program increase - ship self defense		20,000
BSIT ENTERPRISE INFORMATION TECHNOLOGY	1,077,924	1,069,924
Inadequate budget justification		-8,000
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,101,279	2,189,179
Restore unjustified efficiency reduction		87,900
BSS1 BASE OPERATING SUPPORT	4,822,093	4,828,093
Unjustified growth		-7,000
Environmental conservation for ranges to address shortfalls		13,000
2B2G SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	983,783
USS Enterprise inactivation costs ahead of need		-70,000
Retain cruisers		-12,546
3C1L RECRUITING AND ADVERTISING	241,329	242,366
Naval Sea Cadet Corps		1,037
999 OTHER PROGRAMS	537,079	540,979
Classified adjustment		3,900
EXCESS WORKING CAPITAL FUND CARRYOVER		-120,900

OPERATION AND MAINTENANCE, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, MARINE CORPS		
BUDGET ACTIVITY 1: OPERATING FORCES		
EXPEDITIONARY FORCES		
10	OPERATIONAL FORCES.....	788,055 842,455
20	FIELD LOGISTICS.....	762,614 762,614
30	DEPOT MAINTENANCE.....	168,447 168,447
USMC PREPOSITIONING		
40	MARITIME PREPOSITIONING.....	100,374 100,374
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	825,039 825,039
70	BASE OPERATING SUPPORT.....	2,188,883 2,188,083

TOTAL, BUDGET ACTIVITY 1.....		4,833,412 4,887,012
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
ACCESSION TRAINING		
80	RECRUIT TRAINING.....	18,251 18,251
90	OFFICER ACQUISITION.....	869 869
BASIC SKILLS AND ADVANCED TRAINING		
100	SPECIALIZED SKILLS TRAINING.....	80,914 80,914
120	PROFESSIONAL DEVELOPMENT EDUCATION.....	42,744 42,744
130	TRAINING SUPPORT.....	292,150 292,150
RECRUITING AND OTHER TRAINING EDUCATION		
140	RECRUITING AND ADVERTISING.....	168,609 178,609
150	OFF-DUTY AND VOLUNTARY EDUCATION.....	56,865 56,865
160	JUNIOR ROTC.....	19,912 19,912

TOTAL, BUDGET ACTIVITY 3.....		680,314 690,314
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
SERVICEWIDE SUPPORT		
180	SERVICEWIDE TRANSPORTATION.....	39,962 39,962
200	ACQUISITION AND PROGRAM MANAGEMENT.....	83,404 83,404

TOTAL, BUDGET ACTIVITY 4.....		123,366 123,366
OTHER PROGRAMS		
OTHER PROGRAMS.....		346,071 341,071
EXCESS WORKING CAPITAL FUND CARRYOVER.....		--- -6,800
=====		
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS.....		5,983,163 6,034,963
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
1A1A OPERATIONAL FORCES	788,055	842,455
Civilian personnel realignment requested as program growth		-10,600
Marine Corps identified shortfall for unit deployment program		65,000
BSS1 BASE OPERATING SUPPORT	2,188,883	2,188,083
Budget justification does not match summary of price and program changes for rents		-13,800
Environmental conservation for ranges to address shortfalls		13,000
3C1F RECRUITING AND ADVERTISING	168,609	178,609
Marine Corps requested transfer from P,MC line 2		10,000
OTHER PROGRAMS	346,071	341,071
Removal of one-time fiscal year 2012 costs for technical services organization relocation incentive		-5,000
EXCESS WORKING CAPITAL FUND CARRYOVER		-6,800

OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, AIR FORCE		
BUDGET ACTIVITY 1: OPERATING FORCES		
AIR OPERATIONS		
10	PRIMARY COMBAT FORCES.....	2,973,141 2,963,141
20	COMBAT ENHANCEMENT FORCES.....	1,611,032 1,610,513
30	AIR OPERATIONS TRAINING.....	1,472,806 1,422,806
50	DEPOT MAINTENANCE.....	5,545,470 5,537,470
60	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	1,353,987 1,389,387
70	BASE OPERATING SUPPORT.....	2,595,032 2,535,484
COMBAT RELATED OPERATIONS		
80	GLOBAL C3I AND EARLY WARNING.....	957,040 982,753
90	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS.....	916,200 903,200
100	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES.....	733,716 733,716
SPACE OPERATIONS		
110	LAUNCH FACILITIES.....	314,490 314,490
120	SPACE CONTROL SYSTEMS.....	488,762 488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT.....	862,979 773,479
140	COMBATANT COMMANDERS CORE OPERATIONS.....	222,429 163,962

TOTAL, BUDGET ACTIVITY 1.....		20,047,084 19,819,163

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

BUDGET ACTIVITY 2: MOBILIZATION		
MOBILITY OPERATIONS		
150 AIRLIFT OPERATIONS.....	1,785,379	1,985,379
160 MOBILIZATION PREPAREDNESS.....	154,049	154,049
170 DEPOT MAINTENANCE.....	1,477,396	1,477,396
180 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	309,699	324,699
190 BASE SUPPORT.....	707,574	707,574

TOTAL, BUDGET ACTIVITY 2.....	4,434,097	4,649,097
BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
ACCESSION TRAINING		
200 OFFICER ACQUISITION.....	115,427	115,427
210 RECRUIT TRAINING.....	17,619	17,619
220 RESERVE OFFICER TRAINING CORPS (ROTC).....	92,949	92,949
230 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	336,433	354,033
240 BASE SUPPORT (ACADEMIES ONLY).....	842,441	793,441
BASIC SKILLS AND ADVANCED TRAINING		
250 SPECIALIZED SKILL TRAINING.....	482,634	482,634
260 FLIGHT TRAINING.....	750,609	750,609
270 PROFESSIONAL DEVELOPMENT EDUCATION.....	235,114	235,114
280 TRAINING SUPPORT.....	101,231	101,231
290 DEPOT MAINTENANCE.....	233,330	233,330
RECRUITING, AND OTHER TRAINING AND EDUCATION		
300 RECRUITING AND ADVERTISING.....	130,217	130,217
310 EXAMINING.....	2,738	2,738
320 OFF DUTY AND VOLUNTARY EDUCATION.....	155,170	155,170
330 CIVILIAN EDUCATION AND TRAINING.....	175,147	175,147
340 JUNIOR ROTC.....	74,809	74,809

TOTAL, BUDGET ACTIVITY 3.....	3,745,868	3,714,468

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
350	LOGISTICS OPERATIONS	
	LOGISTICS OPERATIONS.....	1,029,734 1,029,734
360	TECHNICAL SUPPORT ACTIVITIES.....	913,843 913,843
370	DEPOT MAINTENANCE.....	--- 29,163
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	303,610 318,010
390	BASE SUPPORT.....	1,266,800 1,266,800
SERVICEWIDE ACTIVITIES		
400	ADMINISTRATION.....	587,654 581,154
410	SERVICEWIDE COMMUNICATIONS.....	667,910 667,910
420	OTHER SERVICEWIDE ACTIVITIES.....	1,094,509 1,094,509
430	CIVIL AIR PATROL CORPORATION.....	23,904 28,404
SUPPORT TO OTHER NATIONS		
460	INTERNATIONAL SUPPORT.....	81,307 81,307
OTHER PROGRAMS.....		
	OTHER PROGRAMS.....	1,239,040 1,209,877

TOTAL, BUDGET ACTIVITY 4.....		7,208,311 7,220,711
INVENTORY OF SPARE PARTS AND SECONDARY ITEMS.....		--- -400,000
RETAIN AIR FORCE FORCE STRUCTURE.....		--- 14,500
CIVILIAN PERSONNEL COMPENSATION.....		--- -167,533
FOREIGN NATIONAL INDIRECT HIRES.....		--- -12,000
EXCESS WORKING CAPITAL FUND CARRYOVER.....		--- -58,000
=====		
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE.....		35,435,360 34,780,406
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
011A PRIMARY COMBAT FORCES	2,973,141	2,963,141
Unjustified increase to travel		-10,000
011C COMBAT ENHANCEMENT FORCES	1,611,032	1,610,513
Remove U-2 retirement costs		-519
Global Hawk Block 30 with 21 aircraft		[133,000]
011D AIR OPERATIONS TRAINING	1,472,806	1,422,806
Unjustified increase to travel		-50,000
011M DEPOT MAINTENANCE	5,545,470	5,537,470
Sustainment funding decrease not accounted for in budget		
justification for cancellation of Light Attack Armed Reconnaissance Aircraft		-8,000
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,353,987	1,389,387
Restore unjustified efficiency reduction		35,400
011Z BASE OPERATING SUPPORT	2,595,032	2,535,484
Unjustified growth of 556 direct hires		-60,048
Unjustified request		-12,500
Environmental conservation for ranges to address shortfalls		13,000
012A GLOBAL C3I AND EARLY WARNING	957,040	982,753
Transfer from RDTE,AF line 59		25,713
012C OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	916,200	903,200
Budget justification does not match summary of price and program changes for the Defense Information Services Agency bill		-13,000
015A COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	773,479
Removal of one-time fiscal year 2012 cost to stand up Global Adaptive Planning Collaborative Information Environment		-13,100
Unjustified STRATCOM funding		-35,000
Military Information Support Operations - transfer to title IX		-29,400
Civilian pay inconsistency for joint forces command restructure		-12,000
015B COMBATANT COMMANDERS CORE OPERATIONS	222,429	163,962
Unjustified increase for civilian pay program		-58,467
Remove CYBERCOM funds from STATCOM direct mission support		-156,400
Establish a CYBERCOM direct mission support line		156,400
021A AIRLIFT OPERATIONS	1,785,379	1,985,379
Airlift readiness account		200,000
021R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	309,699	324,699
Restore unjustified efficiency reduction		15,000
031R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	336,433	354,033
Restore unjustified efficiency reduction		17,600

O-1	Budget Request	Conference
031Z BASE SUPPORT (ACADEMIES ONLY)	842,441	793,441
Unjustified growth for equipment purchases		-49,000
041M DEPOT MAINTENANCE	0	29,163
Correction to President's budget request		29,163
041R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	318,010
Restore unjustified efficiency reduction		14,400
042A ADMINISTRATION	587,654	581,154
Unjustified increase for personnel service delivery		-6,500
042I CIVIL AIR PATROL CORPORATION	23,904	28,404
Civil Air Patrol		4,500
043A SECURITY PROGRAMS	1,239,040	1,209,877
Correction to President's budget request		-29,163
INVENTORY OF SPARE PARTS AND SECONDARY ITEMS		-400,000
UNJUSTIFIED GROWTH FOR CIVILIAN PERSONNEL COMPENSATION		-167,533
INCORRECT PRICING ADJUSTMENT FOR FOREIGN NATIONAL INDIRECT HIRES		-12,000
EXCESS WORKING CAPITAL FUND CARRYOVER		-58,000
RETAIN AIR FORCE FORCE STRUCTURE		14,500

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
10	JOINT CHIEFS OF STAFF.....	485,708	475,708
20	SPECIAL OPERATIONS COMMAND.....	5,091,001	5,012,101
	TOTAL, BUDGET ACTIVITY 1.....	5,576,709	5,487,809

	BUDGET ACTIVITY 3: TRAINING AND RECRUITING		
30	DEFENSE ACQUISITION UNIVERSITY.....	147,210	147,210
40	NATIONAL DEFENSE UNIVERSITY.....	84,999	81,999
	TOTAL, BUDGET ACTIVITY 3.....	232,209	229,209

	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
50	CIVIL MILITARY PROGRAMS.....	161,294	171,294
80	DEFENSE CONTRACT AUDIT AGENCY.....	573,973	573,973
90	DEFENSE CONTRACT MANAGEMENT AGENCY.....	1,293,196	1,292,596
100	DEFENSE FINANCE AND ACCOUNTING SERVICE.....	17,513	17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY.....	676,186	696,186
120	DEFENSE INFORMATION SYSTEMS AGENCY.....	1,346,847	1,336,847
140	DEFENSE LEGAL SERVICES AGENCY.....	35,137	35,137
150	DEFENSE LOGISTICS AGENCY.....	431,893	434,393
160	DEFENSE MEDIA ACTIVITY.....	224,013	224,013
170	DEFENSE POW /MISSING PERSONS OFFICE.....	21,964	21,964
180	DEFENSE SECURITY COOPERATION AGENCY.....	557,917	542,917
190	DEFENSE SECURITY SERVICE.....	---	506,662
200	DEFENSE TECHNOLOGY SECURITY AGENCY.....	35,319	35,319
210	DEFENSE THREAT REDUCTION AGENCY.....	---	443,382

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
220 DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.....	2,744,971	2,787,971
230 MISSILE DEFENSE AGENCY.....	259,975	253,975
250 OFFICE OF ECONOMIC ADJUSTMENT.....	253,437	243,437
260 OFFICE OF THE SECRETARY OF DEFENSE.....	2,095,362	2,097,862
270 WASHINGTON HEADQUARTERS SERVICES.....	521,297	509,297
TOTAL, BUDGET ACTIVITY 4.....	11,250,294	12,224,738
OSD IDENTIFIED SCHOOL CAPACITY OR CONDITION SHORTFALL.	---	-51,000
IMPACT AID.....	---	40,000
IMPACT AID FOR CHILDREN WITH DISABILITIES.....	---	5,000
OTHER PROGRAMS.....	14,933,801	13,927,224
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE.....	31,993,013	31,862,980

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
1PL1 JOINT CHIEFS OF STAFF	485,708	475,708
Budget justification does not match summary of price and program changes for the Pentagon Reservation Maintenance Revolving Fund		-10,000
1PL2 SPECIAL OPERATIONS COMMAND	5,091,001	5,012,101
Military Information Support Operations		9,100
Non-Standard Aviation and Aviation Foreign Internal Defense (AvFID) Consolidation excess to need		-53,000
Unjustified growth in per-graduate costs for initial skills training		-20,000
Decrease shown in spare and repair parts metrics not properly accounted for in budget justification		-15,000
PEV5 NATIONAL DEFENSE UNIVERSITY	84,999	81,999
Excess growth in operations support costs		-3,000
4GT3 CIVIL MILITARY PROGRAMS	161,294	171,294
Youth Challenge		5,000
STARBASE youth program		5,000
4GTB DEFENSE LOGISTICS AGENCY	431,893	434,393
Unjustified growth for virtual interactive processing systems		-7,500
Procurement Technical Assistance Program		10,000
4GTI DEFENSE THREAT REDUCTION AGENCY	0	443,382
Transfer from line 9999		443,382
4GTJ DEFENSE DEPENDENTS EDUCATION	2,744,971	2,787,971
Restore unjustified reduction		43,000
4GT8 DEFENSE HUMAN RESOURCES ACTIVITY	676,186	696,186
Program increase - for suicide prevention program		20,000
4GTO DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,292,596
Unjustified increase for voluntary separation incentive pay		-600
4GTD DEFENSE SECURITY COOPERATION AGENCY	557,917	542,917
Global Train and Equip program		-15,000
4GTE DEFENSE SECURITY SERVICE	0	506,662
Transfer from line 9999		506,662
4GTM OFFICE OF ECONOMIC ADJUSTMENT	253,437	243,437
Program increase		10,000
Funds requested ahead of need		-20,000
4GTN OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,097,862
Unjustified growth for policy planning and integration - transfer to accelerate financial auditability		-2,500
Unjustified growth for the Rewards Program - transfer to accelerate financial auditability		-2,000
Unjustified growth for warfighting support activities - transfer to accelerate financial auditability		-3,000

O-1	Budget Request	Conference
Unfinanced requirement for the Chief Financial Officer initiative to accelerate financial auditability - transfer from OSD reductions		12,000
Excess funding for long range planning for the Office of the Director, Cost Assessment and Program Evaluation - transfer to accelerate financial auditability		-1,000
Program increase - Office of Net Assessment		10,000
Defense Chief Management Office - transfer to DLA for rental payments not properly accounted for in budget justification		-3,500
OSD AT&L - realignment of funding for contingency business tools not properly accounted for in budget justification		-4,000
OSD Policy - transfer to DLA for continuity of operations not properly accounted for in budget justification - transfer to accelerate financial auditability		-3,500
4GTQ WASHINGTON HEADQUARTERS SERVICES	521,297	509,297
Removal of one-time fiscal year 2012 cost for centrally funded Mark Center rent		-12,000
011A MISSILE DEFENSE AGENCY	259,975	253,975
THAAD excess to requirement		-6,000
4GT9 DEFENSE INFORMATION SYSTEMS AGENCY	1,346,847	1,336,847
Program growth requested for circuit transition maintenance unsupported by program metrics		-10,000
9999 OTHER PROGRAMS	14,933,801	13,927,224
Classified adjustment		-101,533
Transfer to DSS for budget request		-506,662
Transfer to DTRA for budget request		-443,382
Additional ISR support to operation observant compass authorization increase		45,000
FUNDS TO CORRECT OSD IDENTIFIED SCHOOL CAPACITY OR CONDITION INADEQUACIES FUNDED VIA GENERAL PROVISION		-51,000
IMPACT AID		40,000
IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES		5,000

OPERATION AND MAINTENANCE, ARMY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, ARMY RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
10		
	LAND FORCES	
	MANEUVER UNITS.....	1,391 1,391
20	MODULAR SUPPORT BRIGADES.....	20,889 20,889
30	ECHELONS ABOVE BRIGADES.....	592,724 586,724
40	THEATER LEVEL ASSETS.....	114,983 114,983
50	LAND FORCES OPERATIONS SUPPORT.....	633,091 619,591
60	AVIATION ASSETS.....	76,823 76,823
70	LAND FORCES READINESS	
	FORCES READINESS OPERATIONS SUPPORT.....	481,997 480,147
80	LAND FORCES SYSTEM READINESS.....	70,118 70,118
90	DEPOT MAINTENANCE.....	141,205 189,205
100	LAND FORCES READINESS SUPPORT	
	BASE OPERATIONS SUPPORT.....	561,878 561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	287,399 316,139
120	MANAGEMENT AND OPERATIONS HEADQUARTERS.....	52,431 52,431

	TOTAL, BUDGET ACTIVITY 1.....	3,034,929 3,090,319
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
130	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	
	SERVICEWIDE TRANSPORTATION.....	12,995 12,995
140	ADMINISTRATION.....	32,432 32,432
150	SERVICEWIDE COMMUNICATIONS.....	4,895 4,895
160	PERSONNEL/FINANCIAL ADMINISTRATION	16,074 11,574
170	RECRUITING AND ADVERTISING.....	60,683 54,708

	TOTAL, BUDGET ACTIVITY 4.....	127,079 116,604
	UNEXECUTABLE OPTEMPO GROWTH.....	--- -24,000
=====		
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE.....	3,162,008 3,182,923
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
113 ECHELONS ABOVE BRIGADES	592,724	586,724
Budget justification does not match summary of price and program changes for Full Time Support costs		-6,000
115 LAND FORCES OPERATIONS SUPPORT	633,091	619,591
Unjustified growth for travel of persons		-3,000
Budget justification does not match summary of price and program changes for Full Time Support costs		-6,500
Budget justification does not match summary of price and program changes for Management and Professional Services		-4,000
121 FORCES READINESS OPERATIONS SUPPORT	481,997	480,147
Unjustified growth for increased schoolhouse capacity		-1,850
123 DEPOT MAINTENANCE	141,205	189,205
Restore unjustified efficiency reduction		48,000
132 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	287,399	316,139
Restore unjustified efficiency reduction		28,740
433 PERSONNEL/FINANCIAL ADMINISTRATION	16,074	11,574
Unjustified growth for civilian personnel		-4,500
434 RECRUITING AND ADVERTISING	60,683	54,708
Army discontinuation of Army Reserve Recruiter Assistance Program		-5,975
UNEXECUTABLE OPTEMPO GROWTH		-24,000

OPERATION AND MAINTENANCE, NAVY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, NAVY RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
10	RESERVE AIR OPERATIONS MISSION AND OTHER FLIGHT OPERATIONS.....	616,776 616,776
20	INTERMEDIATE MAINTENANCE.....	15,076 15,076
30	AIR OPERATIONS AND SAFETY SUPPORT.....	1,479 1,479
40	AIRCRAFT DEPOT MAINTENANCE.....	107,251 110,551
50	AIRCRAFT DEPOT OPERATIONS SUPPORT.....	355 355
60	RESERVE SHIP OPERATIONS MISSION AND OTHER SHIP OPERATIONS.....	82,186 82,186
70	SHIP OPERATIONAL SUPPORT AND TRAINING.....	589 589
80	SHIP DEPOT MAINTENANCE.....	48,593 48,593
90	RESERVE COMBAT OPERATIONS SUPPORT COMBAT COMMUNICATIONS.....	15,274 15,274
100	COMBAT SUPPORT FORCES.....	124,917 124,917
110	RESERVE WEAPONS SUPPORT WEAPONS MAINTENANCE.....	1,978 1,978
120	ENTERPRISE INFORMATION TECHNOLOGY.....	43,699 43,699
130	BASE OPERATING SUPPORT FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	60,646 66,711
140	BASE OPERATING SUPPORT.....	105,227 105,227

	TOTAL, BUDGET ACTIVITY 1.....	1,224,046 1,233,411
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
150	ADMINISTRATION AND SERVICEWIDE ACTIVITIES ADMINISTRATION.....	3,117 3,117
160	MILITARY MANPOWER & PERSONNEL.....	14,337 14,337
170	SERVICEWIDE COMMUNICATIONS.....	2,392 2,392
180	ACQUISITION AND PROGRAM MANAGEMENT.....	3,090 3,090

	TOTAL, BUDGET ACTIVITY 4.....	22,936 22,936
=====		
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE.....	1,246,982 1,256,347
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
1A5A AIRCRAFT DEPOT MAINTENANCE	107,251	110,551
Restore unjustified efficiency reduction		3,300
BSMR FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	60,646	66,711
Restore unjustified efficiency reduction		6,065

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
BUDGET ACTIVITY 1: OPERATING FORCES		
EXPEDITIONARY FORCES		
10	OPERATING FORCES.....	89,690 89,690
20	DEPOT MAINTENANCE.....	16,735 16,735
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	37,913 41,704
50	BASE OPERATING SUPPORT.....	103,746 105,047
TOTAL, BUDGET ACTIVITY 1.....		248,084 253,176
BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
70	SERVICEWIDE TRANSPORTATION.....	873 873
80	ADMINISTRATION.....	14,330 14,330
90	RECRUITING AND ADVERTISING.....	8,998 8,998
TOTAL, BUDGET ACTIVITY 4.....		24,201 24,201
		=====
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE		272,285 277,377
		=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	37,913	41,704
Restore unjustified efficiency reduction		3,791
BSS1 BASE OPERATING SUPPORT	103,746	105,047
Restore unjustified efficiency reduction to Morale, Welfare, and Recreation program		1,301

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	AIR OPERATIONS		
10	PRIMARY COMBAT FORCES.....	2,089,326	1,985,215
20	MISSION SUPPORT OPERATIONS.....	112,992	112,992
30	DEPOT MAINTENANCE.....	406,101	536,998
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	71,564	78,720
50	BASE OPERATING SUPPORT.....	364,862	364,862
	TOTAL, BUDGET ACTIVITY 1.....	3,044,845	3,078,787
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION.....	78,824	78,824
70	RECRUITING AND ADVERTISING.....	16,020	16,020
80	MILITARY MANPOWER AND PERSONNEL MANAGEMENT.....	19,496	19,496
90	OTHER PERSONNEL SUPPORT.....	6,489	6,489
100	AUDIOVISUAL.....	808	808
	TOTAL, BUDGET ACTIVITY 4.....	121,637	121,637
	RETAIN AIR FORCE RESERVE FORCE STRUCTURE.....	---	66,400
	CIVILIAN PERSONNEL COMPENSATION.....	---	-5,500
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE.	3,166,482	3,261,324
		=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
011A PRIMARY COMBAT FORCES	2,089,326	1,985,215
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer to SAG 011M		-104,111
011M DEPOT MAINTENANCE	406,101	536,998
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer from SAG 011A		104,111
Restore unjustified efficiency reduction		26,786
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	71,564	78,720
Restore unjustified efficiency reduction		7,156
RETAIN AIR FORCE RESERVE FORCE STRUCTURE		66,400
UNJUSTIFIED GROWTH IN CIVILIAN PERSONNEL COMPENSATION		-5,500

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD			
BUDGET ACTIVITY 1: OPERATING FORCES			
	LAND FORCES		
10	MANEUVER UNITS.....	680,206	680,206
20	MODULAR SUPPORT BRIGADES.....	186,408	186,408
30	ECHELONS ABOVE BRIGADE.....	865,628	861,128
40	THEATER LEVEL ASSETS.....	112,651	112,651
50	LAND FORCES OPERATIONS SUPPORT.....	36,091	36,091
60	AVIATION ASSETS.....	907,011	902,011
	LAND FORCES READINESS		
70	FORCE READINESS OPERATIONS SUPPORT.....	751,606	751,606
80	LAND FORCES SYSTEMS READINESS.....	60,043	60,043
90	LAND FORCES DEPOT MAINTENANCE.....	411,940	411,940
	LAND FORCES READINESS SUPPORT		
100	BASE OPERATIONS SUPPORT.....	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	688,189	757,008
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS.....	953,716	936,693
TOTAL, BUDGET ACTIVITY 1.....		6,648,912	6,691,208

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
140	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	
	SERVICEWIDE TRANSPORTATION.....	11,806 11,806
140	REAL ESTATE MANAGEMENT.....	1,656 1,656
150	ADMINISTRATION.....	89,358 82,311
160	SERVICEWIDE COMMUNICATIONS.....	39,513 39,513
170	MANPOWER MANAGEMENT.....	7,224 7,224
180	RECRUITING AND ADVERTISING.....	310,143 310,143
	TOTAL, BUDGET ACTIVITY 4.....	459,700 452,653
	RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE.....	--- 10,300
		=====
	TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.	7,108,612 7,154,161
		=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
113 ECHELONS ABOVE BRIGADE	865,628	861,128
Budget justification does not match summary of price and program changes for Management and Professional Services		-4,500
116 AVIATION ASSETS	907,011	902,011
Budget justification does not match summary of price and program changes for fuel		-5,000
132 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	757,008
Restore unjustified efficiency reduction		68,819
133 MANAGEMENT AND OPERATIONAL HEADQUARTERS	953,716	936,693
Unjustified growth for Mission Support		-17,023
431 ADMINISTRATION	89,358	82,311
Unjustified growth for Mission Support		-7,047
RETAIN ARMY NATIONAL GUARD FORCE STRUCTURE -		
RETAIN EIGHT C-23 SHERPAS		10,300

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
<hr/>			
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
	BUDGET ACTIVITY 1: OPERATING FORCES		
	AIR OPERATIONS		
10	AIRCRAFT OPERATIONS.....	3,559,824	3,099,094
20	MISSION SUPPORT OPERATIONS.....	721,225	681,251
30	DEPOT MAINTENANCE.....	774,875	1,555,079
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..	270,709	297,780
50	BASE OPERATING SUPPORT.....	624,443	624,443
	TOTAL, BUDGET ACTIVITY 1.....	5,951,076	6,257,647
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES		
	SERVICEWIDE ACTIVITIES		
60	ADMINISTRATION.....	32,358	32,358
70	RECRUITING AND ADVERTISING.....	32,021	32,021
	TOTAL, BUDGET ACTIVITY 4.....	64,379	64,379
	RETAIN AIR NATIONAL GUARD FORCE STRUCTURE.....	---	210,300
	CIVILIAN PERRSONNEL COMPENSATION.....	---	-38,000
	TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD..	6,015,455	6,494,326

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	Conference
011F AIRCRAFT OPERATIONS	3,559,824	3,099,094
C-130 Aircraft Temporary Shelter funding ahead of requirement		-3,000
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer to SAG 011M		-457,730
011G MISSION SUPPORT OPERATIONS	721,225	681,251
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer to SAG 011M		-39,974
011M DEPOT MAINTENANCE	774,875	1,555,079
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer from SAG 011F		457,730
Consolidate depot maintenance funding in the Depot Maintenance		
SAG - transfer from SAG 011G		39,974
Air National Guard identified shortfall - restore unjustified efficiency reduction		282,500
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	270,709	297,780
Restore unjustified efficiency reduction		27,071
RETAIN AIR NATIONAL GUARD FORCE STRUCTURE		210,300
UNJUSTIFIED GROWTH IN CIVILIAN COMPENSATION		-38,000

UNITED STATES COURT OF APPEALS
FOR THE ARMED SERVICES

The conference agreement provides \$13,516,000 for the United States Court of Appeals for the Armed Services, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, ARMY

The conference agreement provides \$335,921,000 for Environmental Restoration, Army, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, NAVY

The conference agreement provides \$310,594,000 for Environmental Restoration, Navy, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, AIR
FORCE

The conference agreement provides \$529,263,000 for Environmental Restoration,

Air Force, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION,
DEFENSE-WIDE

The conference agreement provides \$11,133,000 for Environmental Restoration, Defense-Wide, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION,
FORMERLY USED DEFENSE SITES

The conference agreement provides \$287,543,000 for Environmental Restoration, Formerly Used Defense Sites, as proposed by the Senate, instead of \$237,543,000 as proposed by the House.

OVERSEAS HUMANITARIAN, DISASTER,
AND CIVIC AID

The conference agreement provides \$108,759,000 for Overseas Humanitarian, Disaster, and Civic Aid, as proposed by both the House and the Senate.

COOPERATIVE THREAT REDUCTION
ACCOUNT

The conference agreement provides \$519,111,000 for the Cooperative Threat Reduction Account, as proposed by both the House and the Senate.

DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND

The conference agreement provides \$50,198,000 for the Department of Defense Acquisition Workforce Development Fund, as proposed by the House, instead of \$720,000,000 as proposed by the Senate.

TITLE III—PROCUREMENT

The conference agreement provides \$100,350,714,000 in Title III, Procurement, instead of \$102,512,191,000 as proposed by the House and \$97,635,496,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
SUMMARY		
ARMY		
AIRCRAFT.....	5,853,729	6,028,754
MISSILES.....	1,302,689	1,535,433
WEAPONS, TRACKED COMBAT VEHICLES.....	1,501,706	1,857,823
AMMUNITION.....	1,739,706	1,641,306
OTHER.....	6,326,245	5,741,664
TOTAL, ARMY.....	16,724,075	16,804,980
NAVY		
AIRCRAFT.....	17,129,296	17,382,152
WEAPONS.....	3,117,578	3,036,871
AMMUNITION.....	759,539	659,897
SHIPS.....	13,579,845	15,584,212
OTHER.....	6,169,378	5,955,078
MARINE CORPS.....	1,622,955	1,411,411
TOTAL, NAVY.....	42,378,591	44,029,621
AIR FORCE		
AIRCRAFT.....	11,002,999	11,774,019
MISSILES.....	5,491,846	4,962,376
AMMUNITION.....	599,194	594,694
OTHER.....	16,720,848	17,082,508
TOTAL, AIR FORCE.....	33,814,887	34,413,597
DEFENSE-WIDE		
DEFENSE-WIDE.....	4,187,935	4,878,985
DEFENSE PRODUCTION ACT PURCHASES.....	89,189	223,531
TOTAL PROCUREMENT.....	97,194,677	100,350,714

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Secretary of Defense to continue to follow the reprogramming guidance as specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110-279). Specifically, the dollar threshold for reprogramming funds will remain at \$20,000,000 for procurement and \$10,000,000 for research, development, test and evaluation.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with the guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

DIMINISHING MANUFACTURING SOURCES COSTS IN MISSILE PROGRAMS

The conferees are concerned by the level of diminishing manufacturing sources (DMS) costs in Department of Defense tactical missile programs, particularly the Advanced Medium Range Air-to-Air Missile (AMRAAM). The conferees direct the Under Secretary of Defense (Acquisition, Technology, and Logistics), in coordination with the Service secretaries, to provide two reports to the congressional defense committees.

The first report shall provide information on the management of DMS costs within the AMRAAM program, to include an explanation of the cost drivers of AMRAAM DMS; an explanation of the AMRAAM program's approach to DMS management and its conformity with departmental guidance and best practices; an economic analysis demonstrating the costs and benefits, including the break-even point, of the AMRAAM DMS program; and an analysis of the impact of foreign military sales on AMRAAM DMS costs and management. This report shall be submitted not later than 120 days after the enactment of this Act.

The second report shall provide information on the broader issue of DMS costs and management across all tactical missile procurement programs. This report shall provide an overview of current strategies for addressing DMS, including current and planned joint activities that address common DMS issues; an explanation of the key tactical missile DMS cost drivers; a comparison of DMS costs across all tactical missile programs; and an analysis of the impact of foreign military sales on DMS costs and management. This report shall be submitted not later than 180 days after the enactment of this Act.

In addition, the conferees direct the Secretaries of the Air Force and the Navy to report DMS costs separately from missile unit costs in future budget exhibits to enhance the congressional defense committees' ability to oversee DMS costs.

JOINT STRIKE FIGHTER ADVANCE PROCUREMENT AND CONTRACT DELAYS

The conferees are concerned with the Joint Strike Fighter (JSF) contract award

timelines and the negative impacts on the JSF subcontractor workforce. The combination of inconsistencies in JSF advance procurement for each variant and the contract award delays have a potential to put the industrial base at risk or jeopardize the aircraft delivery schedule. Therefore, the conferees direct the Secretary of Defense to provide a report which examines the authorities and use of JSF advance procurement, including the rationale for the cost differences in advance procurement among the aircraft variants and their associated impacts to the subcontractor workforce. Additionally, the report should examine the causes of procurement contract award delays and the planned corrective action to ensure that final award of the production contracts occurs within the year of appropriation. This report shall be submitted to the congressional defense committees not later than 120 days after the enactment of this Act.

USE OF UNMANNED AERIAL VEHICLES IN DOMESTIC AIRSPACE

The conferees are aware of concerns that have been raised regarding the use of unmanned aerial vehicles (UAV) and their sensors in domestic airspace. The conferees understand that the Air Force has policies and procedures in place governing the disposition of UAV collections that may inadvertently capture matters of concern to law enforcement agencies. These policies and procedures are designed to ensure constitutional protections and proper separation between the military and law enforcement. However, it is unclear if other Services and Defense agencies have similar policies and procedures in place, or if these policies and procedures need to be revised or standardized. Therefore, the conferees direct the Secretary of Defense to report to the congressional defense committees on the policies and procedures in place across the Services and Defense agencies governing the use of such collections and to identify any additional steps that need to be taken to ensure that such policies and procedures are adequate and consistent across the Department of Defense. This report shall be submitted not later than 90 days after the enactment of this Act.

AIRCRAFT PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

AIRCRAFT PROCUREMENT, ARMY		
AIRCRAFT FIXED WING		
1 UTILITY F/W CARGO AIRCRAFT.....	18,639	16,439
4 MQ-1 UAV.....	518,088	414,088
5 RQ-11 (RAVEN).....	25,798	25,798
ROTARY		
6 HELICOPTER, LIGHT UTILITY (LUH).....	271,983	275,982
7 AH-64 APACHE BLOCK IIIA REMAN.....	577,115	527,115
8 AH-64 APACHE BLOCK IIIA REMAN (AP-CY).....	107,707	101,707
9 AH-64 APACHE BLOCK IIIB NEW BUILD.....	153,993	224,993
10 AH-64 APACHE BLOCK IIIB NEW BUILD (AP-CY).....	146,121	135,421
13 UH-60 BLACKHAWK (MYP).....	1,107,087	1,306,087
14 UH-60 BLACKHAWK (MYP) (AP-CY).....	115,113	115,113
15 CH-47 HELICOPTER.....	1,076,036	1,186,036
16 CH-47 HELICOPTER (AP-CY).....	83,346	83,346
TOTAL, AIRCRAFT.....	4,201,026	4,412,125

MODIFICATION OF AIRCRAFT		
18 MQ-1 PAYLOAD - UAS.....	231,508	184,608
20 GUARDRAIL MODS (MIP).....	16,272	16,272
21 MULTI SENSOR ABN RECON (MIP).....	4,294	4,294
22 AH-64 MODS.....	178,805	178,805
23 CH-47 CARGO HELICOPTER MODS.....	39,135	87,935
24 UTILITY/CARGO AIRPLANE MODS.....	24,842	24,842
26 UTILITY HELICOPTER MODS.....	73,804	183,804
27 KIOWA WARRIOR.....	192,484	119,584
29 NETWORK AND MISSION PLAN.....	190,789	190,789
30 COMMS, NAV SURVEILLANCE.....	133,191	133,191
31 GATM ROLLUP.....	87,280	87,280
32 RQ-7 UAV MODS.....	104,339	29,265
TOTAL, MODIFICATION OF AIRCRAFT.....	1,276,743	1,240,669

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

SUPPORT EQUIPMENT AND FACILITIES		
GROUND SUPPORT AVIONICS		
34 AIRCRAFT SURVIVABILITY EQUIPMENT.....	34,037	34,037
36 CMWS.....	127,751	127,751
OTHER SUPPORT		
37 AVIONICS SUPPORT EQUIPMENT.....	4,886	4,886
38 COMMON GROUND EQUIPMENT.....	82,511	82,511
39 AIRCREW INTEGRATED SYSTEMS.....	77,381	77,381
40 AIR TRAFFIC CONTROL.....	47,235	47,235
41 INDUSTRIAL FACILITIES.....	1,643	1,643
42 LAUNCHER, 2.75 ROCKET.....	516	516

TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	375,960	375,960

TOTAL, AIRCRAFT PROCUREMENT, ARMY.....	<u>5,853,729</u>	<u>6,028,754</u>

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 UTILITY F/W CARGO AIRCRAFT	18,639	16,439
Test funding ahead of need		-2,200
4 MQ-1 UAV GRAY EAGLE	518,088	414,088
Schedule delays and prior year unobligated balances		-104,000
6 HELICOPTER, LIGHT UTILITY (LUH)	271,983	275,982
Replace training loss - only for the Army National Guard		7,999
Unjustified economic change orders cost growth		-4,000
7 AH-64 APACHE BLOCK IIIA REMAN	577,115	527,115
Unjustified unit cost increase		-50,000
8 AH-64 APACHE BLOCK IIIA REMAN (AP-CY)	107,707	101,707
Excess advance procurement		-6,000
9 AH-64 APACHE BLOCK IIIB NEW BUILD	153,993	224,993
Additional aircraft		71,000
10 AH-64 APACHE BLOCK IIIB NEW BUILD (AP-CY)	146,121	135,421
Excess advance procurement		-10,700
13 UH-60 BLACKHAWK (MYP)	1,107,087	1,306,087
Program increase - only for the Army National Guard		199,000
15 CH-47 HELICOPTER	1,076,036	1,186,036
Additional aircraft		110,000
18 MQ-1 PAYLOAD - UAS	231,508	184,608
Army requested transfer to RDTE,A line 131 for EMAARS		-46,900
23 CH-47 CARGO HELICOPTER MODS	39,135	87,935
Cargo on/off loading system with ballistic protection		48,800
26 UTILITY HELICOPTER MODS	73,804	183,804
UH-60 A to L conversion - only for the Army National Guard		110,000
27 KIOWA WARRIOR	192,484	119,584
OH-58 recap		-37,200
Cockpit and sensor upgrade program - ahead of need		-35,700
32 RQ-7 UAV MODS	104,339	29,265
Ahead of need		-75,074

MISSILE PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
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MISSILE PROCUREMENT, ARMY		
OTHER MISSILES		
SURFACE-TO-AIR MISSILE SYSTEM		
1 PATRIOT SYSTEM SUMMARY.....	646,590	946,590
2 MSE MISSILE.....	12,850	9,350
AIR-TO-SURFACE MISSILE SYSTEM		
4 HELLFIRE SYS SUMMARY.....	1,401	1,401
ANTI-TANK/ASSAULT MISSILE SYSTEM		
5 JAVELIN (AAWS-M) SYSTEM SUMMARY.....	81,121	81,121
6 TOW 2 SYSTEM SUMMARY.....	64,712	64,712
7 TOW 2 SYSTEM SUMMARY (AP-CY).....	19,931	19,931
8 GUIDED MLRS ROCKET (GMLRS).....	218,679	207,423
9 MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR).....	18,767	16,267
10 HIGH MOBILITY ARTILLERY ROCKET SYSTEM.....	12,051	12,051
TOTAL, OTHER MISSILES.....	1,076,102	1,358,846
MODIFICATION OF MISSILES		
MODIFICATIONS		
11 PATRIOT MODS.....	199,565	149,565
13 MLRS MODS.....	2,466	2,466
14 HIMARS MODIFICATIONS.....	6,068	6,068
TOTAL, MODIFICATION OF MISSILES.....	208,099	158,099
SPARES AND REPAIR PARTS		
16 SPARES AND REPAIR PARTS.....	7,864	7,864
SUPPORT EQUIPMENT AND FACILITIES		
17 AIR DEFENSE TARGETS.....	3,864	3,864
18 ITEMS LESS THAN \$5.0M (MISSILES).....	1,560	1,560
19 PRODUCTION BASE SUPPORT.....	5,200	5,200
TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	10,624	10,624
TOTAL, MISSILE PROCUREMENT, ARMY.....	1,302,689	1,535,433

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 PATRIOT SYSTEM SUMMARY	646,590	946,590
Program increase		300,000
2 MSE MISSILE	12,850	9,350
Excess to requirement		-3,500
8 GUIDED MLRS ROCKET (GMLRS)	218,679	207,423
Unit cost efficiencies		-11,256
9 MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,767	16,267
Unit cost efficiencies		-2,500
11 PATRIOT MODS	199,565	149,565
Radar digital processor program delay		-50,000

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)		
	BUDGET REQUEST	RECOMMEND

PROCUREMENT OF W&TCV, ARMY		
1 TRACKED COMBAT VEHICLES		
STRYKER VEHICLE.....	286,818	286,818
3 MODIFICATION OF TRACKED COMBAT VEHICLES		
STRYKER (MOD).....	60,881	60,881
4 FIST VEHICLE (MOD).....	57,257	57,257
5 BRADLEY PROGRAM (MOD).....	148,193	288,193
6 HOWITZER, MED SP FT 155MM M109A6 (MOD).....	10,341	8,641
7 PALADIN PIPM MOD IN SERVICE.....	206,101	206,101
8 IMPROVED RECOVERY VEHICLE (M88A2 HERCULES).....	107,909	169,909
9 ARMORED BREACHER VEHICLE.....	50,039	50,039
10 M88 FOV MODS.....	29,930	29,930
11 M1 ABRAMS TANK (MOD).....	129,090	129,090
12 ABRAMS UPGRADE PROGRAM.....	74,433	255,433
SUPPORT EQUIPMENT AND FACILITIES		
13 PRODUCTION BASE SUPPORT (TCV-WTCV).....	1,145	1,145

TOTAL, TRACKED COMBAT VEHICLES.....	1,162,137	1,543,437
WEAPONS AND OTHER COMBAT VEHICLES		
14 INTEGRATED AIR BURST WEAPON SYS FAMILY.....	506	506
17 LIGHTWEIGHT .50 CALIBER MACHINE GUN.....	25,183	---
19 MORTAR SYSTEMS.....	8,104	8,104
21 XM320 GRENADE LAUNCHER MODULE (GLM).....	14,096	14,096
24 M4 CARBINE.....	21,272	21,272
25 SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS).....	6,598	6,598
26 COMMON REMOTELY OPERATED WEAPONS STATION.....	56,725	56,725
27 HOWITZER LT WT 155MM (T).....	13,827	13,827

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

MOD OF WEAPONS AND OTHER COMBAT VEH		
29 M777 MODS.....	26,843	26,843
30 M4 CARBINE MODS.....	27,243	27,243
31 M2 50 CAL MACHINE GUN MODS.....	39,974	39,974
32 M249 SAW MACHINE GUN MODS.....	4,996	4,996
33 M240 MEDIUM MACHINE GUN MODS.....	6,806	6,806
34 SNIPER RIFLES MODIFICATIONS.....	14,113	14,113
35 M119 MODIFICATIONS.....	20,727	20,727
36 M16 RIFLE MODS.....	3,306	3,306
37 MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV).....	3,072	3,072
SUPPORT EQUIPMENT AND FACILITIES		
38 ITEMS LESS THAN \$5.0M (WOCV-WTCV).....	2,026	2,026
39 PRODUCTION BASE SUPPORT (WOCV-WTCV).....	10,115	10,115
40 INDUSTRIAL PREPAREDNESS.....	442	442
41 SMALL ARMS EQUIPMENT (SOLDIER ENH PROG).....	2,378	2,378

TOTAL, WEAPONS AND OTHER COMBAT VEHICLES.....	308,352	283,169
SPARE AND REPAIR PARTS		
42 SPARES AND REPAIR PARTS (WTCV).....	31,217	31,217

TOTAL, PROCUREMENT OF W&TCV, ARMY.....	1,501,706	1,857,823
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1	Budget Request	Conference
5 BRADLEY PROGRAM (MOD) Program increase	148,193	288,193 140,000
6 HOWITZER, MED SP FT 155MM M109A6 (MOD) Unjustified increase in contractor support	10,341	8,641 -1,700
8 IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) Program increase	107,909	169,909 62,000
12 ABRAMS UPGRADE PROGRAM Program increase	74,433	255,433 181,000
17 LIGHTWEIGHT .50 CALIBER MACHINE GUN Program cancellation by Army	25,183	0 -25,183

PROCUREMENT OF AMMUNITION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

PROCUREMENT OF AMMUNITION, ARMY		
AMMUNITION		
SMALL/MEDIUM CAL AMMUNITION		
1 CTG, 5.56MM, ALL TYPES.....	158,313	158,313
2 CTG, 7.62MM, ALL TYPES.....	91,438	91,438
3 CTG, HANDGUN, ALL TYPES.....	8,954	8,954
4 CTG, .50 CAL, ALL TYPES.....	109,604	109,604
5 CTG, 20MM, ALL TYPES.....	4,041	4,041
6 CTG, 25MM, ALL TYPES.....	12,654	12,654
7 CTG, 30MM, ALL TYPES.....	72,154	52,154
8 CTG, 40MM, ALL TYPES.....	60,138	31,738
MORTAR AMMUNITION		
9 60MM MORTAR, ALL TYPES.....	44,375	44,375
10 81MM MORTAR, ALL TYPES.....	27,471	27,471
11 120MM MORTAR, ALL TYPES.....	87,811	87,811
TANK AMMUNITION		
12 CTG TANK 105MM AND 120MM: ALL TYPES.....	112,380	112,380
ARTILLERY AMMUNITION		
13 CTG, ARTY, 75MM AND 105MM: ALL TYPES.....	50,861	50,861
14 ARTILLERY PROJECTILE, 155MM, ALL TYPES.....	26,227	26,227
15 PROJ 155MM EXTENDED RANGE XM982.....	110,329	60,329
16 ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES...	43,924	43,924
MINES		
17 MINES AND CLEARING CHARGE, ALL TYPES.....	3,775	3,775
NETWORKED MUNITIONS		
18 SPIDER NETWORK MUNITIONS, ALL TYPES.....	17,408	17,408
ROCKETS		
19 SHOULDER LAUNCHED MUNITIONS, ALL TYPES.....	1,005	1,005
20 ROCKET, HYDRA 70, ALL TYPES.....	123,433	123,433
OTHER AMMUNITION		
21 DEMOLITION MUNITIONS, ALL TYPES.....	35,189	35,189
22 GRENADES, ALL TYPES.....	33,477	33,477
23 SIGNALS, ALL TYPES.....	9,991	9,991
24 SIMULATORS, ALL TYPES.....	10,388	10,388

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

MISCELLANEOUS		
25 AMMO COMPONENTS, ALL TYPES.....	19,383	19,383
26 NON-LETHAL AMMUNITION, ALL TYPES.....	7,336	7,336
27 CAD/PAD ALL TYPES.....	6,641	6,641
28 ITEMS LESS THAN \$5 MILLION.....	15,092	15,092
29 AMMUNITION PECULIAR EQUIPMENT.....	15,692	15,692
30 FIRST DESTINATION TRANSPORTATION (AMMO).....	14,107	14,107
31 CLOSEOUT LIABILITIES.....	106	106

TOTAL, AMMUNITION.....	1,333,697	1,235,297
AMMUNITION PRODUCTION BASE SUPPORT		
PRODUCTION BASE SUPPORT		
32 PROVISION OF INDUSTRIAL FACILITIES.....	220,171	220,171
33 CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL.....	182,461	182,461
34 ARMS INITIATIVE.....	3,377	3,377

TOTAL, AMMUNITION PRODUCTION BASE SUPPORT.....	406,009	406,009

TOTAL, PROCUREMENT OF AMMUNITION, ARMY.....	1,739,706	1,641,306
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
7 CTG, 30MM, ALL TYPES	72,154	52,154
Army requested transfer to title IX - AP,A line 13		-18,000
Excess non-recurring engineering		-2,000
8 CTG, 40MM, ALL TYPES	60,138	31,738
Excess to requirement		-28,400
15 PROJ 155MM EXTENDED RANGE XM982	110,329	60,329
Contract award delays		-50,000

OTHER PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OTHER PROCUREMENT, ARMY		
TACTICAL AND SUPPORT VEHICLES		
TACTICAL VEHICLES		
1 SEMITRAILERS, FLATBED:.....	7,097	7,097
2 FAMILY OF MEDIUM TACTICAL VEH (FMTV).....	346,115	339,515
3 FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN.....	19,292	19,292
4 FAMILY OF HEAVY TACTICAL VEHICLES (FHTV).....	52,933	52,933
5 PLS ESP.....	18,035	18,035
9 TRUCK, TRACTOR, LINE HAUL, M915/M916.....	3,619	3,619
10 HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV.....	26,859	26,859
12 TACTICAL WHEELED VEHICLE PROTECTION KITS.....	69,163	69,163
13 MODIFICATION OF IN SVC EQUIP.....	91,754	91,754
NON-TACTICAL VEHICLES		
18 PASSENGER CARRYING VEHICLES.....	2,548	2,548
19 NONTACTICAL VEHICLES, OTHER.....	16,791	11,791

TOTAL, TACTICAL AND SUPPORT VEHICLES.....	654,206	642,606
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
COMM - JOINT COMMUNICATIONS		
20 JOINT COMBAT IDENTIFICATION MARKING SYSTEM.....	10,061	8,961
21 WIN-T - GROUND FORCES TACTICAL NETWORK.....	892,635	545,820
22 SIGNAL MODERNIZATION PROGRAM.....	45,626	45,626
23 JCSE EQUIPMENT (USREDCOM).....	5,143	5,143
COMM - SATELLITE COMMUNICATIONS		
24 DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS.....	151,636	151,636
25 TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.....	6,822	1,822
26 SHF TERM.....	9,108	9,108
28 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE).....	27,353	8,453
29 SMART-T (SPACE).....	98,656	14,040
31 GLOBAL BRDCST SVC - GBS.....	47,131	47,131
32 MOD OF IN-SVC EQUIP (TAC SAT).....	23,281	23,281

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
COMM - C3 SYSTEM		
34 ARMY GLOBAL CMD & CONTROL SYS (AGCCS).....	10,848	10,848
COMM - COMBAT COMMUNICATIONS		
35 ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO).....	979	979
36 JOINT TACTICAL RADIO SYSTEM.....	556,250	366,250
37 MID-TIER NETWORKING VEHICULAR RADIO (MNVR).....	86,219	86,219
38 RADIO TERMINAL SET, MIDS LVT(2).....	7,798	7,798
39 SINGARS FAMILY.....	9,001	9,001
40 AMC CRITICAL ITEMS - OPA2.....	24,601	24,601
41 TRACTOR DESK.....	7,779	2,579
43 SPIDER APLA REMOTE CONTROL UNIT.....	34,365	32,365
44 SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS.....	1,833	---
45 TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM.....	12,984	12,984
47 GUNSHOT DETECTION SYSTEM (GDS).....	2,332	---
48 RADIO, IMPROVED HF (COTS) FAMILY.....	1,132	1,132
49 MEDICAL COMM FOR CBT CASUALTY CARE (MC4).....	22,899	22,899
COMM - INTELLIGENCE COMM		
51 CI AUTOMATION ARCHITECTURE (MIP).....	1,564	1,564
52 RESERVE CA/MISO GPF EQUIPMENT.....	28,781	28,781
INFORMATION SECURITY		
53 TSEC - ARMY KEY MGT SYS (AKMS).....	23,432	23,432
54 INFORMATION SYSTEM SECURITY PROGRAM-ISSP.....	43,897	43,897
COMM - LONG HAUL COMMUNICATIONS		
56 TERRESTRIAL TRANSMISSION.....	2,891	2,891
57 BASE SUPPORT COMMUNICATIONS.....	13,872	13,872
58 WW TECH CON IMP PROG (WWTICIP).....	9,595	9,595
COMM - BASE COMMUNICATIONS		
59 INFORMATION SYSTEMS.....	142,133	131,133
61 INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.....	57,727	57,727
62 PENTAGON INFORMATION MGT AND TELECOM.....	5,000	5,000

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

ELECT EQUIP		
ELECT EQUIP - TACT INT REL ACT (TIARA)		
65 JTT/CIBS-M (MIP).....	1,641	1,641
66 PROPHET GROUND (MIP).....	48,797	48,797
69 DCGS-A (MIP).....	184,007	184,007
70 JOINT TACTICAL GROUND STATION (JTAGS).....	2,680	2,680
71 TROJAN (MIP).....	21,483	21,483
72 MOD OF IN-SVC EQUIP (INTEL SPT) (MIP).....	2,412	2,412
73 CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP).....	7,077	7,077
ELECT EQUIP - ELECTRONIC WARFARE (EW)		
75 LIGHTWEIGHT COUNTER MORTAR RADAR.....	72,594	72,594
76 CREW.....	15,446	15,446
78 COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES.....	1,470	1,470
79 CI MODERNIZATION (MIP).....	1,368	1,368
ELECT EQUIP - TACTICAL SURV. (TAC SURV)		
80 FAAD GBS.....	7,980	7,980
81 SENTINEL MODS.....	33,444	33,444
82 SENSE THROUGH THE WALL (STTW).....	6,212	---
83 NIGHT VISION DEVICES.....	166,516	166,516
85 NIGHT VISION, THERMAL WPN SIGHT.....	82,162	82,162
86 SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF.....	20,717	20,717
89 GREEN LASER INTERDICTION SYSTEM.....	1,014	1,014
90 INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS.....	29,881	27,381
91 PROFILER.....	12,482	12,482
92 MOD OF IN-SVC EQUIP (FIREFINDER RADARS).....	3,075	3,075
94 JOINT BATTLE COMMAND - PLATFORM (JBC-P).....	141,385	141,385
96 MOD OF IN-SERVICE EQUIPMENT (LLDR).....	22,403	88,403
98 MORTAR FIRE CONTROL SYSTEM.....	29,505	21,705
99 COUNTERFIRE RADARS.....	244,409	244,409
100 ENHANCED SENSOR & MONITORING SYSTEM.....	2,426	2,426

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

ELECT EQUIP - TACTICAL C2 SYSTEMS		
101 TACTICAL OPERATIONS CENTERS.....	30,196	30,196
102 FIRE SUPPORT C2 FAMILY.....	58,903	58,903
103 BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM.....	8,111	8,111
104 FAAD C2.....	5,031	5,031
105 AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD).....	64,144	64,144
106 KNIGHT FAMILY.....	11,999	11,999
107 LIFE CYCLE SOFTWARE SUPPORT (LCSS).....	1,853	1,853
108 AUTOMATIC IDENTIFICATION TECHNOLOGY.....	14,377	14,377
111 NETWORK MANAGEMENT INITIALIZATION AND SERVICE.....	59,821	44,921
112 MANEUVER CONTROL SYSTEM (MCS).....	51,228	51,228
113 SINGLE ARMY LOGISTICS ENTERPRISE (SALE).....	176,901	176,901
114 RECONNAISSANCE AND SURVEYING INSTRUMENT SET.....	15,209	15,209
ELECT EQUIP - AUTOMATION		
115 ARMY TRAINING MODERNIZATION.....	8,866	8,866
116 AUTOMATED DATA PROCESSING EQUIPMENT.....	129,438	129,438
117 GENERAL FUND ENTERPRISE BUSINESS SYSTEM.....	9,184	9,184
118 CSS COMMUNICATIONS.....	20,639	20,639
119 RESERVE COMPONENT AUTOMATION SYS (RCAS).....	35,493	35,493
ELECT EQUIP - AUDIO VISUAL SYS (A/V)		
120 ITEMS LESS THAN \$5.0M (A/V).....	8,467	8,467
121 ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT).....	5,309	5,309
ELECT EQUIP - SUPPORT		
122 PRODUCTION BASE SUPPORT (C-E).....	586	586
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	4,303,705	3,669,497

OTHER SUPPORT EQUIPMENT		
CHEMICAL DEFENSIVE EQUIPMENT		
126 FAMILY OF NON-LETHAL EQUIPMENT (FNLE).....	3,960	1,000
127 BASE DEFENSE SYSTEMS (BDS).....	4,374	4,374
128 CBRN SOLDIER PROTECTION.....	9,259	9,259
BRIDGING EQUIPMENT		
130 TACTICAL BRIDGING.....	35,499	2,961
131 TACTICAL BRIDGE, FLOAT-RIBBON.....	32,893	20,843

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
134 ROBOTIC COMBAT SUPPORT SYSTEM.....	29,106	29,106
135 EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).....	25,459	25,459
136 REMOTE DEMOLITION SYSTEMS.....	8,044	8,044
137 ITEMS LESS THAN \$5M, COUNTERMINE EQUIPMENT.....	3,698	3,698
COMBAT SERVICE SUPPORT EQUIPMENT		
138 HEATERS AND ECU'S.....	12,210	12,210
139 SOLDIER ENHANCEMENT.....	6,522	6,522
140 PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS).....	11,222	11,222
141 GROUND SOLDIER SYSTEM.....	103,317	93,317
143 FIELD FEEDING EQUIPMENT.....	27,417	27,417
145 CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.....	52,065	52,065
146 MORTUARY AFFAIRS SYSTEMS.....	2,358	2,358
147 FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS.....	31,573	31,573
148 ITEMS LESS THAN \$5M (ENG SPT).....	14,093	14,093
PETROLEUM EQUIPMENT		
149 DISTRIBUTION SYSTEMS, PETROLEUM & WATER.....	36,266	36,266
MEDICAL EQUIPMENT		
150 COMBAT SUPPORT MEDICAL.....	34,101	34,101
151 MEDEVAC MISSION EQUIPMENT PACKAGE (MEP).....	20,540	20,540
MAINTENANCE EQUIPMENT		
152 MOBILE MAINTENANCE EQUIPMENT SYSTEMS.....	2,495	2,495
CONSTRUCTION EQUIPMENT		
154 GRADER, ROAD MTZD, HVY, 6X4 (CCE).....	2,028	2,028
156 SCRAPERS, EARTHMOVING.....	6,146	6,146
157 MISSION MODULES - ENGINEERING.....	31,200	31,200
161 TRACTOR, FULL TRACKED.....	20,867	20,867
162 ALL TERRAIN CRANES.....	4,003	3,503
163 PLANT, ASPHALT MIXING.....	3,679	3,679
164 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS.....	30,042	30,042
165 ENHANCED RAPID AIRFIELD CONSTRUCTION.....	13,725	---
166 CONST EQUIP ESP.....	13,351	11,351
167 ITEMS LESS THAN \$5.0M (CONST EQUIP).....	9,134	9,134
RAIL FLOAT CONTAINERIZATION EQUIPMENT		
170 ITEMS LESS THAN \$5.0M (FLOAT/RAIL).....	10,552	10,552

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

GENERATORS		
171 GENERATORS AND ASSOCIATED EQUIPMENT.....	60,302	60,302
MATERIAL HANDLING EQUIPMENT		
173 FAMILY OF FORKLIFTS.....	5,895	5,895
TRAINING EQUIPMENT		
175 COMBAT TRAINING CENTERS SUPPORT.....	104,649	104,649
176 TRAINING DEVICES, NONSYSTEM.....	125,251	122,251
177 CLOSE COMBAT TACTICAL TRAINER.....	19,984	19,984
178 AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA.....	10,977	10,977
179 GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.....	4,056	4,056
TEST MEASURE AND DIG EQUIPMENT (TMD)		
180 CALIBRATION SETS EQUIPMENT.....	10,494	10,494
181 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE).....	45,508	45,508
182 TEST EQUIPMENT MODERNIZATION (TEMOD).....	24,334	37,334
OTHER SUPPORT EQUIPMENT		
183 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.....	5,078	5,078
184 PHYSICAL SECURITY SYSTEMS (OPA3).....	46,301	46,301
185 BASE LEVEL COM'L EQUIPMENT.....	1,373	1,373
186 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3).....	59,141	59,141
187 PRODUCTION BASE SUPPORT (OTH).....	2,446	2,446
188 SPECIAL EQUIPMENT FOR USER TESTING.....	12,920	12,920
189 AMC CRITICAL ITEMS OPA3.....	19,180	19,180
190 TRACTOR YARD.....	7,368	7,368
191 BCT UNMANNED GROUND VEHICLE.....	83,937	31,937

TOTAL, OTHER SUPPORT EQUIPMENT.....	1,300,392	1,184,619
SPARE AND REPAIR PARTS		
193 INITIAL SPARES - C&E.....	64,507	64,507

TOTAL, SPARE AND REPAIR PARTS.....	64,507	64,507
CLASSIFIED PROGRAMS.....	3,435	3,435
EMERGENCY MANAGEMENT MODERNIZATION PROGRAM.....	---	52,000
NON-DEVELOPMENTAL EMERGING TECHNOLOGIES.....	---	25,000
ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM.....	---	100,000

TOTAL, OTHER PROCUREMENT, ARMY.....	6,326,245	5,741,664
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
2 FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	339,515
Support cost growth		-6,600
19 NONTACTICAL VEHICLES, OTHER	16,791	11,791
Unobligated balances		-5,000
20 JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	8,961
Unobligated balances		-1,100
21 WIN-T - GROUND FORCES TACTICAL NETWORK	892,635	545,820
Increment 2 contract award delay		-346,815
25 TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	1,822
Ahead of need		-5,000
28 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	8,453
Contract award delay		-18,900
29 SMART-T (SPACE)	98,656	14,040
Army reduced requirement		-84,616
36 JOINT TACTICAL RADIO SYSTEM	556,250	366,250
Manpack contract award delay		-190,000
41 TRACTOR DESK	7,779	2,579
Excess to need		-5,200
43 SPIDER APLA REMOTE CONTROL UNIT	34,365	32,365
Program adjustment		-2,000
44 SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	0
Unobligated balances		-1,833
47 GUNSHOT DETECTION SYSTEM (GDS)	2,332	0
Contract award delay		-2,332
59 INFORMATION SYSTEMS	142,133	131,133
Unobligated balances		-11,000
82 SENSE THROUGH THE WALL (STTW)	6,212	0
Contract award delay		-6,212
90 INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	27,381
Training excess to need		-2,500
96 MOD OF IN-SERVICE EQUIPMENT (LLDR)	22,403	88,403
Light weight laser designator/range finder - Army identified shortfall		66,000
98 MORTAR FIRE CONTROL SYSTEM	29,505	21,705
Program cost growth		-7,800

P-1	Budget Request	Conference
111 NETWORK MANAGEMENT INITIALIZATION AND SERVICE	59,821	44,921
Unjustified unit cost growth		-11,900
Program support cost growth		-3,000
116 AUTOMATED DATA PROCESSING EQUIPMENT	129,438	129,438
Army requested internal realignment - high performance computing modernization program		[57,700]
126 FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	3,960	1,000
Stun device requirement met with fiscal year 2012 funding		-2,960
130 TACTICAL BRIDGING	35,499	2,961
Dry support bridge contract award delay		-32,000
Line of communication bridge termination		-538
131 TACTICAL BRIDGE, FLOAT-RIBBON	32,893	20,843
Propulsion contract award delay		-12,050
141 GROUND SOLDIER SYSTEM	103,317	93,317
Reduce funding by two brigade combat teams		-10,000
162 ALL TERRAIN CRANES	4,003	3,503
Excess support costs		-500
165 ENHANCED RAPID AIRFIELD CONSTRUCTION	13,725	0
Excess to need		-13,725
166 CONSTRUCTION EQUIPMENT EXTENDED SERVICE PROG	13,351	11,351
Excess support costs		-2,000
176 TRAINING DEVICES, NONSYSTEM	125,251	122,251
Unobligated balances		-3,000
182 TEST EQUIPMENT MODERNIZATION (TEMOD)	24,334	37,334
Test and training ranges upgrades		13,000
191 BCT UNMANNED GROUND VEHICLE	83,937	31,937
Ahead of need		-52,000
xxx EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	0	52,000
Army requested transfer from OM,A line 131		52,000
xxx NON-DEVELOPMENTAL EMERGING TECHNOLOGIES	0	25,000
Army requested transfer from RDTE,A line 169		25,000
xxx ARMY NATIONAL GUARD HMMWV MODERNIZATION PROGRAM	0	100,000
Program increase		100,000

CONTAINER HANDLING EQUIPMENT

The conferees do not agree to withhold funding made available to the Army in this Act or any other appropriations act for fiscal year 2013 or any previous fiscal year for the

procurement of container handling equipment. However, the conference agreement retains a reporting requirement as established in House Report 112-493, which directs the Comptroller General to provide a report to the congressional defense committees.

AIRCRAFT PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
1	EA-18G.....	1,027,443	940,965
2	EA-18G (AP-CY).....	---	45,000
3	F/A-18E/F (FIGHTER) HORNET (MYP).....	2,035,131	2,581,565
4	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY).....	30,296	30,296
5	JOINT STRIKE FIGHTER	1,007,632	965,979
6	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY).....	65,180	32,590
7	JSF STOVL.....	1,404,737	1,241,636
8	JSF STOVL (AP-CY).....	106,199	106,199
9	V-22 (MEDIUM LIFT).....	1,303,120	1,362,120
10	V-22 (MEDIUM LIFT) (AP-CY).....	154,202	154,202
11	UH-1Y/AH-1Z.....	720,933	785,545
12	UH-1Y/AH-1Z (AP-CY).....	69,658	69,658
13	MH-60S (MYP).....	384,792	377,168
14	MH-60S (MYP) (AP-CY).....	69,277	69,277
15	MH-60R.....	656,866	656,866
16	MH-60R (AP-CY).....	185,896	159,541
17	P-8A POSEIDON.....	2,420,755	2,385,209
18	P-8A POSEIDON (ADVANCE PROCUREMENT).....	325,679	325,679
19	E-2D ADV HAWKEYE.....	861,498	833,498
20	E-2D ADV HAWKEYE (AP-CY).....	123,179	123,179
21	C-40A.....	---	79,000
TOTAL, COMBAT AIRCRAFT.....		12,952,473	13,325,172

TRAINER AIRCRAFT			
22	JPATS.....	278,884	243,379
TOTAL, TRAINER AIRCRAFT.....		278,884	243,379

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OTHER AIRCRAFT		
23 KC-130J.....	3,000	133,000
24 KC-130J (AP-CY).....	22,995	22,995
25 RQ-4 UAV (AP-CY).....	51,124	51,124
26 MQ-8 UAV.....	124,573	124,573
27 STUASLO UAV.....	9,593	---

TOTAL, OTHER AIRCRAFT.....	211,285	331,692
MODIFICATION OF AIRCRAFT		
28 EA-6 SERIES.....	30,062	30,062
29 AEA SYSTEMS.....	49,999	44,819
30 AV-8 SERIES.....	38,703	38,703
31 ADVERSARY.....	4,289	4,289
32 F-18 SERIES.....	647,306	600,194
33 H-46 SERIES.....	2,343	2,343
34 AH-1W SERIES.....	8,721	8,721
35 H-53 SERIES.....	45,567	38,067
36 SH-60 SERIES.....	83,527	97,392
37 H-1 SERIES.....	6,508	6,508
38 EP-3 SERIES.....	66,374	63,474
39 P-3 SERIES.....	148,405	137,145
40 E-2 SERIES.....	16,322	16,322
41 TRAINER A/C SERIES.....	34,284	28,134
42 C-2A.....	4,743	4,743
43 C-130 SERIES.....	60,302	45,961
44 FEWSG.....	670	670
45 CARGO/TRANSPORT A/C SERIES.....	26,311	15,629
46 E-6 SERIES.....	158,332	152,732
47 EXECUTIVE HELICOPTERS SERIES.....	58,163	43,163

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
48 SPECIAL PROJECT AIRCRAFT.....	12,421	11,421
49 T-45 SERIES.....	64,488	48,908
50 POWER PLANT CHANGES.....	21,569	13,569
51 JPATS SERIES.....	1,552	1,552
52 AVIATION LIFE SUPPORT MODS.....	2,473	2,473
53 COMMON ECM EQUIPMENT.....	114,690	112,944
54 COMMON AVIONICS CHANGES.....	96,183	92,583
56 ID SYSTEMS.....	39,846	36,112
57 P-8 SERIES.....	5,302	5,302
58 MAGTF EW FOR AVIATION.....	34,127	34,127
59 RQ-7 SERIES.....	49,324	49,324
60 V-22 (TILT/ROTOR ACFT) OSPREY.....	95,856	91,856
TOTAL, MODIFICATION OF AIRCRAFT.....	2,028,762	1,879,242
AIRCRAFT SPARES AND REPAIR PARTS		
61 SPARES AND REPAIR PARTS.....	1,166,430	1,119,200
AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
62 COMMON GROUND EQUIPMENT.....	387,195	381,195
63 AIRCRAFT INDUSTRIAL FACILITIES.....	23,469	21,474
64 WAR CONSUMABLES.....	43,383	43,383
65 OTHER PRODUCTION CHARGES.....	3,399	3,399
66 SPECIAL SUPPORT EQUIPMENT.....	32,274	32,274
67 FIRST DESTINATION TRANSPORTATION.....	1,742	1,742
TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES.....	491,462	483,467
TOTAL, AIRCRAFT PROCUREMENT, NAVY.....	17,129,296	17,382,152

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 EA-18G	1,027,443	940,965
CFE electronics cost growth		-25,896
Engine cost growth		-13,020
Other GFE contract savings		-1,308
Excess ancillary equipment funding		-4,941
Support funding carryover		-8,000
Avionics PGSE cost growth		-20,000
AEA kit shutdown phasing		-13,313
2 EA-18G (AP-CY)	0	45,000
Program increase - 15 additional aircraft (advance procurement)		45,000
3 F/A-18E/F (FIGHTER) HORNET (MYP)	2,035,131	2,581,565
GFE electronics cost growth		-8,710
Engine cost growth		-28,000
Armament cost growth		-2,458
Excess ECO funding		-11,398
Support funding carryover		-8,000
Program increase - 11 additional aircraft		605,000
5 JOINT STRIKE FIGHTER	1,007,632	965,979
Excess ECO funding		-4,249
Excess NRE		-7,404
Engine PGSE growth		-10,000
Support funding carryover		-20,000
6 JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	65,180	32,590
Excess advance procurement due to reduced fiscal year 2013 procurement		-32,590
7 JSF STOVL	1,404,737	1,241,636
Engine cost growth		-44,350
ECO growth		-3,950
Excess NRE due to reduced procurement ramp		-77,801
Support funding carryover		-30,000
Engine PGSE growth		-7,000
9 V-22 (MEDIUM LIFT)	1,303,120	1,362,120
Replace operational loss		71,000
Flyaway unit cost savings		-12,000
11 UH-1Y/AH-1Z	720,933	785,545
UH-1Y GFE electronics cost growth		-8,700
AH-1Z GFE electronics cost growth		-6,588
Replace aircraft losses		79,900
13 MH-60S (MYP)	384,792	377,168
Airframe contract savings		-7,624

P-1	Budget Request	Conference
16 MH-60R (AP-CY)	185,896	159,541
Excess advance procurement due to reduced fiscal year 2013 procurement		-26,355
17 P-8A POSEIDON	2,420,755	2,385,209
Excess to need		-35,546
19 E-2D ADV HAWKEYE	861,498	833,498
Airframe cost growth		-28,000
21 C-40A	0	79,000
One C-40 aircraft to mitigate Navy Reserve shortfall		79,000
22 JPATS	278,884	243,379
Airframe cost growth		-21,285
NRE growth		-4,220
Support funding carryover		-4,000
Excess ECO funding		-6,000
23 KC-130J	3,000	133,000
Program increase - two additional aircraft		130,000
27 STUASLO UAV	9,593	0
Program decrease		-9,593
29 AEA SYSTEMS	49,999	44,819
Low band transmitter cost growth		-1,980
Installation equipment NRE growth		-3,000
AEA expendable ahead of need		-200
32 F-18 SERIES	647,306	600,194
ECP 1125 cost growth		-1,504
ILS growth (OSIP 11-84)		-5,000
Excess other support funding (OSIP 10-99)		-1,100
Installation kit non-recurring funding growth (OSIP 11-99)		-10,000
Aft fuselage installation cost growth (OSIP 11-99)		-2,250
Joint helmet mounted cueing system (JHMCS) contract savings (OSIP 24-00)		-5,400
JHMCS (C/D) B-kit cost growth (OSIP 24-00)		-4,000
APG-65/73/79 obsolescence growth (OSIP 002-07)		-4,858
Other support funding growth (OSIP 001-10)		-3,000
Core avionics improvements installation equipment non-recurring engineering unjustified growth		-10,000
35 H-53 SERIES	45,567	38,067
Other support cost growth		-7,500

P-1	Budget Request	Conference
36 SH-60 SERIES	83,527	97,392
ECP 4034 and 4039 kit procurement ahead of need (OSIP 009-07)		-1,535
Automatic radar periscope detection discrimination (OSIP 005-12)		
contract savings		-3,600
Program increase - special warfare support helicopter capability upgrade		20,000
Other support cost growth		-1,000
38 EP-3 SERIES	66,374	63,474
Quick reaction capability unjustified request		-1,000
Other support cost growth		-1,900
39 P-3 SERIES	148,405	137,145
TCAS modification kit procurement ahead of need		-9,500
Special structural inspection kits installation cost growth		-1,760
41 TRAINER A/C SERIES	34,284	28,134
T-44 Avionics obsolescence cost growth (OSIP 005-04)		-6,150
43 C-130 SERIES	60,302	45,961
Other support funding growth (OSIP 008-12)		-4,156
NRE B-kit procurement ahead of need (OSIP 008-12)		-5,400
LAIRCM installation funding ahead of need (OSIP 020-12)		-4,679
C-130J communications navigation surveillance/air traffic management integrated logistics support excess to need		-106
45 CARGO/TRANSPORT A/C SERIES	26,311	15,629
CNS/ATM installation cost growth (OSIP 012-04)		-682
Aircraft survivability equipment excess to need (OSIP 023-12)		-10,000
46 E-6 SERIES	158,332	152,732
Other support growth (OSIP 003-04)		-2,600
SLEP kit installation cost growth (OSIP 003-07)		-3,000
47 EXECUTIVE HELICOPTERS SERIES	58,163	43,163
VH-3D cockpit upgrade non-recurring engineering contract delay		-15,000
48 SPECIAL PROJECT AIRCRAFT	12,421	11,421
Excess other support funding		-1,000
49 T-45 SERIES	64,488	48,908
Excess non-recurring and other support funding (OSIP 008-95)		-6,200
Installation funding carryover (OSIP 008-12)		-1,900
Avionics obsolescence modification kit cost growth (OSIP 017-04)		-2,360
Synthetic radar modification kit cost growth (OSIP 002-06)		-5,120

P-1	Budget Request	Conference
50 POWER PLANT CHANGES	21,569	13,569
Unobligated balances		-8,000
53 COMMON ECM EQUIPMENT	114,690	112,944
LAIRCM cost growth (OSIP 005-08)		-1,746
54 COMMON AVIONICS CHANGES	96,183	92,583
Blue force situational awareness installation kits procurement ahead of need (OSIP 10-11)		-1,400
Prior year funds available		-2,200
56 ID SYSTEMS	39,846	36,112
Mode 5 IFF cost growth (OSIP 15-03)		-3,734
60 V-22 (TILT/ROTOR ACFT) OSPREY	95,856	91,856
Other support growth (OSIP 022-01)		-4,000
61 SPARES AND REPAIR PARTS	1,166,430	1,119,200
Excess MV-22 initial spares		-11,230
Excess E-2D initial spares		-19,000
MQ-8 spares growth		-2,000
F-35C spares execution		-15,000
62 COMMON GROUND EQUIPMENT	387,195	381,195
Aircrew virtual environment trainer cost growth		-1,000
Support funding carryover		-5,000
63 AIRCRAFT INDUSTRIAL FACILITIES	23,469	21,474
Physical dimension/optical calibration cost growth		-1,995

WEAPONS PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
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WEAPONS PROCUREMENT, NAVY		
BALLISTIC MISSILES		
MODIFICATION OF MISSILES		
1 TRIDENT II MODS.....	1,224,683	1,199,883
SUPPORT EQUIPMENT AND FACILITIES		
2 MISSILE INDUSTRIAL FACILITIES.....	5,553	5,553
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TOTAL, BALLISTIC MISSILES.....	1,230,236	1,205,436
OTHER MISSILES		
STRATEGIC MISSILES		
3 TOMAHAWK.....	308,970	293,970
TACTICAL MISSILES		
4 AMRAAM.....	102,683	92,359
5 SIDEWINDER.....	80,226	74,267
6 JSOW.....	127,609	127,609
7 STANDARD MISSILE.....	399,482	381,762
8 RAM.....	66,769	65,769
9 HELLFIRE.....	74,501	74,501
11 AERIAL TARGETS.....	61,518	59,862
12 OTHER MISSILE SUPPORT.....	3,585	3,585
MODIFICATION OF MISSILES		
13 ESSM.....	58,194	53,694
14 HARM MODS.....	86,721	86,721
SUPPORT EQUIPMENT AND FACILITIES		
16 WEAPONS INDUSTRIAL FACILITIES.....	2,014	2,014
17 FLEET SATELLITE COMM FOLLOW-ON.....	21,454	21,454
ORDNANCE SUPPORT EQUIPMENT		
18 ORDNANCE SUPPORT EQUIPMENT.....	54,945	54,945
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TOTAL, OTHER MISSILES.....	1,448,671	1,392,512

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

TORPEDOES AND RELATED EQUIPMENT		
TORPEDOES AND RELATED EQUIP		
19 SSTD.....	2,700	2,700
20 ASW TARGETS.....	10,385	10,385
MOD OF TORPEDOES AND RELATED EQUIP		
21 MK-46 TORPEDO MODS.....	74,487	73,487
22 MK-48 TORPEDO ADCAP MODS.....	54,281	48,833
23 QUICKSTRIKE MINE.....	6,852	6,852
SUPPORT EQUIPMENT		
24 TORPEDO SUPPORT EQUIPMENT.....	46,402	46,402
25 ASW RANGE SUPPORT.....	11,927	10,927
DESTINATION TRANSPORTATION		
26 FIRST DESTINATION TRANSPORTATION.....	3,614	3,614

TOTAL, TORPEDOES AND RELATED EQUIPMENT.....	210,648	203,200
OTHER WEAPONS		
GUNS AND GUN MOUNTS		
27 SMALL ARMS AND WEAPONS.....	12,594	12,594
MODIFICATION OF GUNS AND GUN MOUNTS		
28 CIWS MODS.....	59,303	67,003
29 COAST GUARD WEAPONS.....	19,072	19,072
30 GUN MOUNT MODS.....	54,706	54,706
32 CRUISER MODERNIZATION WEAPONS.....	1,591	1,591
33 AIRBORNE MINE NEUTRALIZATION SYSTEMS.....	20,607	20,607

TOTAL, OTHER WEAPONS.....	167,873	175,573
34 SPARES AND REPAIR PARTS.....	60,150	60,150

TOTAL, WEAPONS PROCUREMENT, NAVY.....	3,117,578	3,036,871
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 TRIDENT II MODS	1,224,683	1,199,883
Rocket motor requalification growth		-2,100
Tooling and test/support equipment growth		-10,000
Reduce unjustified program support costs		-12,700
3 TOMAHAWK	308,970	293,970
Contract savings		-15,000
4 AMRAAM	102,683	92,359
Captive air training missile cost growth		-10,324
5 SIDEWINDER	80,226	74,267
All up round missile cost growth		-3,847
Captive air training missile cost growth		-2,112
7 STANDARD MISSILE	399,482	381,762
Maintain fiscal year 2012 SM-6 production level		-17,720
8 RAM	66,769	65,769
Support funding carryover		-1,000
11 AERIAL TARGETS	61,518	59,862
Rocket motor unit cost growth		-1,656
13 ESSM	58,194	53,694
Support funding carryover		-4,500
21 MK-46 TORPEDO MODS	74,487	73,487
Support funding carryover		-1,000
22 MK-48 TORPEDO ADCAP MODS	54,281	48,833
CBASS kit contract savings		-5,448
25 ASW RANGE SUPPORT	11,927	10,927
Stationary target component growth		-1,000
28 CIWS MODS	59,303	67,003
Program increase - additional RMA kits		7,700

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
PROC AMMO, NAVY		
NAVY AMMUNITION		
1 GENERAL PURPOSE BOMBS.....	27,024	26,024
2 AIRBORNE ROCKETS, ALL TYPES.....	56,575	54,775
3 MACHINE GUN AMMUNITION.....	21,266	20,266
4 PRACTICE BOMBS.....	34,319	32,619
5 CARTRIDGES & CART ACTUATED DEVICES.....	53,755	53,755
6 AIR EXPENDABLE COUNTERMEASURES.....	61,693	58,233
7 JATOS.....	2,776	2,776
8 LRLAP 6" LONG RANGE ATTACK PROJECTILE.....	7,102	7,102
9 5 INCH/54 GUN AMMUNITION.....	48,320	48,320
10 INTERMEDIATE CALIBER GUN AMMUNITION.....	25,544	18,544
11 OTHER SHIP GUN AMMUNITION.....	41,624	36,184
12 SMALL ARMS & LANDING PARTY AMMO.....	65,893	63,515
13 PYROTECHNIC AND DEMOLITION.....	11,176	11,176
14 AMMUNITION LESS THAN \$5 MILLION.....	4,116	4,116
TOTAL, PROC AMMO, NAVY.....	461,183	437,405

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

PROC AMMO, MARINE CORPS MARINE CORPS AMMUNITION		
15 SMALL ARMS AMMUNITION.....	83,733	69,455
16 LINEAR CHARGES, ALL TYPES.....	24,645	18,253
17 40 MM, ALL TYPES.....	16,201	16,201
19 81MM, ALL TYPES.....	13,711	3,711
20 120MM, ALL TYPES.....	12,557	12,557
22 GRENADES, ALL TYPES.....	7,634	6,185
23 ROCKETS, ALL TYPES.....	27,528	27,528
24 ARTILLERY, ALL TYPES.....	93,065	55,409
25 DEMOLITION MUNITIONS, ALL TYPES.....	2,047	---
26 FUZE, ALL TYPES.....	5,297	1,255
27 NON LETHALS.....	1,362	1,362
28 AMMO MODERNIZATION.....	4,566	4,566
29 ITEMS LESS THAN \$5 MILLION.....	6,010	6,010

TOTAL, PROC AMMO, MARINE CORPS.....	298,356	222,492

TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS.....	759,539	659,897
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 GENERAL PURPOSE BOMBS	27,024	26,024
-Support funding carryover		-1,000
2 AIRBORNE ROCKETS, ALL TYPES	56,575	54,775
MK-66 rocket motor cost growth		-1,800
3 MACHINE GUN AMMUNITION	21,266	20,266
20MM linkless TP PGU-27 cost growth		-1,000
4 PRACTICE BOMBS	34,319	32,619
MK-76 and MK-82 inert bombs cost growth		-1,700
6 AIR EXPENDABLE COUNTERMEASURES	61,693	58,233
ALE-55 cost growth		-1,700
MJU-57 cost growth		-1,760
10 INTERMEDIATE CALIBER GUN AMMUNITION	25,544	18,544
MK295 cartridge prior year funds available		-1,100
MK295 cartridge decreased unit cost		-5,900
11 OTHER SHIP GUN AMMUNITION	41,624	36,184
20MM MK-244 cartridge cost growth		-2,700
30MM x 173 linked cartridge contract delay		-2,740
12 SMALL ARMS & LANDING PARTY AMMO	65,893	63,515
5.56MM M855 cartridge cost growth		-1,082
7.62MM LKD, ball, and tracer cartridge cost growth		-650
M18A1 mine cost growth		-646
15 SMALL ARMS AMMUNITION	83,733	69,455
5.56MM LAP kit cost growth		-5,300
7.62MM 4 & 1 linked cartridge cost growth		-1,074
.50 caliber 4 & 1 linked cartridge cost growth		-1,600
Prior year funds available		-6,304
16 LINEAR CHARGES, ALL TYPES	24,645	18,253
M58 series charge LAP kit cost growth		-1,295
M58 series charge C-4 composite cost growth		-3,670
Obstacle breaching system complete rounds cost growth		-1,427
19 81MM, ALL TYPES	13,711	3,711
Excess to requirement		-10,000
22 GRENADES, ALL TYPES	7,634	6,185
Signaling colored smoke grenade cost growth		-1,449
24 ARTILLERY, ALL TYPES	93,065	55,409
IMX-101 explosive fill cost growth		-6,900
M795 metal parts cost growth		-4,533
IMX-101 wooden pallets cost growth		-901
155MM projectile M795 HE LAP kit contract delay		-20,340
DA13 propellant M31A2 contract delay		-4,982
25 DEMOLITION MUNITIONS, ALL TYPES	2,047	0
Excess to requirement		-2,047
26 FUZE, ALL TYPES	5,297	1,255
Prior year funds available		-4,042

SHIPBUILDING AND CONVERSION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
SHIPBUILDING & CONVERSION, NAVY		
OTHER WARSHIPS		
1 CARRIER REPLACEMENT PROGRAM.....	608,195	565,371
3 VIRGINIA CLASS SUBMARINE.....	3,217,601	3,217,601
4 VIRGINIA CLASS SUBMARINE (AP-CY).....	874,878	1,652,557
5 CVN REFUELING OVERHAUL.....	1,613,392	1,613,392
6 CVN REFUELING OVERHAULS (AP-CY).....	70,010	70,010
8 DDG 1000.....	669,222	669,222
9 DDG-51.....	3,048,658	4,036,628
10 DDG-51 (AP-CY).....	466,283	466,283
11 LITTORAL COMBAT SHIP.....	1,784,959	1,784,959
TOTAL, OTHER WARSHIPS.....	12,353,198	14,076,023
AMPHIBIOUS SHIPS		
13 LPD-17(AP).....	---	263,255
15 INTRATHEATER CONNECTOR.....	189,196	189,196
TOTAL, AMPHIBIOUS SHIPS.....	189,196	452,451
AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS		
17 MOORED TRAINING SHIP.....	307,300	307,300
18 OUTFITTING.....	309,648	290,035
20 LCAC SLEP.....	47,930	85,830
21 COMPLETION OF PY SHIPBUILDING PROGRAMS.....	372,573	372,573
TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM...	1,037,451	1,055,738
TOTAL, SHIPBUILDING & CONVERSION, NAVY.....	13,579,845	15,584,212

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 CARRIER REPLACEMENT PROGRAM	608,195	565,371
--Electronics ship-test and integration growth		-2,500
HM&E engineering services growth		-6,000
Trucks/forklifts growth		-2,000
Ship self defense system engineering growth		-2,000
SEVIP block 2 growth		-5,000
EMALS systems engineering growth		-3,000
EMALS technical engineering services growth		-8,000
JPALS pricing		-1,000
AN/SQQ-34 tactical support center pricing		-1,000
NULKA decoy system pricing		-1,500
AN/UPX-29(V) IFF revised cost estimate		-10,824
4 VIRGINIA CLASS SUBMARINE (AP-CY)	874,878	1,652,557
Program increase - advance procurement		777,679
9 DDG-51	3,048,658	4,036,628
EXCOMM equipment cost growth		-10,214
CIWS hardware cost growth		-1,816
Program increase - one additional ship		1,000,000
13X LPD-17 (AP-CY)	0	263,255
Program increase - advance procurement		263,255
18 OUTFITTING	309,648	290,035
DDG-113 outfitting ahead of need		-397
SSN-786 outfitting phasing		-3,000
SSN-788 outfitting ahead of need		-2,265
CVN-72 outfitting ahead of need		-4,309
JHSV-902 post delivery ahead of need		-3,642
LPD-23 post delivery phasing		-6,000
20 LCAC SLEP	47,930	85,830
Restore unjustified reduction of two craft		37,900

VIRGINIA CLASS SUBMARINE

The conferees direct the Navy to include ten Virginia Class Submarines in the program's next multi-year procurement opportunity.

OTHER PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
OTHER PROCUREMENT, NAVY		
SHIPS SUPPORT EQUIPMENT		
SHIP PROPULSION EQUIPMENT		
1 LM-2500 GAS TURBINE.....	10,658	10,658
2 ALLISON 501K GAS TURBINE.....	8,469	3,983
NAVIGATION EQUIPMENT		
3 OTHER NAVIGATION EQUIPMENT.....	23,392	23,392
PERISCOPES		
4 SUB PERISCOPES & IMAGING EQUIP.....	53,809	52,609
OTHER SHIPBOARD EQUIPMENT		
5 DDG MOD.....	452,371	412,656
6 FIREFIGHTING EQUIPMENT.....	16,958	9,099
7 COMMAND AND CONTROL SWITCHBOARD.....	2,492	2,492
8 POLLUTION CONTROL EQUIPMENT.....	20,707	18,498
9 SUBMARINE SUPPORT EQUIPMENT.....	12,046	24,546
10 VIRGINIA CLASS SUPPORT EQUIPMENT.....	79,870	77,458
11 LCS CLASS SUPPORT EQUIPMENT.....	19,865	9,300
12 SUBMARINE BATTERIES.....	41,522	41,522
13 LPD CLASS SUPPORT EQUIPMENT.....	30,543	28,048
14 STRATEGIC PLATFORM SUPPORT EQUIP.....	16,257	16,257
15 DSSP EQUIPMENT.....	3,630	3,630
16 CG-MODERNIZATION.....	101,000	101,000
17 LCAC.....	16,645	16,645
18 UNDERWATER EOD PROGRAMS.....	35,446	33,318
19 ITEMS LESS THAN \$5 MILLION.....	65,998	59,026
20 CHEMICAL WARFARE DETECTORS.....	4,359	4,359
21 SUBMARINE LIFE SUPPORT SYSTEM.....	10,218	6,610
REACTOR PLANT EQUIPMENT		
22 REACTOR POWER UNITS.....	286,859	286,859
23 REACTOR COMPONENTS.....	278,503	278,503

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
OCEAN ENGINEERING		
24 DIVING AND SALVAGE EQUIPMENT.....	8,998	8,998
SMALL BOATS		
25 STANDARD BOATS.....	30,131	30,131
TRAINING EQUIPMENT		
26 OTHER SHIPS TRAINING EQUIPMENT.....	29,772	29,772
PRODUCTION FACILITIES EQUIPMENT		
27 OPERATING FORCES IPE.....	64,346	104,346
OTHER SHIP SUPPORT		
28 NUCLEAR ALTERATIONS.....	154,652	154,652
29 LCS MODULES.....	31,319	31,319
30 LCS MCM MISSION MODULES.....	38,392	38,392
31 LCS SUW MISSION MODULES.....	32,897	32,897
LOGISTICS SUPPORT		
32 LSD MIDLIFE.....	49,758	45,793
TOTAL, SHIPS SUPPORT EQUIPMENT.....	2,031,882	1,996,768
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
SHIP SONARS		
34 SPQ-9B RADAR.....	19,777	49,777
35 AN/SQQ-89 SURF ASW COMBAT SYSTEM.....	89,201	88,201
36 SSN ACOUSTICS.....	190,874	190,874
37 UNDERSEA WARFARE SUPPORT EQUIPMENT.....	17,035	17,035
38 SONAR SWITCHES AND TRANSDUCERS.....	13,410	13,410
ASW ELECTRONIC EQUIPMENT		
40 SUBMARINE ACOUSTIC WARFARE SYSTEM.....	21,489	15,614
41 SSTD.....	10,716	10,716
42 FIXED SURVEILLANCE SYSTEM.....	98,896	98,896
43 SURTASS.....	2,774	2,774
44 TACTICAL SUPPORT CENTER.....	18,428	18,428
ELECTRONIC WARFARE EQUIPMENT		
45 AN/SLQ-32.....	92,270	89,270
RECONNAISSANCE EQUIPMENT		
46 SHIPBOARD IW EXPLOIT.....	107,060	97,064
47 AUTOMATED IDENTIFICATION SYSTEM (AIS).....	914	914
SUBMARINE SURVEILLANCE EQUIPMENT		
48 SUBMARINE SUPPORT EQUIPMENT PROG.....	34,050	34,050

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
49 OTHER SHIP ELECTRONIC EQUIPMENT COOPERATIVE ENGAGEMENT CAPABILITY.....	27,881	22,191
50 TRUSTED INFORMATION SYSTEM (TIS).....	448	448
51 NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS).....	35,732	33,737
53 NAVY COMMAND AND CONTROL SYSTEM (NCCS).....	9,533	9,533
54 MINESWEEPING SYSTEM REPLACEMENT.....	60,111	45,654
55 SHALLOW WATER MCM.....	6,950	6,950
56 NAVSTAR GPS RECEIVERS (SPACE).....	9,089	9,089
57 ARMED FORCES RADIO AND TV.....	7,768	5,568
58 STRATEGIC PLATFORM SUPPORT EQUIP.....	3,614	3,614
TRAINING EQUIPMENT		
59 OTHER TRAINING EQUIPMENT.....	42,911	41,421
AVIATION ELECTRONIC EQUIPMENT		
60 MATCAL.....	5,861	5,861
61 SHIPBOARD AIR TRAFFIC CONTROL.....	8,362	8,362
62 AUTOMATIC CARRIER LANDING SYSTEM.....	15,685	13,623
63 NATIONAL AIR SPACE SYSTEM.....	16,919	14,512
64 AIR STATION SUPPORT EQUIPMENT.....	6,828	6,828
65 MICROWAVE LANDING SYSTEM.....	7,646	7,646
66 ID SYSTEMS.....	35,474	29,856
67 TAC A/C MISSION PLANNING SYS(TAMPS).....	9,958	9,958
OTHER SHORE ELECTRONIC EQUIPMENT		
68 DEPLOYABLE JOINT COMMAND AND CONT.....	9,064	9,064
69 TADIX-B.....	16,026	14,882
70 GCCS-M EQUIPMENT TACTICAL/MOBILE.....	11,886	11,886
71 DCGS-N.....	11,887	11,887
72 CANES.....	341,398	316,389
73 RADIAC.....	8,083	8,083
74 CANES-INTELL.....	79,427	67,956
75 GPETE.....	6,083	6,083
76 INTEG COMBAT SYSTEM TEST FACILITY.....	4,495	4,495
77 EMI CONTROL INSTRUMENTATION.....	4,767	4,767
78 ITEMS LESS THAN \$5 MILLION.....	81,755	74,355
SHIPBOARD COMMUNICATIONS		
80 SHIP COMMUNICATIONS AUTOMATION.....	56,870	55,166

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
81 MARITIME DOMAIN AWARENESS (MDA).....	1,063	1,063
82 COMMUNICATIONS ITEMS UNDER \$5M.....	28,522	28,522
SUBMARINE COMMUNICATIONS		
83 SUBMARINE BROADCAST SUPPORT.....	4,183	4,183
84 SUBMARINE COMMUNICATION EQUIPMENT.....	69,025	63,423
SATELLITE COMMUNICATIONS		
85 SATELLITE COMMUNICATIONS SYSTEMS.....	49,294	49,294
86 NAVY MULTIBAND TERMINAL (NMT).....	184,825	170,521
SHORE COMMUNICATIONS		
87 JCS COMMUNICATIONS EQUIPMENT.....	2,180	2,180
88 ELECTRICAL POWER SYSTEMS.....	1,354	1,354
CRYPTOGRAPHIC EQUIPMENT		
90 INFO SYSTEMS SECURITY PROGRAM (ISSP).....	144,104	142,193
CRYPTOLOGIC EQUIPMENT		
91 CRYPTOLOGIC COMMUNICATIONS EQUIP.....	12,604	12,604
OTHER ELECTRONIC SUPPORT		
92 COAST GUARD EQUIPMENT.....	6,680	6,680
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	2,163,239	2,038,904
AVIATION SUPPORT EQUIPMENT		
SONOBUOYS		
95 SONOBUOYS - ALL TYPES.....	104,677	104,677
AIRCRAFT SUPPORT EQUIPMENT		
96 WEAPONS RANGE SUPPORT EQUIPMENT.....	70,753	80,253
97 EXPEDITIONARY AIRFIELDS.....	8,678	8,678
98 AIRCRAFT REARMING EQUIPMENT.....	11,349	9,269
99 AIRCRAFT LAUNCH & RECOVERY EQUIPMENT.....	82,618	72,618
100 METEOROLOGICAL EQUIPMENT.....	18,339	18,339
101 OTHER PHOTOGRAPHIC EQUIPMENT.....	1,414	1,414
102 AVIATION LIFE SUPPORT.....	40,475	38,675
103 AIRBORNE MINE COUNTERMEASURES.....	61,552	59,552
104 LAMPS MK III SHIPBOARD EQUIPMENT.....	18,771	17,614
105 PORTABLE ELECTRONIC MAINTENANCE AIDS.....	7,954	7,954
106 OTHER AVIATION SUPPORT EQUIPMENT.....	10,023	8,377
107 AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS).....	3,826	3,826
TOTAL, AVIATION SUPPORT EQUIPMENT.....	440,429	431,246

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ORDNANCE SUPPORT EQUIPMENT		
SHIP GUN SYSTEM EQUIPMENT		
108 NAVAL FIRES CONTROL SYSTEM.....	3,472	3,472
109 GUN FIRE CONTROL EQUIPMENT.....	4,528	4,528
SHIP MISSILE SYSTEMS EQUIPMENT		
110 NATO SEASPARROW.....	8,960	8,960
111 RAM GMLS.....	1,185	1,185
112 SHIP SELF DEFENSE SYSTEM.....	55,371	55,371
113 AEGIS SUPPORT EQUIPMENT.....	81,614	78,614
114 TOMAHAWK SUPPORT EQUIPMENT.....	77,767	68,117
115 VERTICAL LAUNCH SYSTEMS.....	754	754
116 MARITIME INTEGRATED PLANNING SYSTEM-MIPS.....	4,965	3,965
FBM SUPPORT EQUIPMENT		
117 STRATEGIC MISSILE SYSTEMS EQUIP.....	181,049	173,549
ASW SUPPORT EQUIPMENT		
118 SSN COMBAT CONTROL SYSTEMS.....	71,316	71,316
119 SUBMARINE ASW SUPPORT EQUIPMENT.....	4,018	4,018
120 SURFACE ASW SUPPORT EQUIPMENT.....	6,465	6,465
121 ASW RANGE SUPPORT EQUIPMENT.....	47,930	47,930
OTHER ORDNANCE SUPPORT EQUIPMENT		
122 EXPLOSIVE ORDNANCE DISPOSAL EQUIP.....	3,579	3,579
123 ITEMS LESS THAN \$5 MILLION.....	3,125	3,125
OTHER EXPENDABLE ORDNANCE		
124 ANTI-SHIP MISSILE DECOY SYSTEM.....	31,743	29,743
125 SURFACE TRAINING DEVICE MODS.....	34,174	34,174
126 SUBMARINE TRAINING DEVICE MODS.....	23,450	23,450
TOTAL, ORDNANCE SUPPORT EQUIPMENT.....	645,465	622,315
CIVIL ENGINEERING SUPPORT EQUIPMENT		
127 PASSENGER CARRYING VEHICLES.....	7,158	7,158
128 GENERAL PURPOSE TRUCKS.....	3,325	3,325
129 CONSTRUCTION & MAINTENANCE EQUIP.....	8,692	8,692
130 FIRE FIGHTING EQUIPMENT.....	14,533	14,533
131 TACTICAL VEHICLES.....	15,330	15,330
132 AMPHIBIOUS EQUIPMENT.....	10,803	10,803
133 POLLUTION CONTROL EQUIPMENT.....	7,265	7,265

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
134 ITEMS UNDER \$5 MILLION.....	15,252	15,252
135 PHYSICAL SECURITY VEHICLES.....	1,161	1,161
TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT.....	83,519	83,519
SUPPLY SUPPORT EQUIPMENT		
136 MATERIALS HANDLING EQUIPMENT.....	15,204	15,204
137 OTHER SUPPLY SUPPORT EQUIPMENT.....	6,330	6,330
138 FIRST DESTINATION TRANSPORTATION.....	6,539	6,539
139 SPECIAL PURPOSE SUPPLY SYSTEMS.....	34,804	22,286
TOTAL, SUPPLY SUPPORT EQUIPMENT.....	62,877	50,359
PERSONNEL AND COMMAND SUPPORT EQUIPMENT		
TRAINING DEVICES		
140 TRAINING SUPPORT EQUIPMENT.....	25,444	25,444
COMMAND SUPPORT EQUIPMENT		
141 COMMAND SUPPORT EQUIPMENT.....	43,165	43,165
142 EDUCATION SUPPORT EQUIPMENT.....	2,251	2,251
143 MEDICAL SUPPORT EQUIPMENT.....	3,148	3,148
146 NAVAL MIP SUPPORT EQUIPMENT.....	3,502	3,502
148 OPERATING FORCES SUPPORT EQUIPMENT.....	15,696	15,696
149 C4ISR EQUIPMENT.....	4,344	4,344
150 ENVIRONMENTAL SUPPORT EQUIPMENT.....	19,492	19,492
151 PHYSICAL SECURITY EQUIPMENT.....	177,149	177,149
152 ENTERPRISE INFORMATION TECHNOLOGY.....	183,995	183,995
TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT.....	478,186	478,186
153 SPARES AND REPAIR PARTS.....	250,718	240,718
CLASSIFIED PROGRAMS.....	13,063	13,063
TOTAL, OTHER PROCUREMENT, NAVY.....	6,169,378	5,955,078

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
2 ALLISON 501K GAS TURBINE	8,469	3,983
Hot section replacement modification funding carryover		-4,486
4 SUB PERISCOPES & IMAGING EQUIP	53,809	52,609
Support funding carryover		-1,200
5 DDG MOD	452,371	412,656
Land based engineering site upgrade funding carryover		-8,000
GEDMS equipment contract savings		-5,236
MCS/DCS equipment cost growth		-1,275
MCS/DCS engineering services growth		-2,842
DVSS equipment cost growth		-1,303
MK-160 gun installation cost growth		-1,100
Aegis weapon system (AWS) equipment cost growth		-2,886
Excess AWS design service agent installation funding		-3,200
Excess multi-mission signal processor engineering services funding		-3,717
SPY-1D upgrades cost growth		-2,697
Excess VLS engineering services funding		-5,759
Excess AN/SQQ-89 engineering services funding		-1,700
6 FIREFIGHTING EQUIPMENT	16,958	9,099
EEBD contract delay		-7,859
8 POLLUTION CONTROL EQUIPMENT	20,707	18,498
Pollution control support systems cost growth		-1,000
R-114 conversion kit cost growth		-1,209
9 SUBMARINE SUPPORT EQUIPMENT	12,046	24,546
Materials research and technology		12,500
10 VIRGINIA CLASS SUPPORT EQUIPMENT	79,870	77,458
Ship alteration 4612K installation cost growth		-2,412
11 LCS CLASS SUPPORT EQUIPMENT	19,865	9,300
LCS waterjet shore spare components ahead of need		-10,565
13 LPD CLASS SUPPORT EQUIPMENT	30,543	28,048
HW/SW installation funding ahead of need		-2,495
18 UNDERWATER EOD PROGRAMS	35,446	33,318
Underwater Mine Countermeasure UUV retrofit kit cost growth		-2,128
19 ITEMS LESS THAN \$5 MILLION	65,998	59,026
Machinery plant upgrades installation cost growth		-2,117
Excess machinery plant upgrades design service agent funding		-4,194
PC ECDIS installation funding ahead of need		-661

P-1	Budget Request	Conference
21 SUBMARINE LIFE SUPPORT SYSTEM	10,218	6,610
Contract savings		-3,608
27 OPERATING FORCES IPE	64,346	104,346
Program increase—shipyard capital investment program		40,000
32 LSD MIDLIFE	49,758	45,793
Excess 30 ton crane control installation funding		-2,000
RO and generator modification cost growth		-1,965
35 AN/SQQ-89 SURF ASW COMBAT SYSTEM	89,201	88,201
Excess ECO funding		-1,000
40 SUBMARINE ACOUSTIC WARFARE SYSTEM	21,489	15,614
NAE beacon contract delay		-3,875
Contract award delays for launch tube and MK3		-2,000
45 AN/SLQ-32	92,270	89,270
Excess block 2 electronic support system installation funding		-2,000
Support funding carryover		-1,000
46 SHIPBOARD IW EXPLOIT	107,060	97,064
SSEE increment F modification kit cost growth		-2,296
SSEE increment F modification installation funding carryover		-6,300
Support funding carryover		-1,400
49 COOPERATIVE ENGAGEMENT CAPABILITY	27,881	22,191
Signal data processor backfit kit contract delay		-1,350
Excess PAAA backfit installation funding		-615
Excess signal data processor backfit kit installation funding		-2,725
Support funding carryover		-1,000
51 NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,732	33,737
Upgrade kit installation cost growth		-1,995
54 MINESWEEPING SYSTEM REPLACEMENT	60,111	45,654
Software integration growth		-2,800
AN/SQQ-32 sonar cost growth		-8,757
Support funding carryover		-2,900
57 ARMED FORCES RADIO AND TV	7,768	5,568
Excess production support funding		-2,200
59 OTHER TRAINING EQUIPMENT	42,911	41,421
Excess BFTT upgrade kit installation funding		-1,490

P-1	Budget Request	Conference
62 AUTOMATIC CARRIER LANDING SYSTEM	15,685	13,623
AN/SPN-46 modification kit cost growth		-850
AN/SPN-46 modification kit procurement ahead of need		-1,212
63 NATIONAL AIR SPACE SYSTEM	16,919	14,512
Digital airport surveillance radar cost growth		-2,407
66 ID SYSTEMS	35,474	29,856
Equipment procurement ahead of need		-2,918
Support funding carryover		-2,700
69 TADIX-B	16,026	14,882
AN/USQ-151 JTT-M system cost growth		-808
Excess design service agent funding		-336
72 CANES	341,398	316,389
Excess ADNS installation (afloat) funding		-2,070
Excess ADNS installation (ashore) funding		-2,415
Contract award delay and protest		-20,524
74 CANES-INTELL	79,427	67,956
Contract delay (DDG-51 class)		-5,532
Contract delay (LHD-7)		-5,939
78 ITEMS LESS THAN \$5 MILLION	81,755	74,355
Dual band radar ECP and production support funding ahead of need		-4,900
SPS-48G ECP growth		-2,500
80 SHIP COMMUNICATIONS AUTOMATION	56,870	55,166
Excess installation funding		-1,704
84 SUBMARINE COMMUNICATION EQUIPMENT	69,025	63,423
Virginia class submarine common submarine radio room installation cost growth		-1,400
Los Angeles class common submarine radio room modification kit cost growth		-1,152
Los Angeles class design service agent funding growth		-1,800
Los Angeles class common submarine radio room installation contract savings		-1,250
86 NAVY MULTIBAND TERMINAL (NMT)	184,825	170,521
Ship terminal procurement ahead of need		-10,000
Shore terminal procurement ahead of need		-2,704
Support funding carryover		-1,600
90 INFO SYSTEMS SECURITY PROGRAM (ISSP)	144,104	142,193
Comsec installation cost growth		-1,911
96 WEAPONS RANGE SUPPORT EQUIPMENT	70,753	80,253
Support funding carryover		-3,500
Test and training range upgrades		13,000
98 AIRCRAFT REARMING EQUIPMENT	11,349	9,269
Weapons assembly station contract delay		-2,080
99 AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	82,618	72,618
Unjustified cost growth for kit purchase		-10,000

P-1	Budget Request	Conference
102 AVIATION LIFE SUPPORT	40,475	38,675
Flight deck cranial cost growth		-1,800
103 AIRBORNE MINE COUNTERMEASURES	61,552	59,552
Modification funding growth		-2,000
104 LAMPS MK III SHIPBOARD EQUIPMENT	18,771	17,614
LAMPS MK III equipment procurement ahead of need		-1,157
106 OTHER AVIATION SUPPORT EQUIPMENT	10,023	8,377
Joint tactical data integration suites cost growth		-1,092
Expeditionary pack up kit cost growth		-554
113 AEGIS SUPPORT EQUIPMENT	81,614	78,614
Aegis weapon system ship change procurement growth		-3,000
114 TOMAHAWK SUPPORT EQUIPMENT	77,767	68,117
Production support funding growth		-9,650
116 MARITIME INTEGRATED PLANNING SYSTEM-MIPS	4,965	3,965
Excess installation funding		-1,000
117 STRATEGIC MISSILE SYSTEMS EQUIP	181,049	173,549
Launcher software refresh/redesign growth		-7,500
124 ANTI-SHIP MISSILE DECOY SYSTEM	31,743	29,743
Installation cost growth		-2,000
139 SPECIAL PURPOSE SUPPLY SYSTEMS	34,804	22,286
Excess to need		-12,518
153 SPARES AND REPAIR PARTS	250,718	240,718
Outfitting spares execution		-10,000

PROCUREMENT, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

PROCUREMENT, MARINE CORPS			
	WEAPONS AND COMBAT VEHICLES		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP.....	16,089	16,089
2	LAV PIP.....	186,216	45,342
	ARTILLERY AND OTHER WEAPONS		
3	EXPEDITIONARY FIRE SUPPORT SYSTEM.....	2,502	2,502
4	155MM LIGHTWEIGHT TOWED HOWITZER.....	17,913	17,913
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.....	47,999	7,107
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION.....	17,706	16,558
	OTHER SUPPORT		
7	MODIFICATION KITS.....	48,040	45,775
8	WEAPONS ENHANCEMENT PROGRAM.....	4,537	4,537
	TOTAL, WEAPONS AND COMBAT VEHICLES.....	341,002	155,823
	GUIDED MISSILES AND EQUIPMENT		
	GUIDED MISSILES		
9	GROUND BASED AIR DEFENSE.....	11,054	11,054
11	FOLLOW ON TO SMAW.....	19,650	19,650
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H).....	20,708	20,162
	TOTAL, GUIDED MISSILES AND EQUIPMENT.....	51,412	50,866

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
COMMAND AND CONTROL SYSTEMS		
14 COMBAT OPERATIONS CENTER.....	1,420	1,420
REPAIR AND TEST EQUIPMENT		
15 REPAIR AND TEST EQUIPMENT.....	25,127	25,127
OTHER SUPPORT (TEL)		
16 COMBAT SUPPORT SYSTEM.....	25,822	22,822
17 MODIFICATION KITS.....	2,831	2,831
COMMAND AND CONTROL		
18 ITEMS UNDER \$5 MILLION (COMM & ELEC).....	5,498	5,498
19 AIR OPERATIONS C2 SYSTEMS.....	11,290	11,290
RADAR + EQUIPMENT (NON-TEL)		
20 RADAR SYSTEMS.....	128,079	128,079
21 RQ-21 UAS.....	27,619	14,000
INTELL/COMM EQUIPMENT (NON-TEL)		
22 FIRE SUPPORT SYSTEM.....	7,319	7,319
23 INTELLIGENCE SUPPORT EQUIPMENT.....	7,466	7,466
25 RQ-11 UAV.....	2,318	2,318
26 DCGS-MC.....	18,291	13,291
OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
29 NIGHT VISION EQUIPMENT.....	48,084	43,884
OTHER SUPPORT (NON-TEL)		
30 COMMON COMPUTER RESOURCES.....	206,708	206,708
31 COMMAND POST SYSTEMS.....	35,190	35,190
32 RADIO SYSTEMS.....	89,059	89,059
33 COMM SWITCHING & CONTROL SYSTEMS.....	22,500	22,500
34 COMM & ELEC INFRASTRUCTURE SUPPORT.....	42,625	42,625
CLASSIFIED PROGRAMS.....	2,290	2,290
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT.....	709,536	683,717

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

SUPPORT VEHICLES		
ADMINISTRATIVE VEHICLES		
35 COMMERCIAL PASSENGER VEHICLES.....	2,877	2,877
36 COMMERCIAL CARGO VEHICLES.....	13,960	13,960
TACTICAL VEHICLES		
37 5/4T TRUCK HMMV (MYP).....	8,052	8,052
38 MOTOR TRANSPORT MODIFICATIONS.....	50,269	50,269
40 LOGISTICS VEHICLE SYSTEM REP.....	37,262	37,262
41 FAMILY OF TACTICAL TRAILERS.....	48,160	48,160
OTHER SUPPORT		
43 ITEMS LESS THAN \$5 MILLION.....	6,705	6,705

TOTAL, SUPPORT VEHICLES.....	167,285	167,285
ENGINEER AND OTHER EQUIPMENT		
ENGINEER AND OTHER EQUIPMENT		
44 ENVIRONMENTAL CONTROL EQUIP ASSORT.....	13,576	13,576
45 BULK LIQUID EQUIPMENT.....	16,869	16,869
46 TACTICAL FUEL SYSTEMS.....	19,108	19,108
47 POWER EQUIPMENT ASSORTED.....	56,253	56,253
48 AMPHIBIOUS SUPPORT EQUIPMENT.....	13,089	13,089
49 EOD SYSTEMS.....	73,699	73,699
MATERIALS HANDLING EQUIPMENT		
50 PHYSICAL SECURITY EQUIPMENT.....	3,510	3,510
51 GARRISON MOBILE ENGR EQUIP.....	11,490	11,490
52 MATERIAL HANDLING EQUIP.....	20,659	20,659
53 FIRST DESTINATION TRANSPORTATION.....	132	132

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
54 GENERAL PROPERTY FIELD MEDICAL EQUIPMENT.....	31,068	31,068
55 TRAINING DEVICES.....	45,895	45,895
56 CONTAINER FAMILY.....	5,801	5,801
57 FAMILY OF CONSTRUCTION EQUIPMENT.....	23,939	23,939
60 RAPID DEPLOYABLE KITCHEN.....	8,365	8,365
61 OTHER SUPPORT ITEMS LESS THAN \$5 MILLION.....	7,077	7,077
TOTAL, ENGINEER AND OTHER EQUIPMENT.....	350,530	350,530
62 SPARES AND REPAIR PARTS.....	3,190	3,190
TOTAL, PROCUREMENT, MARINE CORPS.....	1,622,955	1,411,411

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
2 LAV-PIIP	186,216	45,342
Marine Corps requested transfer to MP,MC and OM,MC		-140,874
5 HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	7,107
Marine Corps requested transfer to title IX - AP,N line 23		-40,892
6 WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	17,706	16,558
Scout sniper excess to requirement		-1,148
7 MODIFICATION KITS	48,040	45,775
Abrams suspension unit cost growth		-2,265
12 ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,162
Unit cost growth		-546
16 COMBAT SUPPORT SYSTEM	25,822	22,822
GCSS program delay		-3,000
21 RQ-21 UAS	27,619	14,000
Program adjustment		-13,619
26 DCGS-MC	18,291	13,291
Prior year unobligated balances		-5,000
29 NIGHT VISION EQUIPMENT	48,084	43,884
Squad thermal system program delay		-4,200

AIRCRAFT PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

AIRCRAFT PROCUREMENT, AIR FORCE			
COMBAT AIRCRAFT			
TACTICAL FORCES			
1	F-35.....	3,124,302	3,039,302
2	F-35 (AP-CY).....	293,400	293,400
TOTAL, COMBAT AIRCRAFT.....		3,417,702	3,332,702

AIRLIFT AIRCRAFT			
OTHER AIRLIFT			
5	C-130J.....	68,373	139,373
6	C-130J ADVANCE PROCUREMENT (CY).....	---	180,000
7	HC-130J.....	152,212	278,212
9	MC-130J.....	374,866	500,866
12	JOINT CARGO AIRCRAFT.....	---	137,863
TOTAL, AIRLIFT AIRCRAFT.....		595,451	1,236,314

OTHER AIRCRAFT			
HELICOPTERS			
15	HH-60 LOSS REPLACEMENT/RECAP.....	60,596	57,396
17	V-22 OSPREY.....	294,220	294,220
18	V-22 OSPREY (AP-CY).....	15,000	15,000
MISSION SUPPORT AIRCRAFT			
19	CIVIL AIR PATROL A/C.....	2,498	9,298

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
<hr/>		
OTHER AIRCRAFT		
24 TARGET DRONES.....	129,866	129,866
26 RQ-4 UAV.....	75,000	182,000
28 MC 130 IN BA 04.....	163,970	163,970
30 MQ-9.....	553,530	682,430
31 RQ-4 BLOCK 40 PROC.....	11,654	11,654
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TOTAL, OTHER AIRCRAFT.....	1,306,334	1,545,834
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MODIFICATION OF INSERVICE AIRCRAFT		
STRATEGIC AIRCRAFT		
32 B-2A.....	82,296	82,296
33 B-1B.....	149,756	149,756
34 B-52.....	9,781	9,781
35 LARGE AIRCRAFT INFRARED COUNTERMEASURES.....	28,800	28,800
TACTICAL AIRCRAFT		
36 A-10.....	89,919	251,119
37 F-15.....	148,378	210,878
38 F-16.....	6,896	6,896
39 F-22A.....	283,871	288,271
40 F-35 MODIFICATIONS.....	147,995	87,995
AIRLIFT AIRCRAFT		
41 C-5.....	6,967	6,967
43 C-5M.....	944,819	874,819
44 C-5M (AP-CY).....	175,800	175,800
46 C-17A.....	205,079	205,079
47 C-21.....	199	199
48 C-32A.....	1,750	1,750
49 C-37A.....	445	445
50 C-130 AMP.....	---	10,000
TRAINER AIRCRAFT		
51 GLIDER MODS.....	126	126
52 T6.....	15,494	15,494
53 T-1.....	272	272
54 T-38.....	20,455	20,455

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OTHER AIRCRAFT		
56 U-2 MODS.....	44,477	44,477
57 KC-10A (ATCA).....	46,921	10,000
58 C-12.....	1,876	1,876
59 MC-12W.....	17,054	17,054
60 C-20 MODS.....	243	243
61 VC-25A MOD.....	11,185	11,185
62 C-40.....	243	243
63 C-130.....	67,853	67,853
65 C130J MODS.....	70,555	70,555
66 C-135.....	46,707	46,707
67 COMPASS CALL MODS.....	50,024	50,024
68 RC-135.....	165,237	181,237
69 E-3.....	193,099	169,599
70 E-4.....	47,616	47,616
71 E-8.....	59,320	49,020
72 H-1.....	5,449	5,449
73 H-60.....	26,227	26,227
74 RQ-4 UAV MODS.....	9,257	7,757
75 HC/MC-130 MODIFICATIONS.....	22,326	22,326
76 OTHER AIRCRAFT.....	18,832	18,832
77 MQ-1 MODS.....	30,861	30,861
78 MQ-9 MODS.....	238,360	192,360
79 MQ-9 PAYLOAD - UAS.....	93,461	93,461
80 CV-22 MODS.....	23,881	23,881

TOTAL, MODIFICATION OF INSERVICE AIRCRAFT.....	3,610,162	3,616,041

AIRCRAFT SPARES AND REPAIR PARTS		
81 INITIAL SPARES/REPAIR PARTS.....	729,691	731,669

TOTAL, AIRCRAFT SPARES AND REPAIR PARTS.....	729,691	731,669

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		
COMMON SUPPORT EQUIPMENT		
82 AIRCRAFT REPLACEMENT SUPPORT EQUIP.....	56,542	56,542
POST PRODUCTION SUPPORT		
83 A-10.....	5,100	5,100
84 B-1.....	965	965
86 B-2A.....	47,580	47,580
88 KC-10A (ATCA).....	13,100	13,100
89 C-17A.....	181,703	181,703
90 C-130.....	31,830	31,830
91 C-135.....	13,434	13,434
92 F-15 POST PRODUCTION SUPPORT.....	2,363	2,363
93 F-16 POST PRODUCTION SUPPORT.....	8,506	5,906
96 OTHER AIRCRAFT.....	9,522	9,522
INDUSTRIAL PREPAREDNESS.....		
97 INDUSTRIAL PREPAREDNESS.....	20,731	20,731
WAR CONSUMABLES		
98 WAR CONSUMABLES.....	89,727	89,727
OTHER PRODUCTION CHARGES		
100 OTHER PRODUCTION CHARGES.....	842,392	812,792

TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES....	1,323,495	1,291,295
CLASSIFIED PROGRAMS.....	20,164	20,164

TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.....	11,002,999	11,774,019
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EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
1 F-35	3,124,302	3,039,302
Non-recurring engineering unjustified increase		-55,000
Ancillary equipment unjustified increase		-30,000
5 C-130J	68,373	139,373
Add one aircraft		55,000
Modular Airborne Fire Fighting Systems		16,000
6 C-130J AP (CY)	0	180,000
Unfunded requirement for advance procurement for 18 C/HC/MC/AC-130Js		180,000
7 HC-130J	152,212	278,212
Add two aircraft		126,000
9 MC-130J	374,866	500,866
Add two aircraft		126,000
12 C-27J JOINT CARGO AIRCRAFT	0	137,863
Retain C-27J force structure		137,863
15 HH-60 LOSS REPLACEMENT/RECAP	60,596	57,396
Interim contractor support forward financing		-3,200
19 CIVIL AIR PATROL AIRCRAFT	2,498	9,298
Program increase		6,800
26 RQ-4	75,000	182,000
Restore Block 30 program at 21 aircraft		107,000
30 MQ-9	553,530	682,430
Add 12 aircraft		155,000
Block 50 GCS program adjustment		-26,100
36 A-10	89,919	251,119
Retain A-10 force structure		161,200
37 F-15	148,378	210,878
AESA radars for ANG F-15s - level production rate		62,500
39 F-22A MODIFICATIONS	283,871	288,271
Backup oxygen system		21,500
Engine modifications - excess cost growth		-17,100
40 F-35 MODIFICATIONS	147,995	87,995
Block 3 upgrade kits ahead of need		-60,000
43 C-5M	944,819	874,819
Inflation adjustment and installation efficiencies		-20,000
ECO execution delays and excess growth		-50,000
50 C-130 AMP	0	10,000
C-130 AMP		10,000

P-1	Budget Request	Conference
57 KC-10A (ATCA)	46,921	10,000
CNS/ATM funds requested ahead of need		-36,921
68 RC-135	165,237	181,237
Rivet Joint shortfall		16,000
69 E-3	193,099	169,599
Block 40/45 - reduce one shipset		-17,300
NGIFF excess unit cost growth		-6,200
71 E-8	59,320	49,020
PME-DMS install funding ahead of need		-10,300
74 RQ-4 MODS	9,257	7,757
Excess to requirement		-1,500
78 MQ-9 MODS	238,360	192,360
Block 5 retrofit		-25,000
GCS Block 50 unsustained ramp		-21,000
81 INITIAL SPARES/REPAIR PARTS	729,691	731,669
General reduction		-50,000
C-27 spares - retain force structure		51,978
93 F-16 POST PRODUCTION SUPPORT	8,506	5,906
Production line shutdown excess to need		-2,600
99 OTHER PRODUCTION CHARGES	842,392	812,792
Classified adjustment		-29,600

B-52 COMBAT NETWORK COMMUNICATIONS
TECHNOLOGY

The fiscal year 2013 budget request included no funds in Aircraft Procurement, Air Force for the B-52 Combat Network Communications Technology (CONNECT) program despite a valid requirement from the Air Force Global Strike Command. Subsequent to the

budget submission, the program achieved conditional entry into Milestone C Low Rate Initial Production (LRIP), with an LRIP contract award contingent upon funding of the B-52 CONNECT program in the fiscal year 2014 Program Objective Memorandum. Accordingly, the conferees recommend the retention of prior year B-52 CONNECT funding

for an LRIP contract award subject to the conditions identified by the Milestone C Acquisition Decision Memorandum.

MISSILE PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
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MISSILE PROCUREMENT, AIR FORCE		
BALLISTIC MISSILES		
MISSILE REPLACEMENT EQUIPMENT - BALLISTIC		
1 MISSILE REPLACEMENT EQ-BALLISTIC.....	56,906	56,906
OTHER MISSILES		
TACTICAL		
2 JASSM.....	240,399	240,399
3 SIDEWINDER (AIM-9X).....	88,020	81,550
4 AMRAAM.....	229,637	201,637
5 PREDATOR HELLFIRE MISSILE.....	47,675	47,675
6 SMALL DIAMETER BOMB.....	42,000	2,000
INDUSTRIAL FACILITIES		
7 INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION.....	744	744
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TOTAL, OTHER MISSILES.....	648,475	574,005
MODIFICATION OF INSERVICE MISSILES		
CLASS IV		
9 MM III MODIFICATIONS.....	54,794	54,794
10 AGM-65D MAVERICK.....	271	271
11 AGM-88A HARM.....	23,240	23,240
12 AIR LAUNCH CRUISE MISSILE.....	13,620	13,620
13 SMALL DIAMETER BOMB.....	5,000	5,000
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TOTAL, MODIFICATION OF INSERVICE MISSILES.....	96,925	96,925

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

SPARES AND REPAIR PARTS		
14 INITIAL SPARES/REPAIR PARTS.....	74,373	74,373
OTHER SUPPORT		
SPACE PROGRAMS		
15 ADVANCED EHF.....	557,205	477,205
17 WIDEBAND GAPFILLER SATELLITES.....	36,835	36,835
19 GPS III SPACE SEGMENT.....	410,294	410,294
20 GPS III SPACE SEGMENT (AP-CY).....	82,616	82,616
21 SPACEBORNE EQUIP (COMSEC).....	10,554	10,554
22 GLOBAL POSITIONING (SPACE).....	58,147	48,147
23 DEF METEOROLOGICAL SAT PROG (SPACE).....	89,022	89,022
24 EVOLVED EXPENDABLE LAUNCH VEH (SPACE).....	1,679,856	805,250
24A EVOLVED EXPENDABLE LAUNCH VEH INFRASTRUCTURE (SPACE) ..	---	654,606
25 SBIR HIGH (SPACE).....	454,251	394,251
SPECIAL PROGRAMS		
30 SPECIAL UPDATE PROGRAMS.....	138,904	138,904

TOTAL, OTHER SUPPORT.....	3,517,684	3,147,684
CLASSIFIED PROGRAMS.....	1,097,483	1,012,483

TOTAL, MISSILE PROCUREMENT, AIR FORCE.....	5,491,846	4,962,376
=====		

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
3 SIDEWINDER (AIM-9X)	88,020	81,550
All up round missile cost growth		-4,530
Captive air training missile cost growth		-1,940
4 AMRAAM	229,637	201,637
All up round missile cost growth		-17,000
Captive air training missile cost growth		-11,000
6 SMALL DIAMETER BOMB	42,000	2,000
Delay procurement by one year		-40,000
15 ADVANCED EHF	557,205	477,205
Program management unjustified request		-5,000
Schedule delay due to late AP award		-75,000
22 GLOBAL POSITIONING (SPACE)	58,147	48,147
GPS space and control technical support excess to need		-10,000
24 EVOLVED EXPENDABLE LAUNCH VEHICLE (SPACE)	1,679,856	805,250
EELV launch capability - transfer to line 24a		-874,606
EVOLVED EXPENDABLE LAUNCH VEHICLE INFRASTRUCTURE		
24a (SPACE)	0	654,606
EELV launch capability - transfer from line 24		874,606
EELV launch capability contract savings		-220,000
25 SBIR HIGH (SPACE)	454,251	394,251
Schedule delay due to late AP award		-60,000
999 CLASSIFIED PROGRAMS	1,097,483	1,012,483
Classified adjustment		-85,000

EVOLVED EXPENDABLE LAUNCH VEHICLE

The conference agreement provides \$805,250,000 for Evolved Expendable Launch Vehicle (EELV) Launch Services and \$654,606,000 for EELV Launch Capability. The funds are provided in separate procurement lines to increase the budget visibility of each program. The conferees direct that none of

the recommended reduction to the EELV Launch Capabilities program be applied against mission assurance activities. Finally, the conferees direct the Secretary of the Air Force to provide clarification and definition of mission assurance activities that can be correlated to the EELV program and contract to the congressional defense

committees not later than 90 days after the enactment of this Act.

PROCUREMENT OF AMMUNITION, AIR
FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

PROCUREMENT OF AMMUNITION, AIR FORCE			
1	PROCUREMENT OF AMMO, AIR FORCE ROCKETS.....	8,927	8,927
2	CARTRIDGES.....	118,075	118,075
BOMBS			
3	PRACTICE BOMBS.....	32,393	31,893
4	GENERAL PURPOSE BOMBS.....	163,467	163,467
5	JOINT DIRECT ATTACK MUNITION.....	101,921	101,921
FLARE, IR MJU-7B			
6	CAD/PAD.....	43,829	43,829
7	EXPLOSIVE ORDNANCE DISPOSAL (EOD).....	7,515	7,515
8	SPARES AND REPAIR PARTS.....	1,003	1,003
9	MODIFICATIONS.....	5,321	5,321
10	ITEMS LESS THAN \$5,000,000.....	5,066	5,066
FUZES			
11	FLARES.....	46,010	46,010
12	FUZES.....	36,444	36,444

	TOTAL, PROCUREMENT OF AMMO, AIR FORCE.....	569,971	569,471
WEAPONS			
13	SMALL ARMS.....	29,223	25,223

	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.....	599,194	594,694
=====			

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	Conference
3	PRACTICE BOMBS	32,393	31,893
	MK-84 inert pricing adjustment		-500
13	SMALL ARMS	29,223	25,223
	Pricing adjustment		-4,000

OTHER PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
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OTHER PROCUREMENT, AIR FORCE		
VEHICULAR EQUIPMENT		
PASSENGER CARRYING VEHICLES		
1 PASSENGER CARRYING VEHICLE.....	1,905	1,905
CARGO + UTILITY VEHICLES		
2 FAMILY MEDIUM TACTICAL VEHICLE.....	18,547	18,547
3 CAP VEHICLES.....	932	932
4 ITEMS LESS THAN \$5M (CARGO).....	1,699	1,699
SPECIAL PURPOSE VEHICLES		
5 SECURITY AND TACTICAL VEHICLES.....	10,850	10,850
6 ITEMS LESS THAN \$5M (SPECIAL).....	9,246	9,246
FIRE FIGHTING EQUIPMENT		
7 FIRE FIGHTING/CRASH RESCUE VEHICLES.....	23,148	23,148
MATERIALS HANDLING EQUIPMENT		
8 ITEMS LESS THAN \$5,000,000.....	18,323	18,323
BASE MAINTENANCE SUPPORT		
9 RUNWAY SNOW REMOVAL & CLEANING EQUIP.....	1,685	1,685
10 ITEMS LESS THAN \$5M.....	17,014	17,014
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TOTAL, VEHICULAR EQUIPMENT.....	103,349	103,349
ELECTRONICS AND TELECOMMUNICATIONS EQUIP		
COMM SECURITY EQUIPMENT (COMSEC)		
12 COMSEC EQUIPMENT.....	166,559	166,559
13 MODIFICATIONS (COMSEC).....	1,133	1,133
INTELLIGENCE PROGRAMS		
14 INTELLIGENCE TRAINING EQUIPMENT.....	2,749	2,749
15 INTELLIGENCE COMM EQUIP.....	32,876	32,876
16 ADVANCE TECH SENSORS.....	877	877
17 MISSION PLANNING SYSTEMS.....	15,295	15,295

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

ELECTRONICS PROGRAMS		
18 TRAFFIC CONTROL/LANDING.....	21,984	21,984
19 NATIONAL AIRSPACE SYSTEM.....	30,698	30,698
20 BATTLE CONTROL SYSTEM - FIXED.....	17,368	17,368
21 THEATER AIR CONTROL SYS IMPRO.....	23,483	23,483
22 WEATHER OBSERVATION FORECAST.....	17,864	17,864
23 STRATEGIC COMMAND AND CONTROL.....	53,995	28,995
24 CHEYENNE MOUNTAIN COMPLEX.....	14,578	14,578
25 TAC SIGNIT SPT.....	208	208
SPECIAL COMM-ELECTRONICS PROJECTS		
27 GENERAL INFORMATION TECHNOLOGY.....	69,743	69,743
28 AF GLOBAL COMMAND & CONTROL SYSTEM.....	15,829	15,829
29 MOBILITY COMMAND AND CONTROL.....	11,023	11,023
30 AIR FORCE PHYSICAL SECURITY SYSTEM.....	64,521	64,521
31 COMBAT TRAINING RANGES.....	18,217	31,217
32 C3 COUNTERMEASURES.....	11,899	11,899
33 GCSS-AF FOS.....	13,920	13,920
34 THEATER BATTLE MGT C2 SYS.....	9,365	9,365
35 AIR OPERATIONS CENTER (AOC).....	33,907	33,907
AIR FORCE COMMUNICATIONS		
36 INFORMATION TRANSPORT SYSTEMS.....	52,464	52,464
38 AFNET.....	125,788	125,788
39 VOICE SYSTEMS.....	16,811	16,811
40 USCENTCOM.....	32,138	32,138
DISA PROGRAMS		
41 SPACE BASED IR SENSOR PROG SPACE.....	47,135	47,135
42 NAVSTAR GPS SPACE.....	2,031	2,031
43 NUDET DETECTION SYS (NDS) SPACE.....	5,564	5,564
44 AF SATELLITE CONTROL NETWORK SPACE.....	44,219	44,219
45 SPACELIFT RANGE SYSTEM SPACE.....	109,545	109,545
46 MILSATCOM SPACE.....	47,592	47,592
47 SPACE MODS SPACE.....	47,121	47,121
48 COUNTERSPACE SYSTEM.....	20,961	20,961

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ORGANIZATION AND BASE		
49 TACTICAL C-E EQUIPMENT.....	126,131	126,131
50 COMBAT SURVIVOR EVADER LOCATER.....	23,707	23,707
51 RADIO EQUIPMENT.....	12,757	12,757
52 CCTV/AUDIOVISUAL EQUIPMENT.....	10,716	10,716
53 BASE COMM INFRASTRUCTURE.....	74,528	74,528
MODIFICATIONS		
54 COMM ELECT MODS.....	43,507	43,507
TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP.....	1,490,806	1,478,806
OTHER BASE MAINTENANCE AND SUPPORT EQUIP		
PERSONAL SAFETY AND RESCUE EQUIP		
55 NIGHT VISION GOGGLES.....	22,693	22,693
56 ITEMS LESS THAN \$5,000,000 (SAFETY).....	30,887	30,887
DEPOT PLANT + MATERIALS HANDLING EQ		
57 MECHANIZED MATERIAL HANDLING.....	2,850	2,850
BASE SUPPORT EQUIPMENT		
58 BASE PROCURED EQUIPMENT.....	8,387	8,387
59 CONTINGENCY OPERATIONS.....	10,358	10,358
60 PRODUCTIVITY CAPITAL INVESTMENT.....	3,473	3,473
62 MOBILITY EQUIPMENT.....	14,471	14,471
63 ITEMS LESS THAN \$5M (BASE SUPPORT).....	1,894	1,894
SPECIAL SUPPORT PROJECTS		
65 DARP RC135.....	24,176	24,176
66 DISTRIBUTED GROUND SYSTEMS.....	142,928	142,928
68 SPECIAL UPDATE PROGRAM.....	479,446	479,446
69 DEFENSE SPACE RECONNAISSANCE PROGRAM.....	39,155	39,155
TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP.....	780,718	780,718
SPARE AND REPAIR PARTS		
71 SPARES AND REPAIR PARTS.....	14,663	14,663
CLASSIFIED PROGRAMS.....	14,331,312	14,704,972
TOTAL, OTHER PROCUREMENT, AIR FORCE.....	16,720,848	17,082,508

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
23 STRATEGIC COMMAND AND CONTROL	53,995	28,995
Facility fit-out ahead of need		-25,000
31 COMBAT TRAINING RANGES	18,217	31,217
Test and training range upgrades		13,000
999 CLASSIFIED PROGRAMS	14,331,312	14,704,972
Classified adjustment		373,660

PROCUREMENT, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

PROCUREMENT, DEFENSE-WIDE		
MAJOR EQUIPMENT		
MAJOR EQUIPMENT, DCAA		
2 MAJOR EQUIPMENT ITEMS LESS THAN \$5M.....	1,486	1,486
MAJOR EQUIPMENT, DCMA		
3 MAJOR EQUIPMENT.....	2,129	2,129
MAJOR EQUIPMENT, DHRA		
5 PERSONNEL ADMINISTRATION.....	6,147	6,147
MAJOR EQUIPMENT, DISA		
12 INFORMATION SYSTEMS SECURITY.....	12,708	12,708
14 GLOBAL COMBAT SUPPORT SYSTEM.....	3,002	3,002
15 TELEPORT PROGRAM.....	46,992	46,992
16 ITEMS LESS THAN \$5M.....	108,462	108,462
17 NET CENTRIC ENTERPRISE SERVICES (NCES).....	2,865	2,865
18 DEFENSE INFORMATION SYSTEMS NETWORK.....	116,906	116,906
19 PUBLIC KEY INFRASTRUCTURE.....	1,827	1,827
21 CYBER SECURITY INITIATIVE.....	10,319	10,319
MAJOR EQUIPMENT, DLA		
22 MAJOR EQUIPMENT.....	9,575	6,775
MAJOR EQUIPMENT, DMACT		
23 A - WEAPON SYSTEM COST.....	15,179	15,179
MAJOR EQUIPMENT, DODEA		
24 AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS.....	1,458	1,458
26 EQUIPMENT.....	2,522	2,522
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27 VEHICLES.....	50	50
28 OTHER MAJOR EQUIPMENT.....	13,096	12,433
MAJOR EQUIPMENT, MDA		
30 THAAD SYSTEM.....	460,728	460,728
31 AEGIS BMD.....	389,626	578,626
32 BMDS AN/TPY-2 RADARS.....	217,244	380,244
33 RADAR SYSTEMS.....	10,177	10,177
33 IRON DOME SYSTEM.....	---	211,000

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
41 MAJOR EQUIPMENT, NSA INFORMATION SYSTEMS SECURITY PROGRAM (ISSP).....	6,770	6,770
42 MAJOR EQUIPMENT, OSD MAJOR EQUIPMENT, OSD.....	45,938	45,938
43 MAJOR EQUIPMENT, INTELLIGENCE.....	17,582	17,582
44 MAJOR EQUIPMENT, TJS MAJOR EQUIPMENT, TJS.....	21,878	21,878
45 MAJOR EQUIPMENT, WHS MAJOR EQUIPMENT, WHS.....	26,550	26,550
TOTAL, MAJOR EQUIPMENT.....	1,551,216	2,110,753
SPECIAL OPERATIONS COMMAND AVIATION PROGRAMS		
46 SOF ROTARY WING UPGRADES AND SUSTAINMENT.....	74,832	74,832
48 MH-60 SOF MODERNIZATION PROGRAM.....	126,780	126,780
49 NON-STANDARD AVIATION.....	99,776	37,000
51 SOF U-28.....	7,530	116,906
52 MH-47 CHINOOK.....	134,785	134,785
53 RQ-11 UNMANNED AERIAL VEHICLE.....	2,062	2,062
54 CV-22 SOF MODIFICATION.....	139,147	139,147
55 MQ-1 UNMANNED AERIAL VEHICLE.....	3,963	26,963
56 MQ-9 UNMANNED AERIAL VEHICLE.....	3,952	39,352
58 STUASLO.....	12,945	---
59 PRECISION STRIKE PACKAGE.....	73,013	73,013
60 AC-130J.....	51,484	32,806
62 C-130 MODIFICATIONS.....	25,248	25,248
64 AIRCRAFT SUPPORT.....	5,314	5,314
SHIPBUILDING		
64 UNDERWATER SYSTEMS.....	23,037	6,449
AMMUNITION PROGRAMS		
66 SOF ORDNANCE REPLENISHMENT.....	113,183	113,183
67 SOF ORDNANCE ACQUISITION.....	36,981	36,981

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

OTHER PROCUREMENT PROGRAMS		
68 COMM EQUIPMENT & ELECTRONICS.....	99,838	145,738
69 SOF INTELLIGENCE SYSTEMS.....	71,428	71,428
70 SMALL ARMS & WEAPONS.....	27,108	27,108
71 DCGS-SOF.....	12,767	15,967
74 SOF COMBATANT CRAFT SYSTEMS.....	42,348	42,348
75 SPARES AND REPAIR PARTS.....	600	600
77 TACTICAL VEHICLES.....	37,421	37,421
78 MISSION TRAINING AND PREPARATIONS SYSTEMS.....	36,949	43,273
79 COMBAT MISSION REQUIREMENTS.....	20,255	20,255
80 MILCON COLLATERAL EQUIPMENT.....	17,590	17,590
82 SOF AUTOMATION SYSTEMS.....	66,573	66,573
83 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES.....	6,549	6,549
84 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.....	32,335	32,335
85 SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS.....	15,153	15,153
86 SOF VISUAL AUGMENTATION, LASERS AND SENSOR SY.....	33,920	33,920
87 SOF TACTICAL RADIO SYSTEMS.....	75,132	75,132
90 MISCELLANEOUS EQUIPMENT.....	6,667	6,667
91 SOF OPERATIONAL ENHANCEMENTS.....	217,972	251,272
92 MILITARY INFORMATION SUPPORT OPERATIONS.....	27,417	27,417

TOTAL, SPECIAL OPERATIONS COMMAND.....	1,782,054	1,927,567

CHEMICAL/BIOLOGICAL DEFENSE		
93 INSTALLATION FORCE PROTECTION.....	24,025	24,025
94 INDIVIDUAL PROTECTION.....	73,720	73,720
95 DECONTAMINATION.....	506	506
96 JOINT BIOLOGICAL DEFENSE PROGRAM.....	32,597	32,597
97 COLLECTIVE PROTECTION.....	3,144	3,144
98 CONTAMINATION AVOIDANCE.....	164,886	164,886

TOTAL, CHEMICAL/BIOLOGICAL DEFENSE.....	298,878	298,878
CLASSIFIED PROGRAMS.....	555,787	541,787

TOTAL, PROCUREMENT, DEFENSE-WIDE.....	4,187,935	4,878,985

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	Conference
22 MAJOR EQUIPMENT	9,575	6,775
Virtual interactive processing system - change in acquisition strategy		-2,800
28 OTHER MAJOR EQUIPMENT	13,096	12,433
Emergent technologies ahead of need		-663
31 AEGIS BMD	389,626	578,626
17 additional SM-3 IB interceptors		189,000
32 BMDS AN/TPY-2 RADARS	217,244	380,244
Additional AN/TPY-2 radar		163,000
34 ISRAELI COOPERATIVE PROGRAMS	0	211,000
Program increase - Iron Dome		211,000
49 NON-STANDARD AVIATION	99,776	37,000
SOCOM requested transfer to line 51 for Aviation Foreign Internal Defense fixed-wing aircraft		-62,776
51 SOF U-28	7,530	116,906
SOCOM requested transfer from line 49 for Aviation Foreign Internal Defense fixed-wing aircraft		62,776
HD full motion video		46,600
55 MQ-1 UAV	3,963	26,963
HD full motion video		23,000
56 MQ-9 UAV	3,952	39,352
HD full motion video		35,400
58 STUASLO	12,945	0
Ahead of need		-12,945
60 AC-130J	51,484	32,806
Excess to need due to testing schedule delays		-18,678
64 UNDERWATER SYSTEMS	23,037	6,449
Program rebaselining excess to need		-4,588
Transfer to RDTE,DW line 272		-12,000
68 COMMUNICATION EQUIPMENT & ELECTRONICS	99,838	145,738
HD full motion video		3,900
SOF deployable node		42,000
71 DCGS-SOF	12,767	15,967
HD full motion video		3,200
78 MISSION TRAINING AND PREPARATIONS SYSTEMS	36,949	43,273
HD full motion video		5,000
SOCOM requested transfer from RDTE,DW line 262		1,324
91 SOF OPERATIONAL ENHANCEMENTS	217,972	251,272
HD full motion video		25,300
Tactical airborne ISR		8,000
CLASSIFIED PROGRAMS	555,787	541,787
Classified adjustment		-14,000

DEFENSE PRODUCTION ACT PURCHASES

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	Conference
GALLIUM NITRIDE RADAR AND ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	5,031	5,031
CADMIUM ZINC TELLURIDE SUBSTRATE PRODUCTION	1,900	1,900
READ OUT INTEGRATED CIRCUIT FOUNDRY IMPROVEMENT AND SUSTAINABILITY	1,200	1,200
SPACE QUALIFIED SOLAR CELL SUPPLY CHAIN	1,000	1,000
TRAVELING WAVE TUBE AMPLIFIERS	1,320	1,320
COMPLEMENTARY METAL OXIDE SEMICONDUCTOR FOCAL PLAN ARRAYS FOR VISIBLE SENSORS FOR STAR TRACKERS	1,800	1,800
ADVANCED PROJECTS	1,280	1,280
PRODUCTION BASE INVESTMENT ASSESSMENTS AND ACTIVITIES	5,658	0
Program reduction		– 5,658
ADVANCED DROP-IN BIOFUEL PRODUCTION	70,000	60,000
Ahead of need		– 10,000
PROGRAM INCREASE		150,000
TOTAL, DEFENSE PRODUCTION ACT	89,189	223,531

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides \$69,928,477,000 in Title IV, Research, Development, Test and Evaluation, instead of \$69,984,145,000 as proposed by the House and \$69,091,078,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

RECAPITULATION		
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	8,929,415	8,676,627
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	16,882,877	16,963,398
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	25,428,046	25,432,738
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	17,982,161	18,631,946
OPERATIONAL TEST AND EVALUATION, DEFENSE.....	185,268	223,768
	-----	-----
GRAND TOTAL, RDT&E.....	69,407,767	69,928,477
	=====	=====

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase “only for” or “only to” are congressional special interest items for the purpose of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in the explanatory statement.

REPROGRAMMING GUIDANCE FOR ACQUISITION
ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2008 Department of Defense Appropriations bill (House Report 110-279). Specifically, the dollar threshold for reprogramming funds will remain at \$20,000,000 for procurement and \$10,000,000 for research, development, test and evaluation.

Also, the conferees direct the Under Secretary of Defense (Comptroller) to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles III and IV of this Act. Reports for titles III and IV shall comply with guidance specified in the explanatory statement accompanying the Department of Defense Appropriations Act, 2006. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative from the base for reprogramming value as modified by any adjustments. Therefore, if the combined value of transfers into or out of a procurement (P-1) or research, development, test and evaluation (R-1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense

committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this statement.

DEPARTMENT OF DEFENSE AND SERVICE CYBER
ACTIVITIES

The conferees understand that the Department is revising the budget justification materials to be provided with the fiscal year 2014 budget submission that are in support of cyber activities. The conferees support the Department's efforts to provide increased detail on this important national security issue and will continue to work with the Department to ensure there is adequate oversight on cyber activities.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
1	BASIC RESEARCH		
	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.....	20,860	20,860
2	DEFENSE RESEARCH SCIENCES.....	219,180	219,180
3	UNIVERSITY RESEARCH INITIATIVES.....	80,986	80,986
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS.....	123,045	107,446
		-----	-----
	TOTAL, BASIC RESEARCH.....	444,071	428,472
5	APPLIED RESEARCH		
	MATERIALS TECHNOLOGY.....	29,041	74,041
6	SENSORS AND ELECTRONIC SURVIVABILITY.....	45,260	45,260
7	TRACTOR HIP.....	22,439	22,439
8	AVIATION TECHNOLOGY.....	51,607	51,607
9	ELECTRONIC WARFARE TECHNOLOGY.....	15,068	15,068
10	MISSILE TECHNOLOGY.....	49,383	49,383
11	ADVANCED WEAPONS TECHNOLOGY.....	25,999	25,999
12	ADVANCED CONCEPTS AND SIMULATION.....	23,507	23,507
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY.....	69,062	69,062
14	BALLISTICS TECHNOLOGY.....	60,823	60,823
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY....	4,465	4,465
16	JOINT SERVICE SMALL ARMS PROGRAM.....	7,169	7,169
17	WEAPONS AND MUNITIONS TECHNOLOGY.....	35,218	50,218
18	ELECTRONICS AND ELECTRONIC DEVICES.....	60,300	80,300
19	NIGHT VISION TECHNOLOGY.....	53,244	53,244
20	COUNTERMINE SYSTEMS.....	18,850	31,850
21	HUMAN FACTORS ENGINEERING TECHNOLOGY.....	19,872	19,872
22	ENVIRONMENTAL QUALITY TECHNOLOGY.....	20,095	20,095
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY.....	28,852	28,852
24	COMPUTER AND SOFTWARE TECHNOLOGY.....	9,830	9,830
25	MILITARY ENGINEERING TECHNOLOGY.....	70,693	77,693
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY.....	17,781	17,781
27	WARFIGHTER TECHNOLOGY.....	28,281	54,281

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
28	MEDICAL TECHNOLOGY.....	107,891	107,891
	TOTAL, APPLIED RESEARCH.....	874,730	1,000,730
29	ADVANCED TECHNOLOGY DEVELOPMENT WARFIGHTER ADVANCED TECHNOLOGY.....	39,359	39,359
30	MEDICAL ADVANCED TECHNOLOGY.....	69,580	108,580
31	AVIATION ADVANCED TECHNOLOGY.....	64,215	64,215
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.....	67,613	77,613
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.....	104,359	141,359
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY..	4,157	4,157
35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY..	9,856	9,856
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY.....	50,661	50,661
37	TRACTOR HIKE.....	9,126	9,126
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS.....	17,257	17,257
39	TRACTOR ROSE.....	9,925	9,925
40	MILITARY HIV RESEARCH.....	6,984	22,984
41	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT.....	9,716	9,716
42	TRACTOR NAIL.....	3,487	3,487
43	TRACTOR EGGS.....	2,323	2,323
44	ELECTRONIC WARFARE TECHNOLOGY.....	21,683	21,683
45	MISSILE AND ROCKET ADVANCED TECHNOLOGY.....	71,111	90,111
46	TRACTOR CAGE.....	10,902	10,902
47	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.....	180,582	228,182
48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.....	27,204	27,204
49	JOINT SERVICE SMALL ARMS PROGRAM.....	6,095	6,095
50	NIGHT VISION ADVANCED TECHNOLOGY.....	37,217	37,217
51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.....	13,626	13,626
52	MILITARY ENGINEERING ADVANCED TECHNOLOGY.....	28,458	28,458
53	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	25,226	25,226
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	890,722	1,059,322

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
54 DEMONSTRATION & VALIDATION ARMY MISSILE DEFENSE SYSTEMS INTEGRATION.....	14,505	24,505
55 ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE).....	9,876	9,876
56 LANDMINE WARFARE AND BARRIER - ADV DEV.....	5,054	5,054
57 SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV.....	2,725	2,725
58 TANK AND MEDIUM CALIBER AMMUNITION.....	30,560	30,560
59 ADVANCED TANK ARMAMENT SYSTEM (ATAS).....	14,347	14,347
60 SOLDIER SUPPORT AND SURVIVABILITY.....	10,073	4,014
61 TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD.....	8,660	8,660
62 NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.....	10,715	10,715
63 ENVIRONMENTAL QUALITY TECHNOLOGY.....	4,631	4,631
64 WARFIGHTER INFORMATION NETWORK-TACTICAL.....	278,018	181,418
65 NATO RESEARCH AND DEVELOPMENT.....	4,961	4,961
66 AVIATION - ADV DEV.....	8,602	8,602
67 LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV.....	14,605	14,605
68 COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION.....	5,054	5,054
69 MEDICAL SYSTEMS - ADV DEV.....	24,384	24,384
70 SOLDIER SYSTEMS - ADVANCED DEVELOPMENT.....	32,050	32,050
71 INTEGRATED BROADCAST SERVICE.....	96	96
72 TECHNOLOGY MATURATION INITIATIVES.....	24,868	2,197
72A ANALYSIS OF ALTERNATIVES.....	---	10,871
73 TRACTOR JUTE.....	59	59
75 INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-INTERC	76,039	28,829
77 INTEGRATED BASE DEFENSE.....	4,043	4,043
78 ENDURANCE UAVS.....	26,196	23,197
TOTAL, DEMONSTRATION & VALIDATION.....	610,121	455,453

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
79	ENGINEERING & MANUFACTURING DEVELOPMENT AIRCRAFT AVIONICS.....	78,538	50,038
80	ARMED, DEPLOYABLE OH-58D.....	90,494	90,494
81	ELECTRONIC WARFARE DEVELOPMENT.....	181,347	128,247
83	MID-TIER NETWORKING VEHICULAR RADIO.....	12,636	2,636
84	ALL SOURCE ANALYSIS SYSTEM.....	5,694	5,694
85	TRACTOR CAGE.....	32,095	13,295
86	INFANTRY SUPPORT WEAPONS.....	96,478	90,578
87	MEDIUM TACTICAL VEHICLES.....	3,006	3,006
89	JAVELIN.....	5,040	5,040
90	FAMILY OF HEAVY TACTICAL VEHICLES.....	3,077	3,077
91	AIR TRAFFIC CONTROL.....	9,769	9,769
92	TACTICAL UNMANNED GROUND VEHICLE.....	13,141	3,141
99	NIGHT VISION SYSTEMS - SDD.....	32,621	32,621
100	COMBAT FEEDING, CLOTHING, AND EQUIPMENT.....	2,132	2,132
101	NON-SYSTEM TRAINING DEVICES - SDD.....	44,787	44,787
102	TERRAIN INFORMATION - SDD.....	1,008	1,008
103	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD....	73,333	48,408
104	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.....	28,937	28,937
105	AUTOMATIC TEST EQUIPMENT DEVELOPMENT.....	10,815	10,815
106	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD.....	13,926	13,926
107	COMBINED ARMS TACTICAL TRAINER (CATT) CORE.....	17,797	17,797
108	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.....	214,270	214,270
109	WEAPONS AND MUNITIONS - SDD.....	14,581	14,581

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
110 LOGISTICS AND ENGINEER EQUIPMENT - SDD.....	43,706	43,706
111 COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD.....	20,776	20,776
112 MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT.	43,395	43,395
113 LANDMINE WARFARE/BARRIER - SDD.....	104,983	44,483
114 ARTILLERY MUNITIONS.....	4,346	4,346
116 ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE...	77,223	49,023
117 RADAR DEVELOPMENT.....	3,486	3,486
118 GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs).....	9,963	27,163
119 FIREFINDER.....	20,517	20,517
120 SOLDIER SYSTEMS - WARRIOR DEM/VAL.....	51,851	31,851
121 ARTILLERY SYSTEMS.....	167,797	167,797
122 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP).....	400,861	380,861
123 NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK.....	7,922	7,922
124 INFORMATION TECHNOLOGY DEVELOPMENT.....	51,463	51,463
125 ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMH	158,646	136,546
126 JOINT AIR-TO-GROUND MISSILE (JAGM).....	10,000	10,000
128 PAC-2/MSE MISSILE.....	69,029	69,029
129 ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).....	277,374	277,374
130 MANNED GROUND VEHICLE.....	639,874	639,874
131 AERIAL COMMON SENSOR.....	47,426	118,026
132 JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING....	72,295	66,386
133 TROJAN - RH12.....	4,232	4,232
134 ELECTRONIC WARFARE DEVELOPMENT.....	13,942	13,942
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	3,286,629	3,066,495

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
135	RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	18,090	18,090
136	TARGET SYSTEMS DEVELOPMENT.....	14,034	14,034
137	MAJOR T&E INVESTMENT.....	37,394	50,394
138	RAND ARROYO CENTER.....	21,026	21,026
139	ARMY KWAJALEIN ATOLL.....	176,816	176,816
140	CONCEPTS EXPERIMENTATION PROGRAM.....	27,902	27,902
142	ARMY TEST RANGES AND FACILITIES.....	369,900	369,900
143	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.....	69,183	69,183
144	SURVIVABILITY/LETHALITY ANALYSIS.....	44,753	44,753
146	AIRCRAFT CERTIFICATION.....	5,762	5,762
147	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.....	7,402	7,402
148	MATERIEL SYSTEMS ANALYSIS.....	19,954	19,954
149	EXPLOITATION OF FOREIGN ITEMS.....	5,535	5,535
150	SUPPORT OF OPERATIONAL TESTING.....	67,789	70,789
151	ARMY EVALUATION CENTER.....	62,765	62,765
152	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)....	1,545	1,545
153	PROGRAMWIDE ACTIVITIES.....	83,422	83,422
154	TECHNICAL INFORMATION ACTIVITIES.....	50,820	50,820
155	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY...	46,763	56,763
156	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.....	4,601	4,601
157	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)....	18,524	18,524
	TOTAL, RDT&E MANAGEMENT SUPPORT.....	1,153,980	1,179,980

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
159 OPERATIONAL SYSTEMS DEVELOPMENT MLRS PRODUCT IMPROVEMENT PROGRAM.....	143,005	123,005
161 PATRIOT PRODUCT IMPROVEMENT.....	109,978	49,978
162 AEROSTAT JOINT PROJECT OFFICE.....	190,422	159,922
164 ADV FIELD ARTILLERY TACTICAL DATA SYSTEM.....	32,556	32,556
165 COMBAT VEHICLE IMPROVEMENT PROGRAMS.....	253,959	237,559
166 MANEUVER CONTROL SYSTEM.....	68,325	68,325
167 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS...	280,247	226,147
168 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	898	898
169 DIGITIZATION.....	35,180	10,180
169A NETWORK INTEGRATED EVALUATION (NIE).....	---	28,200
171 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.....	20,733	20,733
172 TRACTOR CARD.....	63,243	63,243
173 JOINT TACTICAL GROUND SYSTEM.....	31,738	31,738
174 JOINT HIGH SPEED VESSEL (JHSV).....	35	35
176 SECURITY AND INTELLIGENCE ACTIVITIES.....	7,591	7,591
177 INFORMATION SYSTEMS SECURITY PROGRAM.....	15,961	15,961
178 GLOBAL COMBAT SUPPORT SYSTEM.....	120,927	120,927
179 SATCOM GROUND ENVIRONMENT (SPACE).....	15,756	15,756
180 WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.....	14,443	14,443
182 TACTICAL UNMANNED AERIAL VEHICLES.....	31,303	28,503
183 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	40,876	40,876
184 MQ-1 SKY WARRIOR A UAV.....	74,618	74,618
185 RQ-11 UAV.....	4,039	4,039
186 RQ-7 UAV.....	31,158	31,158
187 VERTICAL UAS.....	2,387	---
188 BIOMETRICS ENABLED INTELLIGENCE.....	15,248	15,248
189 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.....	59,908	59,908
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	1,664,534	1,481,547
999 CLASSIFIED PROGRAMS.....	4,628	4,628
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.....	8,929,415	8,676,627

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Conference
4 UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	107,446
Historically black colleges and universities - transfer to RDTE,DW line 9		-15,599
5 MATERIALS TECHNOLOGY	29,041	74,041
Program increase - corrosion control		10,000
Materials research and technology		13,000
Nanotechnology research		9,000
Silicon carbide research		13,000
17 WEAPONS AND MUNITIONS TECHNOLOGY	35,218	50,218
Program increase		15,000
18 ELECTRONICS AND ELECTRONIC DEVICES	60,300	80,300
Program increase - energy efficiency		20,000
20 COUNTERMINE SYSTEMS	18,850	31,850
Unexploded ordnance and landmine detection research		13,000
25 MILITARY ENGINEERING TECHNOLOGY	70,693	77,693
U.S. Army Corps of Engineers research		7,000
27 WARFIGHTER TECHNOLOGY	28,281	54,281
Clothing and equipment technology		13,000
Power generation and storage		13,000
30 MEDICAL ADVANCED TECHNOLOGY	69,580	108,580
Peer-Reviewed neurotoxin exposure treatment parkinsons research program		16,000
Peer-Reviewed neurofibromatosis research program		15,000
Military burn research program		8,000
32 WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	67,613	77,613
Program increase		10,000
33 COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOG	104,359	141,359
Alternative energy research		37,000
40 MILITARY HIV RESEARCH	6,984	22,984
Program increase		16,000
45 MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	90,111
Restore unjustified reduction		19,000
47 HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,582	228,182
Restore unjustified reduction		47,600
54 ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,505	24,505
Program increase		10,000
60 SOLDIER SUPPORT AND SURVIVABILITY	10,073	4,014
C08 unjustified request		-6,059

R-1	Budget Request	Conference
64 WARFIGHTER INFORMATION NETWORK-TACTICAL	278,018	181,418
Increment III excess growth		-90,000
Management services excess growth		-6,600
72 TECHNOLOGY MATURATION INITIATIVES	24,868	2,197
Army identified excess to requirement		-11,800
Analysis of alternatives - transfer to line 72A		-10,871
72A ANALYSIS OF ALTERNATIVES		10,871
Analysis of alternatives - transfer from line 72		10,871
INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-		
75 INTERCEPT	76,039	28,829
Technology development contract award delays		-47,210
78 ENDURANCE UAVS	26,196	23,197
Fielding delays		-2,999
79 AIRCRAFT AVIONICS	78,538	50,038
Degraded visual environment ONS - transfer to title IX		-28,500
81 ELECTRONIC WARFARE DEVELOPMENT	181,347	128,247
Common infrared counter measures technology development delays		-53,100
83 MID-TIER NETWORKING VEHICULAR RADIO	12,636	2,636
Funded via prior approval above threshold reprogramming fiscal Year 12-14		-10,000
85 TRACTOR CAGE	32,095	13,295
Lack of requirement		-18,800
86 INFANTRY SUPPORT WEAPONS	96,478	90,578
S61 Increment 1b program adjustment		-5,900
92 TACTICAL UNMANNED GROUND VEHICLE	13,141	3,141
Lack of competitive acquisition strategy		-10,000
103 AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	73,333	48,408
Interceptor enhancements - program terminated by Army		-24,925
113 LANDMINE WARFARE/BARRIER - SDD	104,983	44,483
HMDS contract award delays and change to acquisition strategy		-40,000
EHP - Army requested adjustment		-10,600
RCIS program delays		-5,400
AMDS contract award delays		-4,500
ARMY TACTICAL COMMAND & CONTROL HARDWARE		
116 & SOFTWARE	77,223	49,023
C34 - transfer to line 169A		-28,200
GENERAL FUND ENTERPRISE BUSINESS		
118 SYSTEM (GFEBS)	9,963	27,163
Program increase to develop secure capability		17,200

R-1	Budget Request	Conference
120 SOLDIER SYSTEMS - WARRIOR DEM/VAL	51,851	31,851
S75 - excessive new hardware and software development, integration and evaluation		-20,000
122 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM	400,861	380,861
Program adjustment		-400,861
Completion of proof of concept or termination liability required by paragraph 19.5.2 of memorandum of understanding if certified by the Secretary of Defense		348,000
US MEADS national program office		52,861
US MEADS national program office reduction		-20,000
ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMHRS), OR INTEGRATED PERSONNEL AND PAY SYSTEM -		
125 ARMY (IPPS-A)	158,646	136,546
IPPS-A execution delays and Increment II concurrency		-22,100
131 AERIAL COMMON SENSOR	47,426	118,026
Army requested transfer from AP,A line 18 only to exercise the option for two additional EMD aircraft		46,900
Program increase only to fully fund EMD		23,700
132 JOINT LIGHT TACTICAL VEHICLE ENG AND MANUFACTURING	72,295	66,386
Two month contract award delay		-5,909
137 MAJOR TEST AND EVALUATION INVESTMENT	37,394	50,394
Program increase - restore unjustified reduction		13,000
150 SUPPORT OF OPERATIONAL TESTING	67,789	70,789
Program increase - restore unjustified reduction		3,000
155 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	56,763
Program increase		10,000
159 MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	123,005
Fire control system forward financing		-20,000
161 PATRIOT PRODUCT IMPROVEMENT	109,978	49,978
Growth without acquisition strategy		-60,000
162 AEROSTAT JOINT PROJECT OFFICE-JLENS	190,422	159,922
COCOM exercise ahead of need		-30,500
165 COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	237,559
DS5 ahead of need for fiscal year 2014 contract		-16,400
AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT		
167 PROGRAMS	280,247	226,147
Improved turbine engine program ahead of need		-54,100

R-1	Budget Request	Conference
169 DIGITIZATION	35,180	10,180
Army requested transfer to OP, A for non-developmental emerging technologies		-25,000
NETWORK INTEGRATED EVALUATION [NIE] TECHNOLOGY		
169A TRANSITION		28,200
Transfer from line 116, C34 only for NIE technology transition		28,200
182 TACTICAL UNMANNED AERIAL VEHICLES	31,303	28,503
11B - TSP increment II ahead of need		-2,800
187 VERTICAL UAS	2,387	0
Lack of justification		-2,387

ACTIVE DENIAL TECHNOLOGY

The fiscal year 2013 budget request included \$35,218,000 in Research, Development, Test and Evaluation, Army, program element 0602624A, “Weapons and Munitions Technology”. The conferees are aware that multiple programs and projects are funded in

this program element, including non-lethal technologies. The conferees recognize the benefits to units in the field of developing non-lethal technologies, including counter-personnel and directed energy technologies. The conference agreement provides an additional \$15,000,000, as proposed by the House, to support Army research and development

efforts in both lethal and non-lethal technologies.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
	BASIC RESEARCH		
1	UNIVERSITY RESEARCH INITIATIVES.....	113,690	133,690
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.....	18,261	18,261
3	DEFENSE RESEARCH SCIENCES.....	473,070	482,070
	TOTAL, BASIC RESEARCH.....	605,021	634,021
	APPLIED RESEARCH		
4	POWER PROJECTION APPLIED RESEARCH.....	89,189	99,189
5	FORCE PROTECTION APPLIED RESEARCH.....	143,301	209,301
6	MARINE CORPS LANDING FORCE TECHNOLOGY.....	46,528	46,528
7	COMMON PICTURE APPLIED RESEARCH.....	41,696	41,696
8	WARFIGHTER SUSTAINMENT APPLIED RESEARCH.....	44,127	44,127
9	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH.....	78,228	78,228
10	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.....	49,635	64,635
11	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.....	5,973	5,973
12	UNDERSEA WARFARE APPLIED RESEARCH.....	96,814	96,814
13	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV.....	162,417	162,417
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.....	32,394	32,394
	TOTAL, APPLIED RESEARCH.....	790,302	881,302
	ADVANCED TECHNOLOGY DEVELOPMENT		
15	POWER PROJECTION ADVANCED TECHNOLOGY.....	56,543	56,543
16	FORCE PROTECTION ADVANCED TECHNOLOGY.....	18,616	18,616
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.....	54,858	63,858
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD) ..	130,598	130,598
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.....	11,706	11,706
22	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEV.....	256,382	288,382
23	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.....	3,880	42,580
24	UNDERSEA WARFARE ADVANCED TECHNOLOGY.....	---	10,000
25	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.....	51,819	51,819
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	584,402	674,102

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
28 DEMONSTRATION & VALIDATION AIR/OCEAN TACTICAL APPLICATIONS.....	34,085	34,085
29 AVIATION SURVIVABILITY.....	8,783	8,783
30 DEPLOYABLE JOINT COMMAND AND CONTROL.....	3,773	3,773
31 AIRCRAFT SYSTEMS.....	24,512	24,512
32 ASW SYSTEMS DEVELOPMENT.....	8,090	8,090
33 TACTICAL AIRBORNE RECONNAISSANCE.....	5,301	5,301
34 ADVANCED COMBAT SYSTEMS TECHNOLOGY.....	1,506	1,506
35 SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.....	190,622	188,622
36 SURFACE SHIP TORPEDO DEFENSE.....	93,346	93,346
37 CARRIER SYSTEMS DEVELOPMENT.....	108,871	108,871
39 PILOT FISH.....	101,169	101,169
40 RETRACT LARCH.....	74,312	74,312
41 RETRACT JUNIPER.....	90,730	90,730
42 RADIOLOGICAL CONTROL.....	777	777
43 SURFACE ASW.....	6,704	4,504
44 ADVANCED SUBMARINE SYSTEM DEVELOPMENT.....	555,123	77,028
44A OHIO REPLACEMENT PROGRAM.....	---	483,095
45 SUBMARINE TACTICAL WARFARE SYSTEMS.....	9,368	9,368
46 SHIP CONCEPT ADVANCED DESIGN.....	24,609	24,609
47 SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.....	13,710	34,810
48 ADVANCED NUCLEAR POWER SYSTEMS.....	249,748	249,748
49 ADVANCED SURFACE MACHINERY SYSTEMS.....	29,897	29,897
50 CHALK EAGLE.....	509,988	499,988
51 LITTORAL COMBAT SHIP (LCS).....	429,420	414,920
52 COMBAT SYSTEM INTEGRATION.....	56,551	50,551
53 CONVENTIONAL MUNITIONS.....	7,342	7,342
54 MARINE CORPS ASSAULT VEHICLES.....	95,182	83,182
55 MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.....	10,496	10,496

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
56 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.....	52,331	38,331
57 COOPERATIVE ENGAGEMENT.....	56,512	56,512
58 OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT.....	7,029	7,029
59 ENVIRONMENTAL PROTECTION.....	21,080	21,080
60 NAVY ENERGY PROGRAM.....	55,324	95,324
61 FACILITIES IMPROVEMENT.....	3,401	3,401
62 CHALK CORAL.....	45,966	45,966
63 NAVY LOGISTIC PRODUCTIVITY.....	3,811	3,811
64 RETRACT MAPLE.....	341,305	341,305
65 LINK PLUMERIA.....	181,220	181,220
66 RETRACT ELM.....	174,014	162,014
68 LINK EVERGREEN.....	68,654	68,654
69 SPECIAL PROCESSES.....	44,487	44,487
70 NATO RESEARCH AND DEVELOPMENT.....	9,389	9,389
71 LAND ATTACK TECHNOLOGY.....	16,132	16,132
72 NONLETHAL WEAPONS.....	44,994	44,994
74 JOINT PRECISION APPROACH AND LANDING SYSTEMS.....	137,369	122,369
77 TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES.....	73,934	73,934
78 ASE SELF-PROTECTION OPTIMIZATION.....	711	711
79 JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE.	71,300	46,936
78 PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.....	5,654	5,654
79 SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE..	31,549	28,949
82 OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.....	86,801	86,801
83 JOINT LIGHT TACTICAL VEHICLE ENGINEERING/MANUFACTURING	44,500	38,591
80 ASW SYSTEMS DEVELOPMENT - MIP.....	13,172	13,172
82 ELECTRONIC WARFARE DEVELOPMENT - MIP.....	643	643
TOTAL, DEMONSTRATION & VALIDATION.....	4,335,297	4,280,824

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ENGINEERING & MANUFACTURING DEVELOPMENT		
87 OTHER HELO DEVELOPMENT.....	33,978	24,978
88 AV-8B AIRCRAFT - ENG DEV.....	32,789	17,535
89 STANDARDS DEVELOPMENT.....	84,988	74,988
90 MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.....	6,866	6,866
91 AIR/OCEAN EQUIPMENT ENGINEERING.....	4,060	4,060
92 P-3 MODERNIZATION PROGRAM.....	3,451	3,451
93 WARFARE SUPPORT SYSTEM.....	13,071	11,071
94 TACTICAL COMMAND SYSTEM.....	71,645	71,645
95 ADVANCED HAWKEYE.....	119,065	128,065
96 H-1 UPGRADES.....	31,105	31,105
97 ACOUSTIC SEARCH SENSORS.....	34,299	34,299
98 V-22A.....	54,412	49,412
99 AIR CREW SYSTEMS DEVELOPMENT.....	2,717	2,717
100 EA-18.....	13,009	13,009
101 ELECTRONIC WARFARE DEVELOPMENT.....	51,304	51,304
102 VH-71A EXECUTIVE HELO DEVELOPMENT.....	61,163	51,163
103 NEXT GENERATION JAMMER (NGJ).....	187,024	167,024
104 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY).....	337,480	267,480
105 SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.....	260,616	260,616
106 LPD-17 CLASS SYSTEMS INTEGRATION.....	824	824
107 SMALL DIAMETER BOMB (SDB).....	31,064	31,064
108 STANDARD MISSILE IMPROVEMENTS.....	63,891	48,391
109 AIRBORNE MCM.....	73,246	66,996
110 MARINE AIR GROUND TASK FORCE ELECTRONIC WARFARE	10,568	10,568
111 NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	39,974	39,974
112 FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM.....	122,481	102,481
113 ADVANCED ABOVE WATER SENSORS.....	255,516	40,895
113A AIR AND MISSILE DEFENSE RADAR.....	---	223,621
114 SSN-688 AND TRIDENT MODERNIZATION.....	82,620	82,620
115 AIR CONTROL.....	5,633	5,633
116 SHIPBOARD AVIATION SYSTEMS.....	55,826	55,826

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
117 COMBAT INFORMATION CENTER CONVERSION.....	918	918
118 NEW DESIGN SSN.....	165,230	90,230
119 SUBMARINE TACTICAL WARFARE SYSTEM.....	49,141	49,141
120 SHIP CONTRACT DESIGN/LIVE FIRE T&E.....	196,737	196,737
121 NAVY TACTICAL COMPUTER RESOURCES.....	3,889	3,889
122 MINE DEVELOPMENT.....	8,335	8,335
123 LIGHTWEIGHT TORPEDO DEVELOPMENT.....	49,818	51,818
124 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.....	10,099	8,099
125 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS....	7,348	5,348
126 JOINT STANDOFF WEAPON SYSTEMS.....	5,518	5,518
127 SHIP SELF DEFENSE (DETECT & CONTROL).....	87,662	87,662
128 SHIP SELF DEFENSE (ENGAGE: HARD KILL).....	64,079	64,079
129 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW).....	151,489	139,489
131 MEDICAL DEVELOPMENT.....	12,707	41,707
132 NAVIGATION/ID SYSTEM.....	47,764	41,764
133 JOINT STRIKE FIGHTER (JSF) - EMD.....	737,149	718,949
134 JOINT STRIKE FIGHTER (JSF).....	743,926	720,209
135 INFORMATION TECHNOLOGY DEVELOPMENT.....	12,143	12,143
136 INFORMATION TECHNOLOGY DEVELOPMENT.....	72,209	72,209
138 CH-53K.....	606,204	606,204
140 MULTI-MISSION MARITIME AIRCRAFT (MMA).....	421,102	436,102
141 DDG-1000.....	124,655	124,655
142 TACTICAL COMMAND SYSTEM - MIP.....	1,170	1,170
144 TACTICAL CRYPTOLOGIC SYSTEMS.....	23,255	23,255
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	5,747,232	5,489,311

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
146 RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	30,790	30,790
147 TARGET SYSTEMS DEVELOPMENT.....	59,221	59,221
148 MAJOR T&E INVESTMENT.....	35,894	35,894
149 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	7,573	6,573
150 STUDIES AND ANALYSIS SUPPORT - NAVY.....	20,963	17,963
151 CENTER FOR NAVAL ANALYSES.....	46,856	46,856
153 TECHNICAL INFORMATION SERVICES.....	796	796
154 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.....	32,782	47,782
155 STRATEGIC TECHNICAL SUPPORT.....	3,306	3,306
156 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT.....	70,302	70,302
157 RDT&E SHIP AND AIRCRAFT SUPPORT.....	144,033	144,033
158 TEST AND EVALUATION SUPPORT.....	342,298	372,298
159 OPERATIONAL TEST AND EVALUATION CAPABILITY.....	16,399	16,399
160 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.....	4,579	4,579
161 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT.....	8,000	8,000
162 MARINE CORPS PROGRAM WIDE SUPPORT.....	18,490	18,490
163 TACTICAL CRYPTOLOGIC ACTIVITIES.....	2,795	2,795
TOTAL, RDT&E MANAGEMENT SUPPORT.....	845,077	886,077
167 OPERATIONAL SYSTEMS DEVELOPMENT UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT.	142,282	142,282
170 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT.....	105,892	105,892
171 SSBN SECURITY TECHNOLOGY PROGRAM.....	34,729	34,729
172 SUBMARINE ACOUSTIC WARFARE DEVELOPMENT.....	1,434	1,434
173 NAVY STRATEGIC COMMUNICATIONS.....	19,208	19,208
174 RAPID TECHNOLOGY TRANSITION (RTT).....	25,566	25,566
175 F/A-18 SQUADRONS.....	188,299	169,299
176 E-2 SQUADRONS.....	8,610	8,610
177 FLEET TELECOMMUNICATIONS (TACTICAL).....	15,695	15,695
178 SURFACE SUPPORT.....	4,171	3,371

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
179	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) ..	11,265	11,265
180	INTEGRATED SURVEILLANCE SYSTEM.....	45,922	45,922
181	AMPHIBIOUS TACTICAL SUPPORT UNITS.....	8,435	8,435
182	GROUND/AIR TASK ORIENTED RADAR.....	75,088	75,088
183	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.....	20,229	18,544
184	CRYPTOLOGIC DIRECT SUPPORT.....	1,756	1,756
185	ELECTRONIC WARFARE (EW) READINESS SUPPORT.....	19,843	19,843
186	HARM IMPROVEMENT.....	11,477	11,477
187	TACTICAL DATA LINKS.....	118,818	90,618
188	SURFACE ASW COMBAT SYSTEM INTEGRATION.....	27,342	27,342
189	MK-48 ADCAP.....	28,717	38,717
190	AVIATION IMPROVEMENTS.....	89,157	89,157
191	NAVY SCIENCE ASSISTANCE PROGRAM.....	3,450	3,450
192	OPERATIONAL NUCLEAR POWER SYSTEMS.....	86,435	86,435
193	MARINE CORPS COMMUNICATIONS SYSTEMS.....	219,054	210,054
194	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS....	181,693	167,693
195	MARINE CORPS COMBAT SERVICES SUPPORT.....	58,393	54,393
196	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)....	22,966	22,966
197	TACTICAL AIM MISSILES.....	21,107	21,107
198	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	2,857	2,857
199	JOINT HIGH SPEED VESSEL (JHSV).....	1,932	1,932
204	SATELLITE COMMUNICATIONS (SPACE).....	188,482	188,482
205	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES.....	16,749	16,749
206	INFORMATION SYSTEMS SECURITY PROGRAM.....	26,307	26,307
207	WMCCS/Global Command and Control System.....	500	500
210	COBRA JUDY.....	17,091	17,091
211	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)...	810	810
212	JOINT MILITARY INTELLIGENCE PROGRAMS.....	8,617	8,617
213	TACTICAL UNMANNED AERIAL VEHICLES.....	9,066	7,566
215	MANNED RECONNAISSANCE SYSTEMS.....	30,654	30,654

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
216 DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS.....	25,917	25,917
217 DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS.....	14,676	14,676
218 RQ-4 UAV.....	657,483	657,483
219 MQ-8 UAV.....	99,600	92,000
220 RQ-11 UAV.....	495	495
221 RQ-7 UAV.....	863	863
223 SMALL (LEVEL 0) TACTICAL UAS (STUASLO).....	9,734	9,734
225 RQ-21A.....	22,343	22,343
226 MODELING AND SIMULATION SUPPORT.....	5,908	5,908
227 DEPOT MAINTENANCE (NON-IF).....	27,391	27,391
229 INDUSTRIAL PREPAREDNESS.....	54,879	72,879
230 MARITIME TECHNOLOGY (MARITECH).....	5,000	5,000
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	2,824,387	2,766,602
999 CLASSIFIED PROGRAMS.....	1,151,159	1,351,159
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.....	16,882,877	16,963,398

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Conference
1 UNIVERSITY RESEARCH INITIATIVES	113,690	133,690
Program increase - cooperative based university research program		20,000
3 DEFENSE RESEARCH SCIENCES	473,070	482,070
Nanotechnology research		9,000
4 POWER PROJECTION APPLIED RESEARCH	89,189	99,189
Program increase - power projection applied research		10,000
5 FORCE PROTECTION APPLIED RESEARCH	143,301	209,301
Alternative energy research		40,000
Materials research and technology		13,000
Power generation and storage research		13,000
10 OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	64,635
Program increase - AGOR mid-life refit		15,000
19 ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	63,858
Advanced radar research		9,000
FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY		
22 DEVELOPMENT	256,382	288,382
Technology transition - restore unjustified reduction		32,000
23 WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	42,580
Program increase - bone marrow registry program		31,500
Program increase - tactical athlete program		7,200
24 UNDERSEA WARFARE ADVANCED TECHNOLOGY	0	10,000
Program increase - ASW research		10,000
35 SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	188,622
Excess to need		-2,000
43 SURFACE ASW	6,704	4,504
Program execution		-2,200
44 ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	77,028
Transfer to line 44X		-483,095
Seawolf risk reduction efforts		5,000
44X OHIO CLASS REPLACEMENT PROGRAM	0	483,095
Transfer from line 44		483,095
47 SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	34,810
Program delay		-3,900
TAO(X) design		25,000
50 CHALK EAGLE	509,988	499,988
Unjustified cost growth		-10,000

R-1	Budget Request	Conference
51 LITTORAL COMBAT SHIP (LCS)	429,420	414,920
Increment 2 missile system ahead of need		-8,000
Irregular warfare module ahead of need		-4,000
Program increase - small business technology insertion		10,000
Reduction to training architecture		-12,500
52 COMBAT SYSTEM INTEGRATION	56,551	50,551
Program execution		-6,000
54 MARINE CORPS ASSAULT VEHICLES	95,182	83,182
Program execution		-12,000
56 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	38,331
Program execution		-14,000
60 NAVY ENERGY PROGRAM	55,324	95,324
Program increase - alternative energy initiatives		40,000
66 RETRACT ELM	174,014	162,014
Program execution		-12,000
73 JOINT PRECISION APPROACH AND LANDING SYSTEMS	137,369	122,369
Program management cost growth		-15,000
JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC		
78 WARFARE	71,300	46,936
Program execution		-20,000
Unjustified miscellaneous contract		-4,364
SPACE & ELECTRONIC WARFARE (SEW)		
80 ARCHITECTURE/ENGINE	31,549	28,949
Program execution		-2,600
JOINT LIGHT TACTICAL VEHICLE		
83 ENGINEERING/MANUFACTURING	44,500	38,591
Contract award delay		-5,909
87 OTHER HELO DEVELOPMENT	33,978	24,978
Program execution		-9,000
88 AV-8B AIRCRAFT - ENG DEV	32,789	17,535
Excess functional control computer funding		-15,254
89 STANDARDS DEVELOPMENT	84,988	74,988
Support funding growth		-2,000
Program execution		-8,000
93 WARFARE SUPPORT SYSTEM	13,071	11,071
Program execution		-2,000
95 ADVANCED HAWKEYE	119,065	128,065
Advanced radar research		9,000
98 V-22A	54,412	49,412
Program execution		-5,000

R-1	Budget Request	Conference
102 VH-71A EXECUTIVE HELO DEVELOPMENT	61,163	51,163
Program execution		-10,000
103 NEXT GENERATION JAMMER (NGJ)	187,024	167,024
Milestone delay		-20,000
104 JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	337,480	267,480
Revised acquisition strategy		-70,000
108 STANDARD MISSILE IMPROVEMENTS	63,891	48,391
Program execution		-5,500
Modernization program delay due to development issues		-10,000
109 AIRBORNE MCM	73,246	66,996
Program not meeting key performance parameters		-3,000
Program execution		-3,250
112 FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	122,481	102,481
Milestone A delay		-20,000
113 ADVANCED ABOVE WATER SENSORS	255,516	40,895
Transfer to line 113X		-223,621
Advanced radar research		9,000
113X AIR AND MISSILE DEFENSE RADAR	0	223,621
Transfer from line 113		223,621
118 NEW DESIGN SSN	165,230	90,230
Program increase - small business technology insertion		15,000
Virginia payload module ahead of need		-90,000
123 LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	51,818
Program increase - small business technology insertion		10,000
Program forward financed		-8,000
124 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	8,099
Program execution		-2,000
125 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	5,348
Program execution		-2,000
129 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	139,489
Program execution		-12,000
131 MEDICAL DEVELOPMENT	12,707	41,707
Program increase - NAMRU research		10,000
Program increase - wound care research		13,000
Program increase - military dental research		6,000
132 NAVIGATION/ID SYSTEM	47,764	41,764
Program execution		-6,000

R-1	Budget Request	Conference
133 JOINT STRIKE FIGHTER (JSF) - EMD	737,149	718,949
Block IV development ahead of need		-3,200
Development support excess to need		-15,000
134 JOINT STRIKE FIGHTER (JSF)	743,926	720,209
Block IV development ahead of need		-8,717
Development support excess to need		-15,000
140 MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	436,102
Program increase - small business technology insertion		15,000
149 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	6,573
Program execution		-1,000
150 STUDIES AND ANALYSIS SUPPORT - NAVY	20,963	17,963
Program execution		-3,000
154 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	47,782
Printed circuit board executive agent - previous NDAA mandate		15,000
158 TEST AND EVALUATION SUPPORT	342,298	372,298
Program increase - major range and test facility base		30,000
175 F/A-18 SQUADRONS	188,299	169,299
Program execution		-19,000
178 SURFACE SUPPORT	4,171	3,371
Program execution		-800
183 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	18,544
Program execution		-1,685
187 TACTICAL DATA LINKS	118,818	90,618
Program execution		-28,200
189 MK-48 ADCAP	28,717	38,717
Program increase - small business technology insertion		10,000
193 MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	210,054
Common aviation command and control system late contract award		-9,000
MARINE CORPS GROUND COMBAT/SUPPORTING ARMS		
194 SYSTEMS	181,693	167,693
Program execution		-10,000
Marine personnel carrier - excess program management		-4,000
195 MARINE CORPS COMBAT SERVICES SUPPORT	58,393	54,393
Program execution		-4,000
213 TACTICAL UNMANNED AERIAL VEHICLES	9,066	7,566
Contract award delay		-1,500

R-1	Budget Request	Conference
219 MQ-8 UAV	99,600	92,000
Program execution		-7,600
229 INDUSTRIAL PREPAREDNESS	54,879	72,879
Program increase		18,000
999 CLASSIFIED PROGRAMS	1,151,159	1,351,159
Classified adjustment		200,000

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

	RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE		
	BASIC RESEARCH		
1	DEFENSE RESEARCH SCIENCES.....	361,787	361,787
2	UNIVERSITY RESEARCH INITIATIVES.....	141,153	141,153
3	HIGH ENERGY LASER RESEARCH INITIATIVES.....	13,094	13,094
	TOTAL, BASIC RESEARCH.....	516,034	516,034
	APPLIED RESEARCH		
4	MATERIALS.....	114,166	123,166
5	AEROSPACE VEHICLE TECHNOLOGIES.....	120,719	120,719
6	HUMAN EFFECTIVENESS APPLIED RESEARCH.....	89,319	89,319
7	AEROSPACE PROPULSION.....	232,547	232,547
8	AEROSPACE SENSORS.....	127,637	127,637
9	SPACE TECHNOLOGY.....	98,375	98,375
10	CONVENTIONAL MUNITIONS.....	77,175	77,175
11	DIRECTED ENERGY TECHNOLOGY.....	106,196	108,196
	DOMINANT INFORMATION SCIENCES AND METHODS.....	104,362	104,362
13	HIGH ENERGY LASER RESEARCH.....	38,557	38,557
	TOTAL, APPLIED RESEARCH.....	1,109,053	1,120,053
	ADVANCED TECHNOLOGY DEVELOPMENT		
14	ADVANCED MATERIALS FOR WEAPON SYSTEMS.....	47,890	60,890
15	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T).....	6,565	6,565
16	ADVANCED AEROSPACE SENSORS.....	37,657	37,657
17	AEROSPACE TECHNOLOGY DEV/DEMO.....	81,376	81,376
18	AEROSPACE PROPULSION AND POWER TECHNOLOGY.....	151,152	164,152
19	ELECTRONIC COMBAT TECHNOLOGY.....	32,941	26,941
20	ADVANCED SPACECRAFT TECHNOLOGY.....	64,557	64,557
21	MAUI SPACE SURVEILLANCE SYSTEM (MSSS).....	29,256	29,256
22	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT...	21,523	21,523
23	CONVENTIONAL WEAPONS TECHNOLOGY.....	36,352	36,352
24	ADVANCED WEAPONS TECHNOLOGY.....	19,004	19,004
25	MANUFACTURING TECHNOLOGY PROGRAM.....	37,045	57,045
26	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION.....	31,419	31,419
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	596,737	636,737
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(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
28 ADVANCED COMPONENT DEVELOPMENT INTELLIGENCE ADVANCED DEVELOPMENT.....	3,866	3,866
29 PHYSICAL SECURITY EQUIPMENT.....	3,704	3,704
30 ADVANCED EHF MILSATCOM (SPACE).....	229,171	231,171
31 POLAR MILSATCOM (SPACE).....	120,676	120,676
32 SPACE CONTROL TECHNOLOGY.....	25,144	23,144
33 COMBAT IDENTIFICATION TECHNOLOGY.....	32,243	29,243
34 NATO RESEARCH AND DEVELOPMENT.....	4,507	4,507
35 INTERNATIONAL SPACE COOPERATIVE R&D.....	652	652
36 SPACE PROTECTION PROGRAM (SPP).....	10,429	10,429
37 INTEGRATED BROADCAST SERVICE.....	19,938	19,938
38 INTERCONTINENTAL BALLISTIC MISSILE.....	71,181	71,181
39 WIDEBAND GAFILLER SYSTEM RDT&E (SPACE).....	12,027	12,027
40 POLLUTION PREVENTION (DEM/VAL).....	2,054	1,054
41 JOINT PRECISION APPROACH AND LANDING SYSTEMS.....	57,975	12,975
42 NEXT GENERATION BOMBER.....	291,742	291,742
43 BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT.....	114,417	111,417
44 TECHNOLOGY TRANSFER.....	2,576	2,576
45 HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM.....	16,711	16,711
47 REQUIREMENTS ANALYSIS AND MATURATION.....	16,343	16,343
48 WEATHER SATELLITE FOLLOW-ON.....	2,000	---
50 GROUND ATTACK WEAPONS FUZE DEVELOPMENT.....	9,423	9,423
54 OPERATIONALLY RESPONSIVE SPACE.....	---	105,000
55 TECH TRANSITION PROGRAM.....	37,558	34,558
56 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)....	96,840	71,840
TOTAL, ADVANCED COMPONENT DEVELOPMENT.....	1,181,177	1,204,177

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
ENGINEERING & MANUFACTURING DEVELOPMENT		
58 GLOBAL BROADCAST SERVICE (GBS).....	14,652	14,652
59 NUCLEAR WEAPONS SUPPORT.....	25,713	---
60 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.....	6,583	5,630
61 ELECTRONIC WARFARE DEVELOPMENT.....	1,975	1,975
62 JOINT TACTICAL RADIO.....	2,594	---
63 TACTICAL DATA NETWORKS ENTERPRISE.....	24,534	24,534
64 PHYSICAL SECURITY EQUIPMENT.....	51	51
65 SMALL DIAMETER BOMB (SDB).....	143,000	138,000
66 COUNTERSPACE SYSTEMS.....	28,797	27,797
67 SPACE SITUATION AWARENESS SYSTEMS.....	267,252	230,152
68 AIRBORNE ELECTRONIC ATTACK.....	4,118	4,118
69 SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.....	448,594	531,594
70 ARMAMENT/ORDNANCE DEVELOPMENT.....	9,951	9,951
71 SUBMUNITIONS.....	2,567	2,567
72 AGILE COMBAT SUPPORT.....	13,059	26,059
73 LIFE SUPPORT SYSTEMS.....	9,720	6,720
74 COMBAT TRAINING RANGES.....	9,222	9,222
76 INTELLIGENCE EQUIPMENT.....	803	803
77 JOINT STRIKE FIGHTER (JSF).....	1,210,306	1,177,999
78 INTERCONTINENTAL BALLISTIC MISSILE.....	135,437	135,437
79 EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE).....	7,980	32,980
80 LONG RANGE STANDOFF WEAPON.....	2,004	2,004
81 ICBM FUZE MODERNIZATION.....	73,512	73,512
82 F-22 MODERNIZATION INCREMENT 3.2B.....	140,100	140,100
83 NEXT GENERATION AERIAL REFUELING AIRCRAFT.....	1,815,588	1,738,488
84 CSAR HH-60 RECAPITALIZATION.....	123,210	115,210
85 HC/MC-130 RECAP RDT&E.....	19,039	10,739
86 B-2 DEFENSIVE MANAGEMENT SYSTEM.....	281,056	281,056

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
87 NUCLEAR WEAPONS MODERNIZATION.....	80,200	80,200
89 READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE.	310	310
90 FULL COMBAT MISSION TRAINING.....	14,861	14,861
91 MC-12.....	19,949	19,949
JOINT CARGO AIRCRAFT (JCA).....	---	6,500
93 CV-22.....	28,027	28,027
94 AIRBORNE SENIOR LEADER C3 (SLC3S).....	1,960	1,960
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	4,966,724	4,893,157
95 RDT&E MANAGEMENT SUPPORT THREAT SIMULATOR DEVELOPMENT.....	22,812	22,812
96 MAJOR T&E INVESTMENT.....	42,236	42,236
97 RAND PROJECT AIR FORCE.....	25,579	25,579
99 INITIAL OPERATIONAL TEST & EVALUATION.....	16,197	16,197
100 TEST AND EVALUATION SUPPORT.....	722,071	722,071
101 ROCKET SYSTEMS LAUNCH PROGRAM (SPACE).....	16,200	16,200
102 SPACE TEST PROGRAM (STP).....	10,051	45,051
103 FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL..	42,597	42,597
104 FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT..	27,301	27,301
105 MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE.....	13,964	13,964
106 SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE.....	203,766	195,766
107 ACQUISITION AND MANAGEMENT SUPPORT.....	42,430	32,530
107A ELECTRONIC ACQUISITION SERVICES ENVIRONMENT.....	---	4,800
108 GENERAL SKILL TRAINING.....	1,294	---
111 INTERNATIONAL ACTIVITIES.....	3,851	3,851
TOTAL, RDT&E MANAGEMENT SUPPORT.....	1,190,349	1,210,955

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
OPERATIONAL SYSTEMS DEVELOPMENT		
112 GPS III - OPERATIONAL CONTROL SEGMENT.....	371,595	350,095
114 AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM..	91,697	45,697
115 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY.....	17,037	37,037
117 B-52 SQUADRONS.....	53,208	18,508
118 AIR-LAUNCHED CRUISE MISSILE (ALCM).....	431	431
119 B-1B SQUADRONS.....	16,265	16,265
120 B-2 SQUADRONS.....	35,970	35,970
121 STRAT WAR PLANNING SYSTEM - USSTRATCOM.....	30,889	23,189
122 NIGHT FIST - USSTRATCOM.....	10	---
124 REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION..	5,609	5,609
126 WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	15,098	5,098
127 MQ-9 UAV.....	147,971	147,971
128 MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT.....	49,848	49,848
129 A-10 SQUADRONS.....	13,538	13,538
130 F-16 SQUADRONS.....	190,257	176,757
131 F-15E SQUADRONS.....	192,677	171,677
132 MANNED DESTRUCTIVE SUPPRESSION.....	13,683	13,683
133 F-22 SQUADRONS.....	371,667	365,167
134 F-35 SQUADRONS.....	8,117	---
135 TACTICAL AIM MISSILES.....	8,234	6,634
136 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).....	87,041	87,041
137 JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS).....	1,472	1,472
138 COMBAT RESCUE AND RECOVERY.....	2,095	2,095
139 COMBAT RESCUE - PARARESCUE.....	1,119	1,119
140 AF TENCAP.....	63,853	63,853
141 PRECISION ATTACK SYSTEMS PROCUREMENT.....	1,063	1,063
142 COMPASS CALL.....	12,094	12,094
143 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.....	187,984	187,984

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
145 JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).....	7,950	7,950
146 AIR AND SPACE OPERATIONS CENTER (AOC).....	76,315	76,315
147 CONTROL AND REPORTING CENTER (CRC).....	8,653	8,653
148 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).....	65,200	48,900
149 TACTICAL AIRBORNE CONTROL SYSTEMS.....	5,767	5,767
152 COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES.....	5,756	5,756
154 TACTICAL AIR CONTROL PARTY--MOD.....	16,226	16,226
156 C2ISR TACTICAL DATA LINK.....	1,633	1,633
157 COMMAND AND CONTROL (C2) CONSTELLATION.....	18,086	15,786
158 DCAVES.....	15,690	15,690
159 JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM.....	24,241	24,241
160 SEEK EAGLE.....	22,654	22,654
161 USAF MODELING AND SIMULATION.....	15,501	15,501
162 WARGAMING AND SIMULATION CENTERS.....	5,699	5,699
163 DISTRIBUTED TRAINING AND EXERCISES.....	4,425	3,225
164 MISSION PLANNING SYSTEMS.....	69,377	69,377
165 INFORMATION WARFARE SUPPORT.....	7,159	7,159
166 CYBER COMMAND ACTIVITIES.....	66,888	66,888
174 SPACE SUPERIORITY INTELLIGENCE.....	12,056	12,056
175 E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).....	4,159	4,159
176 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK....	20,124	20,124
177 INFORMATION SYSTEMS SECURITY PROGRAM.....	69,133	69,133
178 GLOBAL COMBAT SUPPORT SYSTEM.....	6,512	3,512
179 GLOBAL COMMAND AND CONTROL SYSTEM.....	4,316	2,316
180 MILSATCOM TERMINALS.....	107,237	107,237
182 AIRBORNE SIGINT ENTERPRISE.....	129,106	129,106
185 GLOBAL AIR TRAFFIC MANAGEMENT (GATM).....	4,461	4,461
186 CYBER SECURITY INITIATIVE.....	2,055	2,055
187 DOD CYBER CRIME CENTER.....	285	285
188 SATELLITE CONTROL NETWORK (SPACE).....	33,773	33,773
189 WEATHER SERVICE.....	29,048	29,048

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
190 AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC).	43,187	39,687
191 AERIAL TARGETS.....	50,496	46,096
194 SECURITY AND INVESTIGATIVE ACTIVITIES.....	354	354
195 ARMS CONTROL IMPLEMENTATION.....	4,000	4,000
196 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.....	342	---
198 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)...	29,621	29,621
199 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL).	14,335	14,335
201 SPACE AND MISSILE TEST AND EVALUATION CENTER.....	3,680	3,680
202 SPACE WARFARE CENTER.....	2,430	2,430
203 SPACELIFT RANGE SYSTEM (SPACE).....	8,760	8,360
205 DRAGON U-2.....	23,644	23,644
206 ENDURANCE UNMANNED AERIAL VEHICLES.....	21,000	81,000
207 AIRBORNE RECONNAISSANCE SYSTEMS.....	96,735	96,735
208 MANNED RECONNAISSANCE SYSTEMS.....	13,316	13,316
209 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	63,501	48,501
210 PREDATOR UAV (JMIP).....	9,122	9,122
211 RQ-4 UAV.....	236,265	252,265
212 NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA).....	7,367	7,367
213 COMMON DATA LINK (CDL).....	38,094	36,694
214 NATO AGS.....	210,109	210,109
215 SUPPORT TO DCGS ENTERPRISE.....	24,500	24,500
216 GPS III SPACE SEGMENT.....	318,992	318,992
217 JSPOC MISSION SYSTEM.....	54,645	53,045
218 RAPID CYBER ACQUISITION.....	4,007	2,007
219 INTELLIGENCE SUPPORT TO INFORMATION WARFARE.....	13,357	13,357
220 NUDET DETECTION SYSTEM (SPACE).....	64,965	63,365
221 SPACE SITUATION AWARENESS OPERATIONS.....	19,586	19,586
223 SHARED EARLY WARNING (SEW).....	1,175	1,175
224 C-130 AIRLIFT SQUADRON.....	5,000	15,000
225 C-5 AIRLIFT SQUADRONS.....	35,115	35,115
226 C-17 AIRCRAFT.....	99,225	86,225
227 C-130J PROGRAM.....	30,652	20,652

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
228 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).....	7,758	7,758
229 LIGHT MOBILITY AIRCRAFT (LiMA).....	100	---
231 KC-10S.....	24,022	21,022
232 OPERATIONAL SUPPORT AIRLIFT.....	7,471	18,571
234 SPECIAL TACTICS / COMBAT CONTROL.....	4,984	4,984
235 DEPOT MAINTENANCE (NON-IF).....	1,588	1,588
236 LOGISTICS SUPPORT ACTIVITIES.....	577	577
237 LOGISTICS INFORMATION TECHNOLOGY (LOGIT).....	119,327	77,327
238 SUPPORT SYSTEMS DEVELOPMENT.....	15,873	72,873
240 OTHER FLIGHT TRAINING.....	349	349
242 OTHER PERSONNEL ACTIVITIES.....	117	---
243 JOINT PERSONNEL RECOVERY AGENCY.....	2,018	2,018
244 CIVILIAN COMPENSATION PROGRAM.....	1,561	1,561
245 PERSONNEL ADMINISTRATION.....	7,634	2,634
246 AIR FORCE STUDIES AND ANALYSIS AGENCY.....	1,175	675
247 FACILITIES OPERATION--ADMINISTRATION.....	3,491	3,491
248 FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT..	100,160	100,160
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	4,695,789	4,570,503
CLASSIFIED PROGRAMS.....	11,172,183	11,281,122
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	25,428,046	25,432,738

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Conference
4 MATERIALS	114,166	123,166
Nanotechnology research		9,000
11 DIRECTED ENERGY TECHNOLOGY	106,196	108,196
Space situational awareness		9,000
Delay electronic laser on a large aircraft		-7,000
14 ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	60,890
Materials research and technology		13,000
18 AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	164,152
Silicon carbide research		13,000
19 ELECTRONIC COMBAT TECHNOLOGY	32,941	26,941
Protection concepts for 6th generation aircraft ahead of need		-2,000
Rapidly fieldable operational demonstrations unjustified request		-4,000
25 MANUFACTURING TECHNOLOGY PROGRAM	37,045	57,045
Program increase		20,000
30 ADVANCED EHF MILSATCOM (SPACE)	229,171	231,171
Program management services excess to need		-3,000
Satellite and MCS interim contractor support excess to need		-20,000
Program increase - space modernization initiatives		25,000
32 SPACE CONTROL TECHNOLOGY	25,144	23,144
Operationally responsive space - transfer to line 54		-2,000
33 COMBAT IDENTIFICATION TECHNOLOGY	32,243	29,243
Underexecution		-3,000
40 POLLUTION PREVENTION - DEM/VAL	2,054	1,054
Forward financing		-1,000
41 JOINT PRECISION APPROACH AND LANDING SYSTEM - DEM/VAL	57,975	12,975
Development contract award delay		-45,000
BATTLE MANAGEMENT COMMAND & CONTROL SENSOR		
43 DEVELOPMENT	114,417	111,417
SAR/MTI alternatives		10,000
Excess to need		-13,000
48 WEATHER SATELLITE FOLLOW-ON	2,000	0
Carryover of fiscal year 2012 funds		-2,000
54 OPERATIONALLY RESPONSIVE SPACE	0	105,000
Program increase		100,000
Space control technology - transfer from line 32		2,000
Tech transition program - transfer from line 55		3,000
55 TECH TRANSITION PROGRAM	37,558	34,558
Operationally responsive space - transfer to line 54		-3,000

R-1	Budget Request	Conference
NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)		
56 (SPACE)	96,840	71,840
GPS user equipment, directorate, and other support unjustified growth		-2,500
GPS user equipment, FFRDC, and management services unjustified growth		-2,500
Reduction to growth due to protracted pre-engineering and manufacturing development phase		-20,000
59 NUCLEAR WEAPON SUPPORT	25,713	0
Global C3I and early warning - transfer to OM,AF line 12A		-25,713
60 SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	5,630
Program delays		-953
62 JOINT TACTICAL RADIO	2,594	0
Unjustified request		-2,594
65 SMALL DIAMETER BOMB (SDB)	143,000	138,000
Other product development cost growth		-5,000
66 COUNTERSPACE SYSTEMS	28,797	27,797
Historical excess from general reductions		-1,000
67 SPACE SITUATION AWARENESS SYSTEMS	267,252	230,152
Space fence delay of award		-37,100
U.S.-Australia C-band radar project - internal realignment		[11,200]
69 SPACE BASED INFRARED SYSTEM (SBIRS) HIGH	448,594	531,594
SBIRS SMI, architecture studies		-5,000
SBIRS evolution		-10,000
SBIRS ground expansion for HEO C2		40,000
SBIRS ground starrer/scanner integration acceleration		40,000
Program increase - space modernization initiatives		18,000
72 AGILE COMBAT SUPPORT	13,059	26,059
Power generation and storage research		13,000
73 LIFE SUPPORT SYSTEMS	9,720	6,720
Forward financing		-3,000
77 F-35	1,210,306	1,177,999
Block 4 ahead of need		-2,307
Unjustified growth in other		-30,000
79 EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	7,980	32,980
RL-10 conversions		25,000
83 NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,738,488
Air Force identified forward financing		-77,100
84 CSAR HH-60 RECAP	123,210	115,210
Unobligated prior year funds		-8,000
85 HC/MC-130 RECAP	19,039	10,739
Forward financing		-8,300

R-1	Budget Request	Conference
92 C-27J JOINT CARGO AIRCRAFT	0	6,500
Retain Air Force force structure		6,500
102 SPACE TEST PROGRAM (STP)	10,051	45,051
Program increase		35,000
106 SPACE AND MISSILE CENTER CIVILIAN WORKFORCE	203,766	195,766
Excess to need		-8,000
107 ACQUISITION AND MANAGEMENT SUPPORT	42,430	32,530
Recruiting and development excess growth		-2,700
Acquisition systems unjustified cost growth		-2,400
Electronic acquisition services environment - transfer to line 107a		-4,800
107a ELECTRONIC ACQUISITION SERVICES ENVIRONMENT	0	4,800
Transfer from line 107		4,800
108 GENERAL SKILL TRAINING	1,294	0
Excess to need		-1,294
GLOBAL POSITIONING SYSTEM III - OPERATIONAL CONTROL		
112 SEGMENT	371,595	350,095
GPS/OCX - Phase B, OCX, Block 1 and 2 development ahead of need		-50,000
GPS launch control system acceleration		50,000
GPS/OCX FFRDC excess to need		-8,000
GPS - enterprise integrator FFRDC excess to need		-5,000
GPS - enterprise integrator excess to need		-8,500
114 AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	91,697	45,697
Contract award delay		-46,000
115 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	37,037
Alternative power sources for anti-tamper technology		20,000
117 B-52 SQUADRONS	53,208	18,508
CONECT restructure		-34,700
121 STRAT WAR PLANNING SYSTEMS - USSTRATCOM	30,889	23,189
SWPS Increment 3 excess to need		-7,700
122 NIGHT FIST - USSTRATCOM	10	0
Unjustified request		-10
WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID		
126 TRANSITION FUND	15,098	5,098
Unobligated balances		-10,000
130 F-16 SQUADRONS	190,257	176,757
Flight test unjustified increase		-3,500
Combat avionics programmed extension suite program delay		-10,000
131 F-15E SQUADRONS	192,677	171,677
Forward financing		-21,000
133 F-22A SQUADRONS	371,667	365,167
Should cost review savings		-6,500

R-1	Budget Request	Conference
134 F-35 SQUADRONS	8,117	0
Block 4 ahead of need		-8,117
135 TACTICAL AIM MISSILES	8,234	6,634
Product development cost growth		-1,600
148 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	48,900
Underexecution		-16,300
157 COMMAND AND CONTROL (C2) CONSTELLATION	18,086	15,786
Architecture and systems engineering unjustified increase		-2,300
163 DISTRIBUTED TRAINING AND EXERCISES	4,425	3,225
Wargaming unjustified increase		-1,200
178 GLOBAL COMBAT SUPPORT SYSTEM	6,512	3,512
Program restructure		-3,000
179 GLOBAL COMMAND AND CONTROL SYSTEM	4,316	2,316
Underexecution		-2,000
AIR TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM		
190 (ATCALS)	43,187	39,687
NextGen forward financing		-3,500
191 AERIAL TARGETS	50,496	46,096
QF-16 late contract award		-4,400
196 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	0
Unobligated balances		-342
203 SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,360
Historical excess from general reductions		-400
206 ENDURANCE UNMANNED AERIAL VEHICLES	21,000	81,000
Testing base for EUAVs		10,000
Long Dwell/Persistent ISR response for JUONs CC-0151 and CC-0302		50,000
209 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	48,501
Data compression contract award delay		-15,000
211 RQ-4 UAV	236,265	252,265
Restore Block 30 program		16,000
213 COMMON DATA LINK (CDL)	38,094	36,694
Unjustified program growth		-1,400
217 JSPOC MISSION SYSTEM	54,645	53,045
Historical excess from general reductions		-1,600
218 RAPID CYBER ACQUISITION	4,007	2,007
Unsustained funding level		-2,000
220 NUDET DETECTION SYSTEM (SPACE)	64,965	63,365
ICADS/UGNT execution delays		-1,600
224 C-130 AIRLIFT SQUADRON	5,000	15,000
C-130 AMP		10,000

R-1	Budget Request	Conference
226 C-17 AIRCRAFT	99,225	86,225
Unobligated balances		-13,000
227 C-130J PROGRAM	30,652	20,652
C-130J forward financing		-10,000
229 LIGHT MOBILITY AIRCRAFT (LIMA)	100	0
Program termination		-100
231 KC-10	24,022	21,022
Aircraft modernization program forward financing		-3,000
232 OPERATIONAL SUPPORT AIRLIFT	7,471	18,571
Air Force identified shortfall - VC-25 avionics modernization program		11,100
237 LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	77,327
Unobligated balances		-42,000
238 SUPPORT SYSTEMS DEVELOPMENT	15,873	72,873
Alternative energy research		37,000
Coal to liquid fuel only for lower emission research		20,000
242 OTHER PERSONNEL ACTIVITIES	117	0
Unobligated balances		-117
245 PERSONNEL ADMINISTRATION	7,634	2,634
Unjustified growth		-5,000
246 AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	675
Unobligated balances		-500
999 CLASSIFIED PROGRAMS	11,172,183	11,281,122
Classified adjustment		108,939

SPACE MODERNIZATION INITIATIVES

The conference agreement provides an additional \$18,000,000 for the Space Based Infra-Red System (SBIRS) and \$25,000,000 for the Advanced Extremely High Frequency (AEHF) Satellite Modernization Initiative (SMI) efforts and reiterates the direction as detailed in Senate Report 112-196 for the Secretary of the Air Force to provide the congressional defense committees a report detailing how the additional SMI funds will be used not less than 30 days prior to the obligation of such funds.

The conferees support the evolution of current space systems but are concerned that the Department of Defense and the Air Force have yet to define the architectural and system specific goals being pursued with these funds. The conferees direct the Secretary of

the Air Force, in coordination with the Under Secretary of Defense (Acquisition, Technology, and Logistics), to provide to the congressional defense committees, not later than 90 days after the enactment of this Act, a report describing the overall SMI strategy and goals, a specific accounting of the studies and technologies to be pursued, the current and follow-on costs for those efforts, schedules for delivery of such efforts, and a roadmap of how these efforts correlate or support the future acquisition plans for SBIRS, AEHF, and Global Positioning System satellite and ground segments.

PROMOTING ENERGY SECURITY

The conferees do not include a provision as proposed by the House regarding the Energy Independence and Security Act. However, the conferees provide \$20,000,000 in Research,

Development, Test and Evaluation, Air Force only for research that will improve emissions of coal to liquid fuel to enable this technology to be a competitive alternative energy resource to meet the goals established in the Department of Defense's Operational Energy Strategy and its Implementation Plan. The conferees direct the Secretary of the Air Force, in consultation with the Assistant Secretary of Defense for Operational Energy Plans and Programs, to inform the congressional defense committees 30 days prior to any obligation or expenditure of these funds.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND

	RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE		
	BASIC RESEARCH		
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	45,071	45,071
2	DEFENSE RESEARCH SCIENCES.....	309,051	309,051
3	BASIC RESEARCH INITIATIVES.....	19,405	19,405
5	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.....	39,676	39,676
6	NATIONAL DEFENSE EDUCATION PROGRAM.....	87,979	87,979
7	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	50,566	50,566
	TOTAL, BASIC RESEARCH.....	551,748	551,748

	APPLIED RESEARCH		
7	JOINT MUNITIONS TECHNOLOGY.....	20,615	20,615
8	BIONEDICAL TECHNOLOGY.....	110,900	105,900
9	HISTORICALLY BLACK COLLEGES & UNIV (HBCU).....	---	35,599
10	LINCOLN LABORATORY RESEARCH PROGRAM.....	36,826	36,826
11	SYSTEMS 2020 APPLIED RESEARCH.....	7,898	---
12	INFORMATION AND COMMUNICATIONS TECHNOLOGY.....	392,421	392,421
13	COGNITIVE COMPUTING SYSTEMS.....	30,424	30,424
15	BIOLOGICAL WARFARE DEFENSE.....	19,236	19,236
16	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	223,269	223,269
17	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT.....	13,753	8,753
18	CYBER SECURITY RESEARCH.....	18,985	11,485
19	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	6,771	6,771
20	TACTICAL TECHNOLOGY.....	233,209	228,209
21	MATERIALS AND BIOLOGICAL TECHNOLOGY.....	166,067	175,067
22	ELECTRONICS TECHNOLOGY.....	222,416	214,416
23	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.....	172,352	172,352
24	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.....	28,739	41,591
	TOTAL, APPLIED RESEARCH.....	1,703,881	1,722,934

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
25 ADVANCED TECHNOLOGY DEVELOPMENT JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	25,612	20,012
26 SO/LIC ADVANCED DEVELOPMENT.....	26,324	26,324
27 COMBATING TERRORISM TECHNOLOGY SUPPORT.....	77,144	122,144
28 COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	275,022	275,022
29 BALLISTIC MISSILE DEFENSE TECHNOLOGY.....	79,975	75,975
31 JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.....	20,032	20,032
32 AGILE TRANSPD FOR THE 21ST CENTURY (AT21) - THEATER CA	3,892	3,892
33 SPECIAL PROGRAM--MDA TECHNOLOGY.....	36,685	36,685
34 ADVANCED AEROSPACE SYSTEMS.....	174,316	181,816
35 SPACE PROGRAMS AND TECHNOLOGY.....	159,704	159,704
36 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	234,280	234,280
37 JOINT ELECTRONIC ADVANCED TECHNOLOGY.....	6,983	6,983
38 JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.....	158,263	158,263
39 NETWORKED COMMUNICATIONS CAPABILITIES.....	25,393	25,393
40 JOINT DATA MANAGEMENT RESEARCH.....	13,754	8,754
42 CYBER SECURITY ADVANCED RESEARCH.....	19,935	12,435
43 HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	8,235	8,235
44 DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	21,966	51,966
45 EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT.....	24,662	24,662
47 GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.....	24,605	24,605
48 DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY.....	30,678	30,678
49 STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.....	65,282	65,282
50 MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT....	72,234	62,234
51 JOINT WARFIGHTING PROGRAM.....	8,403	8,403
52 ADVANCED ELECTRONICS TECHNOLOGIES.....	111,008	111,008
54 COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.....	237,859	229,859
55 CLASSIFIED DARPA PROGRAMS.....	3,000	3,000
56 NETWORK-CENTRIC WARFARE TECHNOLOGY.....	236,883	244,383
57 SENSOR TECHNOLOGY.....	299,438	294,438
57XX DEFENSE RAPID INNOVATION PROGRAM.....	---	250,000

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
58	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT..	12,195	12,195
59	SOFTWARE ENGINEERING INSTITUTE.....	30,036	30,036
60	QUICK REACTION SPECIAL PROJECTS.....	107,002	82,002
62	JOINT EXPERIMENTATION.....	21,230	21,230
63	MODELING AND SIMULATION MANAGEMENT OFFICE.....	47,433	43,433
64	DIRECTED ENERGY RESEARCH.....	46,944	22,944
65	NEXT GENERATION AEGIS MISSILE.....	224,077	61,377
66	TEST & EVALUATION SCIENCE & TECHNOLOGY.....	92,602	92,602
68	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.....	26,244	26,244
69	CWMD SYSTEMS.....	53,946	38,946
70	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT....	45,317	45,317
71	AVIATION ENGINEERING ANALYSIS.....	861	861
72	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECH...	4,959	4,959
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	3,194,413	3,258,613
73	DEMONSTRATION & VALIDATION NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT..	33,234	33,234
74	RETRACT LARCH.....	21,023	21,023
75	WALKOFF.....	94,624	94,624
77	ADVANCE SENSOR APPLICATIONS PROGRAM.....	16,958	18,958
78	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
79	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT....	316,929	301,929
80	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT...	903,172	978,172
81	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	179,023	179,023
82	BALLISTIC MISSILE DEFENSE SENSORS.....	347,012	347,012
84	BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS.....	362,711	362,711
85	SPECIAL PROGRAMS - MDA.....	272,387	262,387
86	AEGIS BMD.....	992,407	992,407
87	SPACE SURVEILLANCE & TRACKING SYSTEM.....	51,313	51,313
88	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.....	6,912	6,912
89	BALLISTIC MISSILE DEFENSE C2BMC.....	366,552	360,552
90	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT....	55,550	55,550
91	BALLISTIC MISSILE DEFENSE INTERGRATION AND OPERATIONS CENTER (MDIOC).....	63,043	63,043

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
92 REGARDING TRENCH.....	11,371	11,371
93 SEA BASED X-BAND RADAR (SBX).....	9,730	27,730
94 ISRAELI COOPERATIVE PROGRAMS.....	99,836	268,736
95 BALLISTIC MISSILE DEFENSE TEST.....	454,400	454,400
96 BALLISTIC MISSILE DEFENSE TARGETS.....	435,747	435,747
97 HUMANITARIAN DEMINING.....	13,231	13,231
98 COALITION WARFARE.....	11,398	11,398
99 DEPARTMENT OF DEFENSE CORROSION PROGRAM.....	3,283	33,283
100 DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	12,368	12,368
101 HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	5,131	5,131
104 JOINT SYSTEMS INTEGRATION.....	3,273	3,273
106 JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM.....	7,364	7,364
107 LAND-BASED SM-3 (LBSM3).....	276,338	276,338
108 AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT.....	420,630	470,630
109 PRECISION TRACKING SPACE SYSTEM RDT&E.....	297,375	242,375
111 ADVANCED REMOTE SENSOR TECHNOLOGY (ARST).....	58,742	18,742
113 JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM.....	3,158	3,158
115 NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT .	6,817	6,817
116 PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT.....	110,383	200,383
TOTAL, DEMONSTRATION & VALIDATION.....	6,399,366	6,707,266

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
117 ENGINEERING & MANUFACTURING DEVELOPMENT CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	311,071	311,071
119 ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)..	25,787	25,787
120 JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688
121 WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES.....	5,749	5,749
122 INFORMATION TECHNOLOGY DEVELOPMENT.....	12,699	12,699
125 HOMELAND PERSONNEL SECURITY INITIATIVE.....	387	387
126 DEFENSE EXPORTABILITY PROGRAM.....	1,859	1,859
127 OUSD(C) IT DEVELOPMENT INITIATIVES.....	7,010	7,010
128 DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION..	133,104	111,000
129 DCMO POLICY AND INTEGRATION.....	25,269	25,269
131 DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITY.....	10,238	10,238
132 GLOBAL COMBAT SUPPORT SYSTEM.....	19,670	19,670
133 DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)...	3,556	3,556
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT.....	577,087	554,983
135 RDT&E MANAGEMENT SUPPORT DEFENSE READINESS REPORTING SYSTEM (DRRS).....	6,383	6,383
136 JOINT SYSTEMS ARCHITECTURE DEVELOPMENT.....	3,845	3,845
137 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT....	144,109	156,109
138 ASSESSMENTS AND EVALUATIONS.....	2,419	2,419
139 THERMAL VICAR.....	8,214	8,214
140 JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).....	19,380	19,380
141 TECHNICAL STUDIES, SUPPORT AND ANALYSIS.....	32,266	32,266
142 USD(A&T)--CRITICAL TECHNOLOGY SUPPORT.....	840	840
143 FOREIGN MATERIAL ACQUISITION AND EXPLOITATION.....	56,012	56,012
144 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	55,508	55,508
145 CLASSIFIED PROGRAM USD(P).....	---	100,000

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
146 FOREIGN COMPARATIVE TESTING.....	18,174	18,174
147 SYSTEMS ENGINEERING.....	43,195	43,195
148 STUDIES AND ANALYSIS SUPPORT.....	6,457	6,457
149 NUCLEAR MATTERS - PHYSICAL SECURITY.....	4,901	4,901
150 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.....	6,307	6,307
151 GENERAL SUPPORT TO USD (INTELLIGENCE).....	6,601	15,601
DEFENSE-WIDE ELECTRONIC PROCUREMENT.....	---	20,000
152 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	92,849	92,849
159 SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	1,857	1,857
160 DEFENSE TECHNOLOGY ANALYSIS.....	12,056	12,056
162 DEFENSE TECHNICAL INFORMATION CENTER (DTIC).....	55,454	55,454
163 R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	16,364	16,364
164 DEVELOPMENT TEST AND EVALUATION.....	15,110	20,110
166 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT).....	69,767	69,767
167 BUDGET AND PROGRAM ASSESSMENTS.....	4,454	4,454
169 OPERATIONS SECURITY (OPSEC).....	2,637	2,637
174 SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES...	8,238	8,238
176 CYBER SECURITY INITIATIVE.....	1,801	1,801
177 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)...	16,041	16,041
180 COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION.	77,475	62,475
182 MANAGEMENT HEADQUARTERS - MDA.....	34,855	34,855
183 IT SOFTWARE DEV INITIATIVES.....	104	104
999 CLASSIFIED PROGRAMS.....	64,255	64,255
TOTAL, RDT&E MANAGEMENT SUPPORT.....	887,928	1,018,928

(IN THOUSANDS OF DOLLARS)

		BUDGET REQUEST	RECOMMEND
185	OPERATIONAL SYSTEMS DEVELOPMENT ENTERPRISE SECURITY SYSTEM (ESS).....	8,866	8,866
186	REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEAC	3,238	3,238
187	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SY	288	288
188	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	14,745	14,745
190	JOINT INTEGRATION AND INTEROPERABILITY.....	5,013	5,013
191	PLANNING AND DECISION AID SYSTEM.....	3,922	3,922
192	C4I INTEROPERABILITY.....	72,574	72,574
194	JOINT/ALLIED COALITION INFORMATION SHARING.....	6,214	6,214
201	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT.....	499	499
202	DEFENSE INFO INFRASTRUCTURE ENGINEERING & INTEGRATION.	14,498	14,498
203	LONG HAUL COMMUNICATIONS (DCS).....	26,164	26,164
204	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK....	12,931	12,931
205	PUBLIC KEY INFRASTRUCTURE (PKI).....	6,296	6,296
206	KEY MANAGEMENT INFRASTRUCTURE (KMI).....	30,948	30,948
207	INFORMATION SYSTEMS SECURITY PROGRAM.....	11,780	11,780
208	INFORMATION SYSTEMS SECURITY PROGRAM.....	191,452	191,452
211	GLOBAL COMMAND AND CONTROL SYSTEM.....	36,575	36,575
212	JOINT SPECTRUM CENTER.....	24,278	24,278
213	NET-CENTRIC ENTERPRISE SERVICES (NCES).....	2,924	2,924
214	JOINT MILITARY DECEPTION INITIATIVE.....	1,294	1,294
215	TELEPORT PROGRAM.....	6,050	6,050
217	SPECIAL APPLICATIONS FOR CONTINGENCIES.....	17,058	17,058
222	CYBER SECURITY INITIATIVE.....	4,189	4,189
223	CRITICAL INFRASTRUCTURE PROTECTION (CIP).....	10,462	10,462
227	POLICY R&D PROGRAMS.....	6,360	6,360
229	NET CENTRICITY.....	21,190	21,190
232	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	7,114	7,714
235	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.....	3,247	3,247
237	MQ-1 PREDATOR A UAV.....	1,355	1,355
240	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.....	2,303	2,303
241	INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT.	1,478	1,478
249	INDUSTRIAL PREPAREDNESS.....	27,044	27,044

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND
250 LOGISTICS SUPPORT ACTIVITIES.....	4,711	4,711
251 MANAGEMENT HEADQUARTERS (JCS).....	4,100	4,100
253 MQ-9 UAV.....	3,002	3,002
257 SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV.....	97,267	97,267
258 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT.....	821	821
259 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT...	25,935	25,935
260 SOF OPERATIONAL ENHANCEMENTS.....	51,700	63,700
261 SPECIAL OPERATIONS CV-22 DEVELOPMENT.....	1,822	1,822
262 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS).....	10,131	8,807
263 MC130J SOF TANKER RECAPITALIZATION.....	19,647	19,647
264 SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS..	2,225	2,225
265 SOF TACTICAL RADIO SYSTEMS.....	3,036	3,036
266 SOF WEAPONS SYSTEMS.....	1,511	1,511
267 SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS.....	4,263	4,263
268 SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS.....	4,448	4,448
269 SOF TACTICAL VEHICLES.....	11,325	11,325
270 SOF MUNITIONS.....	1,515	1,515
271 SOF ROTARY WING AVIATION.....	24,430	24,430
272 SOF UNDERWATER SYSTEMS.....	26,405	75,405
273 SOF SURFACE CRAFT.....	8,573	8,573
275 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES.....	7,620	7,620
276 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.....	16,386	13,386
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT.....	913,222	970,498
DARPA CLASSIFIED.....	---	-25,000
999 CLASSIFIED PROGRAMS.....	3,754,516	3,871,976
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE.	17,982,161	18,631,946

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Conference
8 BIOMEDICAL TECHNOLOGY	110,900	105,900
Reduction to new starts		-5,000
HISTORICALLY BLACK COLLEGES & UNIVERSITIES (HBCU)		
9 SCIENCE	0	35,599
DDRE requested transfer from RDTE,A line 4		15,599
Program adjustment		20,000
11 SYSTEMS 2020 APPLIED RESEARCH	7,898	0
Reduction to new starts		-7,898
12 INFORMATION AND COMMUNICATIONS TECHNOLOGY	392,421	392,421
Program increase - power efficiency technology		10,000
Excess prior year funds		-5,000
Reduce program growth		-5,000
17 DATA TO DECISIONS APPLIED RESEARCH	13,753	8,753
Excess growth		-5,000
18 CYBER SECURITY RESEARCH	18,985	11,485
Excess growth		-7,500
20 TACTICAL TECHNOLOGY	233,209	228,209
Reduce program growth		-5,000
21 MATERIALS AND BIOLOGICAL TECHNOLOGY	166,067	175,067
Technology transfer		9,000
22 ELECTRONICS TECHNOLOGY	222,416	214,416
Reduce program growth		-8,000
24 SOF TECHNOLOGY DEVELOPMENT	28,739	41,591
Sensor development - restore unjustified reduction		12,852
JOINT MUNITIONS ADVANCED TECHNOLOGY INSENSITIVE		
25 MUNITIONS ADVANCED TECHNOLOGY	25,612	20,012
Excess growth		-5,600
27 COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	122,144
Program increase		45,000
29 BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	75,975
Advanced technology modeling and simulation+B357 ahead of need		-4,000
34 ADVANCED AEROSPACE SYSTEMS	174,316	181,816
Technology transfer and transition		7,500
40 DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	13,754	8,754
Excess growth		-5,000
42 CYBER SECURITY ADVANCED RESEARCH	19,935	12,435
OSD identified excess to need		-7,500

R-1	Budget Request	Conference
DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY		
44 PROGRAM	21,966	51,966
Program increase		30,000
MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND		
50 SUPPORT	72,234	62,234
90nm next generation foundry		-10,000
54 COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	229,859
Reduction to new starts		-8,000
56 NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	244,383
Technology transfer and transition		7,500
57 SENSOR TECHNOLOGY	299,438	294,438
Reduction to new starts		-5,000
57XX DEFENSE RAPID INNOVATION FUND	0	250,000
Program increase		250,000
60 QUICK REACTION SPECIAL PROJECTS	107,002	82,002
Excess growth		-25,000
63 MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	43,433
Reduction to new starts		-4,000
64 DIRECTED ENERGY RESEARCH	46,944	22,944
Unjustified request		-24,000
65 NEXT GENERATION AEGIS MISSILE	224,077	61,377
SM-3 Block IIB program reduction		-112,700
MD70 transfer to line 108 for test and development risk reduction		-50,000
69 COMBATING WEAPONS OF MASS DESTRUCTION SYSTEMS	53,946	38,946
Program reduction		-15,000
77 ADVANCE SENSOR APPLICATIONS PROGRAM	16,958	18,958
Program increase		2,000
79 BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	316,929	301,929
Program support unjustified growth		-10,000
Excess to need		-5,000
80 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	978,172
Program increase - sustainment		75,000
85 SPECIAL PROGRAMS - MDA	272,387	262,387
Program adjustment		-10,000
89 BALLISTIC MISSILE DEFENSE C2BMC	366,552	360,552
Unjustified growth		-6,000
93 SEA BASED X-BAND RADAR (SBX)	9,730	27,730
SBX software sustainment unjustified reduction		18,000

R-1	Budget Request	Conference
94 ISRAELI COOPERATIVE PROGRAMS	99,836	268,736
Upper tier		23,800
Arrow program		33,700
David's sling weapon system		111,400
99 DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	33,283
Program increase		30,000
108 AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	420,630	470,630
Transfer from line 65 for test development risk reduction		50,000
109 PRECISION TRACKING SPACE SYSTEM RDT&E	297,375	242,375
Program reduction		-55,000
111 ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	18,742
Lack of acquisition strategy		-40,000
116 PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	110,383	200,383
Advanced hypersonic weapon		90,000
DOD ENTERPRISE SYSTEMS DEVELOPMENT AND		
128 DEMONSTRATION	133,104	111,000
Program growth		-22,104
137 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	144,109	156,109
Restore unjustified reduction		12,000
145 CLASSIFIED PROGRAM USD(P)	0	100,000
Classified adjustment		100,000
151 GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	15,601
Irregular warfare resource intelligence program for emerging technologies collection, exploitation, and research		9,000
151X DEFENSE-WIDE ELECTRONIC PROCUREMENT	0	20,000
Program increase - contract management services program		20,000
164 DEVELOPMENT TEST AND EVALUATION	15,110	20,110
Program increase		5,000
COCOM EXERCISE ENGAGEMENT AND TRAINING		
180 TRANSFORMATION	77,475	62,475
Duplication with Service initiatives		-15,000
232 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
HD full motion video		600
260 SOF OPERATIONAL ENHANCEMENTS	51,700	63,700
Signature management and digital optics		14,000
Excess prior year funds		-4,000
Tactical airborne ISR		2,000
262 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	8,807
SOCOM requested transfer to P,DW line 78		-1,324

R-1	Budget Request	Conference
272 SOF UNDERWATER SYSTEMS	26,405	75,405
Risk reduction		35,000
SOCOM requested transfer from P,DW line 64		14,000
276 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,386	13,386
Excess prior year funds		-3,000
CLASSIFIED PROGRAMS	3,754,516	3,871,976
Classified adjustment		117,460
DARPA	0	-25,000
Program adjustment for unjustified special access programs		-25,000

OPERATIONAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS			
[In thousands of dollars]			
	R-1	Budget Request	Conference
RDTE MANAGEMENT SUPPORT			
1 OPERATIONAL TEST AND EVALUATION		72,501	91,501
National cyber range shortfall			4,000
Cyber testing shortfall			15,000
2 LIVE FIRE TESTING		49,201	49,201
3 OPERATIONAL TEST ACTIVITIES AND ANALYSIS		63,566	83,066
Restore unjustified reductions			19,500
TOTAL, OPERATIONAL TEST & EVALUATION, DEFENSE		185,268	223,768

TITLE V—REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides \$2,214,024,000 in Title V, Revolving and Management Funds as proposed by the Senate, instead of \$2,080,820,000 as proposed by the House. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

TITLE V		
REVOLVING AND MANAGEMENT FUNDS		
DEFENSE WORKING CAPITAL FUNDS.....	1,516,184	1,516,184
NATIONAL DEFENSE SEALIFT FUND.....	608,136	697,840

TOTAL, TITLE V, REVOLVING AND MANAGEMENT FUNDS..	2,124,320	2,214,024

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides \$1,516,184,000 for the Defense Working Capital Funds, as proposed by both the House and the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement provides \$697,840,000 for the National Defense Sealift Fund as proposed by the Senate, instead of \$564,636,000 as proposed by the House.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget request	Conference
STRATEGIC SEALIFT ACQUISITION	77,386	172,590
Navy requested transfer of funds for AFSB 1 only		— 38,000
Fully fund AFSB 1 modification only		140,500
MLP #3 outfitting and post delivery ahead of need		— 7,296
DoD MOBILIZATION ASSETS	184,616	184,616
SEALIFT RESEARCH AND DEVELOPMENT	42,811	37,311
Transfer of funds for AFSB 1 only		— 5,500
READY RESERVE FORCE OPERATIONS AND MAINTENANCE	303,323	303,323
TOTAL, NATIONAL DEFENSE SEALIFT FUND	608,136	697,840

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement provides \$35,526,674,000 in Title VI, Other Department of Defense Programs, instead of \$35,905,118,000 as proposed by the House and \$35,013,758,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

TITLE VI		
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
DEFENSE HEALTH PROGRAM:		
OPERATION AND MAINTENANCE.....	31,349,279	30,885,165
PROCUREMENT.....	506,462	521,762
RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	672,977	1,308,377
	-----	-----
TOTAL, DEFENSE HEALTH PROGRAM.....	32,528,718	32,715,304
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE:		
OPERATION AND MAINTENANCE.....	635,843	635,843
PROCUREMENT.....	18,592	18,592
RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	647,351	647,351
	-----	-----
TOTAL, CHEMICAL AGENTS.....	1,301,786	1,301,786
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	999,363	1,159,263
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.....	227,414	---
JOINT URGENT OPERATIONAL NEEDS FUND.....	99,477	---
OFFICE OF THE INSPECTOR GENERAL.....	273,821	350,321
	-----	-----
TOTAL, TITLE VI, OTHER DEPARTMENT OF DEFENSE PROGRAMS.....	35,430,579	35,526,674

DEFENSE HEALTH PROGRAM

The conference agreement provides \$32,715,304,000 for the Defense Health Program, instead of \$32,902,234,000 as proposed by the House and \$32,240,788,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE		
IN-HOUSE CARE.....	8,625,507	8,558,870
PRIVATE SECTOR CARE.....	16,148,263	15,557,970
CONSOLIDATED HEALTH SUPPORT.....	2,309,185	2,289,185
INFORMATION MANAGEMENT.....	1,465,328	1,465,328
MANAGEMENT ACTIVITIES.....	332,121	332,121
EDUCATION AND TRAINING.....	722,081	717,581
BASE OPERATIONS/COMMUNICATIONS.....	1,746,794	1,964,110
	-----	-----
SUBTOTAL, OPERATION AND MAINTENANCE.....	31,349,279	30,885,165
PROCUREMENT		
DEFENSE HEALTH PROGRAM.....	506,462	521,762
RESEARCH DEVELOPMENT TEST AND EVALUATION		
DEFENSE HEALTH PROGRAM.....	672,977	1,308,377
	-----	-----
SUBTOTAL, RESEARCH DEVELOPMENT TEST AND EVALUATION	672,977	1,308,377
	-----	-----
TOTAL, DEFENSE HEALTH PROGRAM.....	32,528,718	32,715,304
	=====	=====

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	Conference
OPERATION AND MAINTENANCE	31,349,279	30,885,165
IN-HOUSE CARE	8,625,507	8,558,870
Lower than budgeted TEAM strength		-66,637
PRIVATE SECTOR CARE	16,148,263	15,557,970
TRICARE historical underexecution		-807,413
Pharmacy funding unjustified growth		-20,000
Lower than budgeted TEAM strength		-35,880
Program adjustment to restore proposed TRICARE fee increases		273,000
CONSOLIDATED HEALTH SUPPORT	2,309,185	2,289,185
Historical underexecution		-25,000
Program increase - wounded warrior military adaptive sports program		5,000
INFORMATION MANAGEMENT	1,465,328	1,465,328
MANAGEMENT ACTIVITIES	332,121	332,121
EDUCATION AND TRAINING	722,081	717,581
Travel excess growth		-4,500
BASE OPERATIONS AND COMMUNICATIONS	1,746,794	1,964,110
JTF CAPMED sustainment excess growth		-7,684
Air Force FSRM for medical facilities		100,000
Army FSRM for medical facilities		75,000
Navy FSRM for medical facilities		55,000
Visual information systems excess growth		-5,000
PROCUREMENT	506,462	521,762
Navy medical equipment		15,300
RESEARCH AND DEVELOPMENT	672,977	1,308,377
Walter Reed National Military Medical Center comprehensive cancer center		10,000
Peer-Reviewed alcohol and substance abuse disorders research		4,000
Peer-Reviewed ALS research		7,500
Peer-Reviewed alzheimer research		12,000
Peer-Reviewed autism research		6,000
Peer-Reviewed bone marrow failure disease research		3,200
Peer-Reviewed breast cancer research		120,000
Peer-Reviewed cancer research		15,000
Peer-Reviewed Duchenne muscular dystrophy research		3,200
Peer-Reviewed gulf war illness research		20,000
Peer-Reviewed lung cancer research		10,500
Peer-Reviewed medical research		50,000
Peer-Reviewed multiple sclerosis research		5,000
Peer-Reviewed orthopedic research		30,000
Peer-Reviewed ovarian cancer research		20,000
Peer-Reviewed prostate cancer research		80,000
Peer-Reviewed spinal cord research		30,000
Peer-Reviewed traumatic brain injury and psychological health research		135,000
Peer-Reviewed tuberous sclerosis complex research		6,000
Peer-Reviewed vision research		10,000
Global HIV/AIDS prevention		8,000
Joint warfighter medical research		50,000

REPROGRAMMING GUIDANCE FOR THE DEFENSE HEALTH PROGRAM

The conferees remain concerned regarding the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and improve oversight within the Defense Health Program operation and maintenance account, the conferees include a provision which caps the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The provision and accompanying explanatory statement language included by the conferees should not be interpreted by the Department as limiting the amount of funds that may be transferred to the Direct Care System from other budget activities within the Defense Health Program. In addition, the conferees continue to designate the funding for the Direct Care System as a special interest item. Any transfer of funds from the Direct (or In-house) Care budget activity into the Private Sector Care budget activity or any other budget activity will require the Department of Defense to follow prior approval reprogramming procedures.

The Department shall also provide written notification to the congressional defense committees of cumulative transfers in excess of \$15,000,000 out of the Private Sector Care budget activity. The conferees further direct the Assistant Secretary of Defense (Health Affairs) to provide quarterly reports to the congressional defense committees on budget execution data for all of the Defense Health Program accounts and to adequately reflect changes to the budget activities requested by the Services in future budget submissions.

CARRYOVER

For fiscal year 2013, the conferees recommend one percent carryover authority for the operation and maintenance account of the Defense Health Program. The conferees direct the Assistant Secretary of Defense (Health Affairs) to submit a detailed spending plan for any fiscal year 2012 designated carryover funds to the congressional defense committees not less than 30 days prior to executing the carryover funds.

PEER-REVIEWED CANCER RESEARCH PROGRAM

The conference agreement provides \$15,000,000 for a Peer-Reviewed Cancer Research Program that would research cancers not addressed in the breast, prostate, ovarian, and lung cancer research programs currently executed by the Department of Defense, and specifically by the U.S. Army Medical Research and Materiel Command.

The funds provided are directed to be used to conduct research in the following areas:

melanoma and other skin cancers, pediatric brain tumors, genetic cancer research, pancreatic cancer, kidney cancer, blood cancer, colorectal cancer, mesothelioma, neuroblastoma, and listeria vaccine for cancer.

The funds provided under the Peer-Reviewed Cancer Research Program shall only be used for the purposes listed above. The conferees direct the Assistant Secretary of Defense (Health Affairs) to provide a report not later than 60 days after the enactment of this Act to the congressional defense committees on the status of the Peer-Reviewed Cancer Research Program. For each research area, the report should include the funding amount awarded, the progress of the research, and the relevance of the research to servicemembers and their families.

PEER-REVIEWED MEDICAL RESEARCH PROGRAM

The conference agreement provides \$50,000,000 for a Peer-Reviewed Medical Research Program. The conferees direct the Secretary of Defense, in conjunction with the Service Surgeons General, to select medical research projects of clear scientific merit and direct relevance to military health. Research areas considered under this funding are restricted to the following areas: chronic kidney disease, chronic migraine and post-traumatic headaches, composite tissue transplantation, dengue, DNA vaccine technology for postexposure prophylaxis, dystonia, epilepsy, food allergies, Fragile X syndrome, hantavirus, hereditary angioedema, inflammatory bowel disease, interstitial cystitis, leishmaniasis, lupus, malaria, nanomedicine for drug delivery science, pancreatitis, polycystic kidney disease, post-traumatic osteoarthritis, pulmonary hypertension, rheumatoid arthritis, scleroderma, and tinnitus. The conferees emphasize that the additional funding provided under the Peer-Reviewed Medical Research Program shall be devoted only to the purposes listed above.

INTEGRATED ELECTRONIC HEALTH RECORD

The conference agreement includes a provision restricting the amount of funding that may be obligated to develop the integrated Department of Defense-Department of Veterans Affairs (DoD-VA) integrated Electronic Health Record (iEHR) to 25 percent of the funding provided until the DoD-VA Interagency Program Office (IPO) provides the House and Senate Appropriations Committees an expenditure plan which includes elements such as a budget and cost baseline with annual and total spending for each Department and quarterly milestones. The expenditure plan should also be submitted to

the Government Accountability Office for review.

The conferees are concerned that after four years of working to establish a joint framework to collaborate and develop an integrated Electronic Health Record, the two Departments still seem to be operating as single entities. The conferees support the creation of the IPO and recognize this office as the single point of accountability for the development and implementation of the integrated Electronic Health Record for both Departments. Unfortunately, since the creation of the IPO and the naming of a director, the conferees have seen little benefit from establishing this office since both Departments appear to operate as separate entities. Despite repeated inquiries, neither the Departments nor the IPO has been able to provide Congress with a firm total cost of the integrated system. The conferees are concerned that the IPO is unable to maintain focus on its defined goals, provide effective governance, manage and maintain accountability on behalf of both Departments, and provide Congress with detailed expenditure plans as well as information regarding the progress and future plans for this project.

As a result, the conferees direct the IPO to deliver to the congressional defense committees, the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies, and the Government Accountability Office (GAO) a quarterly report that includes a detailed explanation of the cost and schedule of the iEHR development, to include milestones, knowledge points, and acquisition timelines as they impact both Departments, as well as quarterly obligation reports. The conferees also direct the IPO to continue briefing the House and Senate Appropriations Committees on a quarterly basis, coinciding with the report submission. The conferees further direct the GAO to review these quarterly reports and provide an annual report to the congressional defense committees and the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies on the cost and schedule of the iEHR.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

The conference agreement provides \$1,301,786,000 for Chemical Agents and Munitions Destruction, Defense, as proposed by both the House and the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE.....	635,843	635,843
CHEM DEMILITARIZATION - PROCUREMENT.....	18,592	18,592
CHEM DEMILITARIZATION - RESEARCH, DEVELOPMENT, TEST AND EVALUATION.....	647,351	647,351

TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.....	1,301,786	1,301,786
	=====	=====

DRUG INTERDICTION AND COUNTER-
DRUG ACTIVITIES, DEFENSE

The conference agreement provides \$1,159,263,000 for Drug Interdiction and Counter-Drug Activities, Defense, instead of \$1,133,363,000 as proposed by the House and \$1,138,263,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget Request	Conference
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES	999,363	1,159,263
National Guard counter-drug program		130,000
Young Marines drug demand reduction program		4,000
Program increase—drug demand reduction program for expanded drug testing		25,900

JOINT IMPROVISED EXPLOSIVE DEVICE
DEFEAT FUND

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget Request	Conference
STAFF AND INFRASTRUCTURE JIEDDO Staff and Infrastructure—transfer to title IX	227,414	0
		− 227,414

The conference agreement does not recommend funding for the Joint Improvised Explosive Device Defeat Fund in the base budget. The conferees address the funding requirements of the Joint Improvised Explosive Device Defeat Organization in title IX, Overseas Contingency Operations.

OFFICE OF THE INSPECTOR GENERAL
The conference agreement provides \$350,321,000 for the Office of the Inspector General as proposed by the House, instead of

\$332,921,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS		
[In thousands of dollars]		
	Budget Request	Conference
OPERATION AND MAINTENANCE	272,821	347,621
Program increase		74,800
PROCUREMENT	1,000	2,700
Program increase		1,700
TOTAL, OFFICE OF THE INSPECTOR GENERAL	273,821	350,321

TITLE VII—RELATED AGENCIES

The conference agreement provides \$1,048,421,000 in Title VII, Related Agencies, instead of \$1,025,476,000 as proposed by the House and \$1,056,346,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	RECOMMEND

TITLE VII		
RELATED AGENCIES		
CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND.....	514,000	514,000
INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT (ICMA).....	540,252	534,421
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TOTAL, TITLE VII, RELATED AGENCIES.....	1,054,252	1,048,421

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in a separate detailed and comprehensive classified annex. The Intelligence Community, Department of Defense, and other organizations are expected to fully comply with the recommendations and directions in the classified annex accompanying the Department of Defense Appropriations Act, 2013.

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The conference agreement provides \$514,000,000 for the Central Intelligence Agency Retirement and Disability Fund, as proposed by both the House and the Senate.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

The conference agreement provides \$534,421,000 for the Intelligence Community Management Account, instead of \$511,476,000 as proposed by the House and \$542,346,000 as proposed by the Senate.

TITLE VIII—GENERAL PROVISIONS

The conference agreement incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference are as follows:

The conference agreement modifies a provision proposed by the House and the Senate which provides general transfer authority of \$4,000,000,000.

The conference agreement retains a provision proposed by the House which identifies tables as Explanation of Project Level Adjustments. The Senate bill contained a similar provision.

The conference agreement modifies a provision proposed by the House and the Senate regarding limitations and conditions on the use of funds made available by this Act to initiate multi-year contracts.

The conference agreement retains a provision proposed by the Senate which prohibits the use of funds to demilitarize or dispose of certain small firearms. The House bill contained a similar provision but made it permanent.

The conference agreement retains a provision proposed by the Senate which provides funding from various appropriations for the Civil Air Patrol Corporation. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which prohibits the sale of the F-22 to any foreign government. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides that the Office of Economic Adjustment may use funds made available under Operation and Maintenance, Defense-Wide to make grants and supplement other federal funds in accordance with guidance provided. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The provision provides for the rescission of \$2,142,447,000 from the following programs:

(RESCISSIONS)

2007 Appropriations:

Shipbuilding and Conversion, Navy:

DDG-51 Destroyer	\$98,400,000
DDG-51 Destroyer advance procurement	2,500,000
CVN refueling over-haul	14,100,000

2011 Appropriations:

Procurement of Ammunition, Army:

40mm ammunition	14,862,000
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Other Procurement, Army:

Defense enterprise wideband SATCOM systems	10,900,000
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Tractor Desk	6,900,000
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Sense through the wall	1,845,000
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Long range advanced scout surveillance system	17,200,000
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BCT network	36,000,000
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Handheld standoff mine detection system	11,500,000
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Mounted soldier system	2,753,000
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Training logistics management	21,000,000
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Aircraft Procurement, Navy:

P-8A	30,100,000
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EA-18G advance procurement	5,960,000
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Special support equipment	7,800,000
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Shipbuilding and Conversion, Navy:

DDG-51 Destroyer	215,300,000
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Weapons Procurement, Navy:

Tomahawk contract savings	22,000,000
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Aircraft Procurement, Air Force:

Light mobility aircraft	65,300,000
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C-130 AMP	28,100,000
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Other Procurement, Air Force:

GCSS-AF FOS (ECSS)	9,500,000
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2012 Appropriations:

Operation and Maintenance, Defense-Wide

Office of Economic Adjustment grant to Guam	21,000,000
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Aircraft Procurement, Army:

Utility F/W aircraft ..	800,000
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MQ-1 payload-UAS ..	31,600,000
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Global air traffic management	15,000,000
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Other Procurement, Army:

Warfighter information network—tactical	80,000,000
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Tractor Desk	2,200,000
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Gunshot detection system	1,000,000
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Handheld standoff mine detection system	34,000,000
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Mounted soldier system	5,000,000
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Training logistics management	26,008,000
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Knight family	31,400,000
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Aircraft Procurement, Navy:

F-18 series OSIP 14-03 ILS	10,000,000
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H-53 series IMDS installation kits	4,400,000
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F-18E/F advance procurement	4,533,000
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Shipbuilding and Conversion, Navy:

Littoral combat ship over-target contingency	28,800,000
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DDG-51 Destroyer	83,000,000
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Weapons Procurement, Navy:

Tomahawk contract savings	18,000,000
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AMRAAM contract savings	6,915,000
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ASW targets	10,000,000
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AIM-9X sidewinder ..	1,552,000
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Procurement of Ammunition, Navy and Marine Corps:

Demolition munitions, all types	16,300,000
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Procurement, Marine Corps:

LAV PIP	86,555,000
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Follow on to SMAW Air operations C2 systems	37,300,000
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Aircraft Procurement, Air Force:

Common vertical lift support platform ...	52,800,000
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Light attack armed reconnaissance	115,049,000
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RQ-4 advance procurement	71,500,000
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C-17 modifications	37,750,000
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C-130 AMP	117,200,000
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Missile Procurement, Air Force:

AMRAAM contract savings	42,624,000
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AIM-9X sidewinder ...	3,274,000
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Classified programs ..	7,000,000
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Other Procurement, Air Force:

GCSS-AF FOS (ECSS)	55,800,000
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Procurement, Defense-Wide:

MDA-AN/TPY-2	16,000,000
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Research, Development, Test and Evaluation, Army:

Joint air-to-ground missile	33,000,000
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Enhanced medium altitude reconnaissance surveillance system	8,000,000
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Research, Development, Test and Evaluation, Navy:

Medium range maritime UAS	12,000,000
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Joint air-to-ground missile	105,000,000
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Littoral combat ship	15,800,000
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Unmanned carrier launched airborne surveillance and strike system	9,000,000
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Joint strike fighter—EMD Navy	100,000,000
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Depot maintenance (non-IF)	5,000,000
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Research, Development, Test and Evaluation, Air Force:

JSpoC modernization system	10,000,000
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Classified programs ..	80,000,000
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EW development (MALD-J II)	7,630,000
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Common vertical lift support platform ...	5,365,000
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Light attack armed reconnaissance	11,021,000
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AWACS	10,000,000
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B-2 squadrons	10,526,000
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Specialized undergraduate pilot training

	12,000,000
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Minimum essential
emergency commu-
nications network 2,918,000

The conference agreement retains a provision proposed by the Senate regarding the Global Security Contingency Fund. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides a grant to the Fisher House Foundation, Inc. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the Senate related to funding for the Israeli Cooperative Defense programs. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate regarding combatant commander operational and administrative control of various forces. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate regarding the use of funds to initiate new start programs without prior written notification. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which provides funding to the United Service Organizations and the Red Cross. The Senate bill contained a similar provision but did not provide funding to the Red Cross.

The conference agreement retains a provision proposed by the Senate which prohibits funding from being used to transfer program authority relating to current tactical unmanned aerial vehicles from the Army. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which establishes a baseline for application of reprogramming and transfer authorities for the Office of the Director of National Intelligence. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which allows for the transfer of funding for government-wide information sharing activities. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House establishing prior approval reprogramming and transfer procedures for National Intelligence Programs. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which directs the Department of Defense to continue to report contingency operations costs for Operation New Dawn, Operation Enduring Freedom, or any other named operation in the U.S. Central Command area of responsibility. The Senate bill contained a similar provision but did not include a reference to any other named operation.

The conference agreement retains a provision proposed by the House which prohibits the Office of the Director of National Intelligence from employing more Senior Executive Service employees than are specified in the classified annex. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House to provide grants through the Office of Economic Adjustment to assist the civilian population of Guam. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate to create the Ship Modernization, Operations and Sustainment Fund. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding parking spaces provided by the BRAC 133 project. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding reporting requirements for civilian personnel end strength by appropriation account. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to separate the National Intelligence Program from the Department of Defense budget. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides general transfer authority of \$2,000,000,000 for funds made available for the intelligence community. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which provides funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations. The Senate bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate which requires certain certifications to be met prior to the transfer of detainees from Naval Station Guantanamo Bay, Cuba to foreign countries. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the Trafficking Victims Protection Act of 2000. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the Child Soldier Prevention Act of 2008. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to violate the War Powers Resolution. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which prohibits funds from being used to retire, divest, realign, or transfer Air Force aircraft, with certain exceptions. The Senate bill contained no similar language.

The conference agreement retains a provision proposed by the Senate expressing the sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens. The House bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits the retirement of the C-23 Sherpa aircraft. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding civilian pay. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funds from being used to enter into a non-competitive contract for UH-60 Leak Proof Drip Pans. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House regarding the sharing of classified information related to missile defense systems with Russia. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used in contravention of

section 41106 of title 49, U.S.C., regarding the Civil Reserve Air Fleet. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used in violation of Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House which prohibits funding from being used to enter into contracts with entities that have been convicted of fraud. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the House related to funding for Rosoboronexport. The Senate bill contained no similar provision.

The conference agreement retains a provision proposed by the House which prohibits funding from being used to implement enrollment fees for the TRICARE for Life program. The Senate bill contained no similar provision.

TITLE IX—OVERSEAS CONTINGENCY OPERATIONS

The conference agreement provides \$86,954,838,000 in Title IX, Overseas Contingency Operations, instead of \$87,105,081,000 as proposed by the House and \$93,026,000,000 as proposed by the Senate.

REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense to continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution report as required by the Department of Defense Financial Management Regulation, Chapter 23, Volume 12. The conferees further direct the Department to continue providing Cost of War reports to the congressional defense committees that include the following information by appropriation account: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

The conferees expect that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriations accounts for purposes other than those specified in this report. The conferees direct the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this title.

EXTREMIST ORGANIZATIONS

The conferees are aware that certain governments and organizations have policies and practices counter to the best interests of the United States. The conferees reiterate that extremist governments and organizations should not be funded by this Act and that the conferees will closely monitor the expenditure of funds by the Department of Defense regarding such matters.

MILITARY PERSONNEL

The conference agreement provides \$14,116,821,000 for Military Personnel, instead of \$13,934,683,000 as proposed by the House and \$14,410,421,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

M-1	Budget Request	Conference
MILITARY PERSONNEL, ARMY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	1,569,045	1,751,045
Army requested transfer from title I Basic Pay Enlisted Personnel		182,000
RETIRED PAY ACCRUAL	460,708	460,708
BASIC ALLOWANCE FOR HOUSING	463,305	463,305
BASIC ALLOWANCE FOR SUBSISTENCE	63,244	63,244
INCENTIVE PAYS	4,660	4,660
SPECIAL PAYS	45,672	45,672
ALLOWANCES	21,361	21,361
SEPARATION PAY	6,332	6,332
SOCIAL SECURITY TAX	118,601	118,601
TOTAL, BA-1	2,752,928	2,934,928
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	2,414,145	2,832,145
Army requested transfer from title I Basic Pay Enlisted Personnel		418,000
RETIRED PAY ACCRUAL	686,605	686,605
BASIC ALLOWANCE FOR HOUSING	943,334	943,334
INCENTIVE PAYS	3,614	3,614
SPECIAL PAYS	224,329	224,329
ALLOWANCES	131,845	131,845
SEPARATION PAY	20,915	20,915
SOCIAL SECURITY TAX	183,570	183,570
TOTAL, BA-2	4,608,357	5,026,357
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	287,016	287,016
SUBSISTENCE-IN-KIND	862,270	887,270
Army requested transfer from title I Subsistence-In-Kind		25,000
TOTAL, BA-4	1,149,286	1,174,286
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	16,933	16,933
TRAINING TRAVEL	16,772	16,772
OPERATIONAL TRAVEL	90,749	90,749
ROTATIONAL TRAVEL	72,592	72,592
SEPARATION TRAVEL	40,634	40,634
TRAVEL OF ORGANIZED UNITS	1,204	1,204
TOTAL, BA-5	238,884	238,884
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	4,589	4,589
DEATH GRATUITIES	10,800	10,800
UNEMPLOYMENT BENEFITS	248,903	248,903
RESERVE INCOME REPLACEMENT PROGRAM	207	207
SGLI EXTRA HAZARD PAYMENTS	113,317	113,317
TRAUMATIC INJURY PROTECTION COVERAGE	37,811	37,811
TOTAL, BA-6	415,627	415,627
TOTAL, MILITARY PERSONNEL, ARMY	9,165,082	9,790,082

M-1	Budget Request	Conference
MILITARY PERSONNEL, NAVY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	126,814	98,514
Navy identified excess to requirement - transfer to Unemployment		
Benefits		-6,600
Navy identified excess to requirement		-21,700
RETIRED PAY ACCRUAL	30,943	30,943
BASIC ALLOWANCE FOR HOUSING	40,210	40,210
BASIC ALLOWANCE FOR SUBSISTENCE	4,367	4,367
INCENTIVE PAYS	3,886	3,886
SPECIAL PAYS	22,340	22,340
ALLOWANCES	12,967	12,967
SEPARATION PAY	9	9
SOCIAL SECURITY TAX	9,701	9,701
TOTAL, BA-1	251,237	222,937
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	162,655	118,955
Navy identified excess to requirement		-43,700
RETIRED PAY ACCRUAL	39,688	39,688
BASIC ALLOWANCE FOR HOUSING	75,673	75,673
INCENTIVE PAYS	566	566
SPECIAL PAYS	89,027	89,027
ALLOWANCES	30,207	30,207
SEPARATION PAY	410	410
SOCIAL SECURITY TAX	12,443	12,443
TOTAL, BA-2	410,669	366,969
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	19,223	16,123
Navy identified excess to requirement		-3,100
SUBSISTENCE-IN-KIND	25,647	23,747
Navy identified excess to requirement		-1,900
TOTAL, BA-4	44,870	39,870
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	4,092	3,492
Navy identified excess to requirement		-600
OPERATIONAL TRAVEL	21,807	5,207
Navy identified excess to requirement		-16,600
ROTATIONAL TRAVEL	27,897	15,097
Navy identified excess to requirement		-12,800
SEPARATION TRAVEL	3,168	3,168
TOTAL, BA-5	56,964	26,964
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	900	900
UNEMPLOYMENT BENEFITS	55,522	62,122
Navy identified shortfall - transfer from Basic Pay Officers		6,600
SGLI EXTRA HAZARD PAYMENTS	54,463	54,463
TOTAL, BA-6	110,885	117,485
TOTAL, MILITARY PERSONNEL, NAVY	874,625	774,225
MILITARY PERSONNEL, MARINE CORPS		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	206,978	285,578

M-1	Budget Request	Conference
Marine Corps identified shortfall - transfer from Basic Pay Enlisted Personnel		78,600
RETIRED PAY ACCRUAL	61,932	61,932
BASIC ALLOWANCE FOR HOUSING	70,235	70,235
BASIC ALLOWANCE FOR SUBSISTENCE	8,590	8,590
SPECIAL PAYS	7,960	7,960
ALLOWANCES	5,099	5,099
SEPARATION PAY	1,896	1,896
SOCIAL SECURITY TAX	15,834	15,834
TOTAL, BA-1	378,524	457,124
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	542,667	304,867
Marine Corps identified excess to requirement - transfer to Basic Pay Officers		-78,600
Marine Corps identified excess to requirement		-159,200
RETIRED PAY ACCRUAL	166,183	166,183
BASIC ALLOWANCE FOR HOUSING	194,800	194,800
SPECIAL PAYS	56,287	56,287
ALLOWANCES	22,729	22,729
SEPARATION PAY	4,004	4,004
SOCIAL SECURITY TAX	41,514	41,514
TOTAL, BA-2	1,028,184	790,384
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	77,753	58,053
Marine Corps identified excess to requirement		-19,700
TOTAL, BA-4	77,753	58,053
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ROTATIONAL TRAVEL	51,816	40,816
Marine Corps identified excess to requirement		-11,000
TOTAL, BA-5	51,816	40,816
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	930	930
DEATH GRATUITIES	12,000	6,900
Marine Corps identified excess to requirement		-5,100
UNEMPLOYMENT BENEFITS	37,733	39,733
Marine Corps identified shortfall - transfer from P,MC line 2		2,000
SGLI EXTRA HAZARD PAYMENTS	34,416	31,216
Marine Corps identified excess to requirement		-3,200
TOTAL, BA-6	85,079	78,779
TOTAL, MILITARY PERSONNEL, MARINE CORPS	1,621,356	1,425,156
MILITARY PERSONNEL, AIR FORCE		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	220,573	220,573
RETIRED PAY ACCRUAL	53,829	53,829
BASIC ALLOWANCE FOR HOUSING	68,601	68,601
BASIC ALLOWANCE FOR SUBSISTENCE	7,873	7,873
SPECIAL PAYS	23,638	23,638
ALLOWANCES	10,097	10,097
SOCIAL SECURITY TAX	16,877	16,877
TOTAL, BA-1	401,488	401,488
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	332,878	332,878
RETIRED PAY ACCRUAL	81,235	81,235

M-1	Budget Request	Conference
BASIC ALLOWANCE FOR HOUSING	145,832	145,832
SPECIAL PAYS	75,965	75,965
ALLOWANCES	29,568	29,568
SOCIAL SECURITY TAX	25,468	25,468
TOTAL, BA-2	690,946	690,946
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	36,263	36,263
SUBSISTENCE-IN-KIND	60,537	60,537
TOTAL, BA-4	96,800	96,800
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	5,243	5,243
TOTAL, BA-5	5,243	5,243
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	2,000	2,000
UNEMPLOYMENT BENEFITS	23,174	23,174
SGLI EXTRA HAZARD PAYMENTS	67,132	67,132
TOTAL, BA-6	92,306	92,306
TOTAL, MILITARY PERSONNEL, AIR FORCE	1,286,783	1,286,783
RESERVE PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	32,401	32,401
SCHOOL TRAINING	15,365	15,365
SPECIAL TRAINING	109,127	109,127
TOTAL, BA-1	156,893	156,893
TOTAL, RESERVE PERSONNEL, ARMY	156,893	156,893
RESERVE PERSONNEL, NAVY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	3,966	3,966
SPECIAL TRAINING	33,813	33,813
ADMINISTRATION AND SUPPORT	1,556	1,556
TOTAL, BA-1	39,335	39,335
TOTAL, RESERVE PERSONNEL, NAVY	39,335	39,335
RESERVE PERSONNEL, MARINE CORPS		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	4,437	4,437
SPECIAL TRAINING	19,912	19,912
ADMINISTRATION AND SUPPORT	373	373
TOTAL, BA-1	24,722	24,722
TOTAL, RESERVE PERSONNEL, MARINE CORPS	24,722	24,722
RESERVE PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	25,348	25,348
TOTAL, BA-1	25,348	25,348
TOTAL, RESERVE PERSONNEL, AIR FORCE	25,348	25,348

M-1	Budget Request	Conference
NATIONAL GUARD PERSONNEL, ARMY		
BA-1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	132,368	132,368
SCHOOL TRAINING	21,461	21,461
SPECIAL TRAINING	369,858	369,858
ADMINISTRATION AND SUPPORT	60,117	60,117
TOTAL, BA-1	583,804	583,804
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	583,804	583,804
NATIONAL GUARD PERSONNEL, AIR FORCE		
BA-1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	10,473	10,473
TOTAL, BA-1	10,473	10,473
TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	10,473	10,473
TOTAL, MILITARY PERSONNEL	13,788,421	14,116,821

OPERATION AND MAINTENANCE

The conference agreement provides \$62,131,012,000 for Operation and Maintenance, instead of \$62,866,554,000 as proposed by the House and \$65,479,099,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	Conference
OPERATION AND MAINTENANCE, ARMY			
114	THEATER LEVEL ASSETS	2,758,162	2,758,162
115	LAND FORCES OPERATIONS SUPPORT	991,396	991,396
116	AVIATION ASSETS	40,300	40,300
121	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,715,445
	Decrease in contract linguist costs not properly accounted for in budget justification		-40,000
122	LAND FORCES FORCES SYSTEMS READINESS	307,244	307,244
123	LAND FORCES DEPOT MAINTENANCE	0	651,977
	Depot Maintenance Aviation - transfer from title II		150,483
	Depot Maintenance Communications Electronics - transfer from title II		203,560
	Depot Maintenance General Purpose - transfer from title II		102,707
	Depot Maintenance Missiles - transfer from title II		161,174
	Depot Maintenance Post Production Software Support - transfer from title II		34,053
131	BASE OPERATIONS SUPPORT	393,165	393,165
132	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	250,000	250,000
135	ADDITIONAL ACTIVITIES	12,524,137	12,490,737
	Military Information Support Operations excess to need		-23,000
	Task Force for stability operations - operations/sustainment request		-10,000
	ARGUS A-160 cancellation		-48,400
	Falcon - transfer from JIEDDO line 1		48,000
136	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	CERP Afghanistan		-200,000
137	RESET	3,687,973	3,687,973
411	SECURITY PROGRAMS	1,828,717	1,828,717
421	SERVICEWIDE TRANSPORTATION	3,238,310	3,238,310
422	CENTRAL SUPPLY ACTIVITIES	129,000	129,000
424	AMMUNITION MANAGEMENT	78,022	78,022
432	SERVICEWIDE COMMUNICATIONS	0	22,000
	Biometrics ID funding to be used for Biometrics Identity Management Agency - transfer from JIEDDO line 1		22,000
434	OTHER PERSONNEL SUPPORT	137,277	97,277
	Army requested transfer to OP, A line 61		-40,000
435	OTHER SERVICE SUPPORT	72,293	72,293
	UNJUSTIFIED GROWTH IN AVERAGE OPERATIONS PER TROOP		-500,000
TOTAL, OPERATION AND MAINTENANCE, ARMY		28,591,441	28,452,018
OPERATION AND MAINTENANCE, NAVY			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098
1A3A	AVIATION TECHNICAL DATA & ENGINEERING SVCS	1,000	1,000
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794
1A4N	AIR SYSTEMS SUPPORT	19,013	19,013
1A5A	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912
1A6A	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000
1A9A	AVIATION LOGISTICS	44,150	44,150
1B1B	MISSION AND OTHER SHIP OPERATIONS	463,738	463,738
1B2B	SHIP OPERATIONS SUPPORT & TRAINING	24,774	24,774

O-1	Budget Request	Conference
1B4B SHIP DEPOT MAINTENANCE	1,310,010	1,310,010
1C1C COMBAT COMMUNICATIONS	42,965	42,965
1C4C WARFARE TACTICS	25,970	25,970
1C5C OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	19,226	19,226
1C6C COMBAT SUPPORT FORCES	1,668,359	1,912,359
Unjustified growth		-30,000
Navy identified shortfalls for CENTCOM - increased carrier presence		219,000
Navy identified shortfalls for CENTCOM - ISR		37,000
Navy identified shortfalls for CENTCOM - mine countermeasure ships		18,000
1C7C EQUIPMENT MAINTENANCE	7,954	7,954
1D3D IN-SERVICE WEAPONS SYSTEMS SUPPORT	94,655	64,655
Unjustified growth		-30,000
1D4D WEAPONS MAINTENANCE	303,087	303,087
BSM1 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,218	3,218
BSS1 BASE OPERATING SUPPORT	143,442	143,442
2C1H FLEET HOSPITAL PROGRAM	31,395	31,395
2C3H COAST GUARD SUPPORT	254,461	0
Transfer to Department of Homeland Security		-254,461
3B1K SPECIALIZED SKILL TRAINING	50,903	50,903
4A1M ADMINISTRATION	1,377	1,377
4A2M EXTERNAL RELATIONS	487	487
4A4M MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
4A5M OTHER PERSONNEL SUPPORT	3,514	3,514
4B1N SERVICEWIDE TRANSPORTATION	184,864	184,864
4B3N ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
4C1P NAVAL INVESTIGATIVE SERVICE	1,425	1,425
999 OTHER PROGRAMS	14,556	14,556
TOTAL, OPERATION AND MAINTENANCE, NAVY	5,880,395	5,839,934
OPERATION AND MAINTENANCE, MARINE CORPS		
1A1A OPERATIONAL FORCES	1,921,258	1,851,258
Unjustified growth for reserve component activation/deactivation		-20,000
Unjustified growth for OPTEMPO		-50,000
1A2A FIELD LOGISTICS	1,094,028	1,094,028
1A3A DEPOT MAINTENANCE	222,824	342,824
Increased funding for equipment reset		120,000
BSS1 BASE OPERATING SUPPORT	88,690	88,690
3B4D TRAINING SUPPORT	215,212	215,212
4A3G SERVICEWIDE TRANSPORTATION	512,627	512,627
9999 OTHER PROGRAMS (GWOT)	11,701	11,701
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	4,066,340	4,116,340
OPERATION AND MAINTENANCE, AIR FORCE		
011A PRIMARY COMBAT FORCES	1,494,144	1,479,679
Equipment reset - transfer to SAG 011M		-14,465
011C COMBAT ENHANCEMENT FORCES	809,531	809,531
011D AIR OPERATIONS TRAINING	13,095	13,095
011M DEPOT MAINTENANCE	1,403,238	1,417,703
Transfer of reset funds from SAG 011A		14,465
011R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	155,954	105,954
Unjustified growth in FSRM projects		-50,000
011Z BASE OPERATING SUPPORT	342,226	342,226
012A GLOBAL C3I AND EARLY WARNING	15,108	15,108

O-1	Budget Request	Conference
012C OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	271,390	162,213
Unjustified growth		-109,177
012F TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	25,400	25,400
013C SPACE CONTROL SYSTEMS	5,110	5,110
015A COMBATANT COMMANDERS DIRECT MISSION SUPPORT	52,173	57,873
Military Information Support Operations unjustified growth		-20,000
Military Information Support Operations - transfer from title II and program reduction		25,700
021A AIRLIFT OPERATIONS	3,187,211	3,187,211
021D MOBILIZATION PREPAREDNESS	43,509	43,509
021M DEPOT MAINTENANCE	554,943	754,943
CLS contract for C-17 engine maintenance - transfer from WCF,AF		230,400
CLS contract for C-17 engine maintenance - savings from competition for component parts		-30,400
021R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,431	4,431
021Z BASE SUPPORT	9,256	9,256
031R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	424	424
031Z BASE SUPPORT	1,036	1,036
032A SPECIALIZED SKILL TRAINING	10,923	10,923
032B FLIGHT TRAINING	72	72
032C PROFESSIONAL DEVELOPMENT EDUCATION	323	323
032D TRAINING SUPPORT	352	352
041A LOGISTICS OPERATIONS	100,429	100,429
041R FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	47,200	47,200
041Z BASE SUPPORT	7,242	7,242
042A ADMINISTRATION	1,552	1,552
042B SERVICEWIDE COMMUNICATIONS	82,094	82,094
042G OTHER SERVICEWIDE ACTIVITIES	582,977	537,977
Unjustified growth for the DFAS bill		-45,000
043A SECURITY PROGRAMS	20,270	26,870
Classified adjustment		6,600
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	9,241,613	9,249,736
OPERATION AND MAINTENANCE, DEFENSE-WIDE		
1PLT1 JOINT CHIEFS OF STAFF	2,000	2,000
1PL2 SPECIAL OPERATIONS COMMAND	2,503,060	2,476,260
Military Information Support Operations		-26,800
ES18 DEFENSE MEDIA ACTIVITY	10,823	10,823
4GT6 DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
4GT8 DEFENSE HUMAN RESOURCES ACTIVITY	3,334	13,334
Program increase - suicide prevention programs		10,000
4GT9 DEFENSE INFORMATION SYSTEMS AGENCY	152,925	152,925
4GT0 DEFENSE CONTRACT MANAGEMENT AGENCY	69,803	69,803
4GTA DEFENSE LEGAL SERVICES AGENCY	102,322	102,322
46TJ DEFENSE DEPENDENTS EDUCATION	139,830	159,830
Beyond Yellow Ribbon program		20,000
4GTD DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,100,000
Program adjustment to CSF for Pakistan reimbursement only		-100,000
4GTN OFFICE OF THE SECRETARY OF DEFENSE	87,805	74,105
Civilian expeditionary workforce		-1,500
Project Archer		-12,200
9999 OTHER PROGRAMS	2,522,003	2,522,003
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	7,824,579	7,714,079

O-1		Budget Request	Conference
OPERATION AND MAINTENANCE, ARMY RESERVE			
113	ECHELONS ABOVE BRIGADE	78,600	78,600
115	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
121	FORCES READINESS OPERATIONS SUPPORT	20,726	18,576
	Unjustified increase		-2,150
131	BASE OPERATIONS SUPPORT	34,400	39,900
	Yellow Ribbon program		5,500
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE		154,537	157,887
OPERATION AND MAINTENANCE, NAVY RESERVE			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
1A3A	INTERMEDIATE MAINTENANCE	300	300
1A5A	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
1B1B	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
1B4B	SHIP DEPOT MAINTENANCE	929	929
1C6C	COMBAT SUPPORT FORCES	8,244	8,244
BSSR	BASE OPERATING SUPPORT	40	40
TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE		55,924	55,924
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE			
1A1A	OPERATING FORCES	22,657	22,657
BSS1	BASE OPERATING SUPPORT	2,820	2,820
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		25,477	25,477
OPERATION AND MAINTENANCE, AIR FORCE RESERVE			
011A	PRIMARY COMBAT FORCES	7,600	0
	Consolidate depot maintenance funding in the Depot Maintenance		
	SAG - transfer to SAG 011M		-7,600
011M	DEPOT MAINTENANCE	106,768	54,368
	Consolidate depot maintenance funding in the Depot Maintenance		
	SAG - transfer from SAG 011A		7,600
	Air Force Reserve identified excess to requirement		-60,000
011Z	BASE OPERATING SUPPORT	6,250	6,250
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE		120,618	60,618
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD			
111	MANEUVER UNITS	38,485	38,485
112	MODULAR SUPPORT BRIGADES	1,959	1,959
113	ECHELONS ABOVE BRIGADE	20,076	20,076
114	THEATER LEVEL ASSETS	2,028	2,028
116	AVIATION ASSETS	183,811	183,811
121	FORCE READINESS OPERATIONS SUPPORT	43,780	43,780
131	BASE OPERATIONS SUPPORT	70,237	80,237
	Yellow Ribbon program		10,000
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	20,072	20,072

O-1	Budget Request	Conference
432 SERVICEWIDE COMMUNICATIONS	2,000	2,000
TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	382,448	392,448
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
011G MISSION SUPPORT OPERATIONS	19,975	34,500
Restore unjustified efficiency reduction to Yellow Ribbon program and Strong Bonds		14,525
TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	19,975	34,500
OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT		
OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	0	582,884
Program increase		582,884
TOTAL, OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	0	582,884
AFGHANISTAN INFRASTRUCTURE FUND		
AFGHANISTAN INFRASTRUCTURE FUND	400,000	325,000
Program adjustment		-75,000
TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	400,000	325,000
AFGHANISTAN SECURITY FORCES FUND		
Defense Forces	3,713,726	3,613,726
Sustainment	2,523,825	2,523,825
Infrastructure	190,000	90,000
Infrastructure		-100,000
Equipment and Transportation	241,521	241,521
Training and Operations	758,380	758,380
Interior Forces	2,010,677	2,010,677
Sustainment	1,305,950	1,305,950
Infrastructure	50,000	50,000
Equipment and Transportation	84,859	84,859
Training and Operations	569,868	569,868
Related Activities	24,764	24,764
Sustainment	18,325	18,325
Infrastructure	1,200	1,200
Equipment and Transportation	1,239	1,239
Training and Operations	4,000	4,000
General reduction due to lack of execution		-525,000
TOTAL, AFGHANISTAN SECURITY FORCES FUND	5,749,167	5,124,167
TOTAL, OPERATION AND MAINTENANCE	62,512,514	62,131,012

PROCUREMENT

The conference agreement provides \$8,979,438,000 for Procurement, instead of \$7,906,039,000 as proposed by the House and \$10,126,300,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1	Budget Request	Conference
AIRCRAFT PROCUREMENT, ARMY		
9 AH-64 APACHE BLOCK IIIB NEW BUILD	71,000	142,000
Two Apache battle loss replacements		71,000
12 KIOWA WARRIOR UPGRADE (OH-58 D)	183,900	120,900
Maintain fiscal year 2012 WRA rate		-63,000
13 UH-60 BLACKHAWK (MYP)		56,500
Battle loss replacement		19,900
Army requested transfer from titles III and IX PA,A line 7 for battle loss replacements		36,600
15 CH-47 HELICOPTER	231,300	231,300
TOTAL, AIRCRAFT PROCUREMENT, ARMY	486,200	550,700
MISSILE PROCUREMENT, ARMY		
4 HELLFIRE SYSTEM SUMMARY	29,100	48,700
Army identified shortfall for additional missiles		19,600
8 GUIDED MLRS ROCKET (GMLRS)	20,553	19,251
Unit cost efficiencies		-1,302
TOTAL, MISSILE PROCUREMENT, ARMY	49,653	67,951
PROCUREMENT OF W&TCV, ARMY		
36 M16 RIFLE MODS	15,422	15,422
TOTAL, PROCUREMENT OF W&TCV, ARMY	15,422	15,422
PROCUREMENT OF AMMUNITION, ARMY		
3 CTG, HANDGUN, ALL TYPES	1,500	1,500
4 CTG, .50 CAL, ALL TYPES	10,000	10,000
7 CTG, 30MM, ALL TYPES	80,000	61,000
Army requested transfer to title IX AP,A line 13		-18,600
Excess to requirement		-400

P-1	Budget Request	Conference
9 60MM MORTAR, ALL TYPES	14,000	14,000
10 81MM MORTAR, ALL TYPES	6,000	6,000
11 120MM MORTAR, ALL TYPES	56,000	56,000
13 CTG, ARTY, 75MM AND 105MM: ALL TYPES	29,956	29,956
14 ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044
15 PROJ 155MM EXTENDED RANGE XM982	12,300	12,300
16 ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL TYPES	17,000	17,000
17 MINES, CLEARING CHARGE, ALL TYPES	12,000	12,000
20 ROCKET, HYDRA 70, ALL TYPES	63,635	63,635
23 SIGNALS, ALL TYPES	16,858	16,858
28 ITEMS LESS THAN \$5 MILLION	1,200	1,200
TOTAL, PROCUREMENT OF AMMUNITION, ARMY	357,493	338,493
OTHER PROCUREMENT, ARMY		
2 FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247
4 FAMILY OF HEAVY TACTICAL VEHICLES	2,050	2,050
11 HMMWV RECAPITALIZATION PROGRAM Excess to need	271,000	221,000 -50,000
14 MINE-RESISTANT AMBUSH-PROTECTED MODS Federal roads excise tax Excess to need	927,400	721,400 -106,000 -100,000
52 RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000
61 INSTALLATION INFO INFRASTRUCTURE MOD Army requested transfer from OM,A line 434 for fiber optic line Excess to need	25,000	50,000 40,000 -15,000
69 DCGS-A (MIP)	90,355	90,355
73 CI HUMINT AUTO REPORTING AND COLLECTION	6,516	6,516
75 LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646
77 FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES Delayed spares contract awards	52,000	27,000 -25,000
78 COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES Prior year funds available LEMV sensors ahead of need	205,209	160,459 -42,000 -2,750

P-1	Budget Request	Conference
92 MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	14,600	14,600
99 COUNTERFIRE RADARS	54,585	54,585
102 FIRE SUPPORT C2 FAMILY	22,430	22,430
103 BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	2,400	2,400
112 MANEUVER CONTROL SYSTEM	6,400	6,400
113 SINGLE ARMY LOGISTICS ENTERPRISE	5,160	5,160
126 FAMILY OF NON-LETHAL EQUIPMENT	15,000	15,000
127 BASE DEFENSE SYSTEMS	66,100	66,100
135 EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	3,565	3,565
143 FORCE PROVIDER	39,700	39,700
CARGO AERIAL DELIVERY AND PERSONNEL PARACHUTE		
145 SYSTEM	650	650
149 DISTRIBUTION SYSTEMS, PETROLEUM & WATER	2,119	2,119
152 MOBILE MAINTENANCE EQUIPMENT SYSTEMS	428	428
153 ITEMS LESS THAN \$5M (MAINT EQ)	30	30
175 COMBAT TRAINING CENTERS SUPPORT	7,000	7,000
176 TRAINING DEVICES, NONSYSTEM	27,250	27,250
178 AVIATION COMBINED ARMS TACTICAL TRAINER	1,000	1,000
179 GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	5,900	5,900
183 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	98,167	123,167
Program increase for solar power units		25,000
TOTAL, OTHER PROCUREMENT, ARMY	2,015,907	1,740,157

P-1	Budget Request	Conference
AIRCRAFT PROCUREMENT, NAVY		
11 UH-1Y/AH-1Z	29,800	27,170
AH-1Z pricing		-2,630
23 KC-130J	0	72,021
Transfer from title III P,MC line 5 for one KC-130J		40,892
Transfer from title IX P,MC line 5 for one KC-130J		31,129
30 AV-8 SERIES	42,238	38,138
Installation equipment NRE growth		-1,500
Litening pod other support cost growth		-2,600
32 F-18 SERIES	41,243	31,068
IR Marker installation kit cost growth (OSIP 12-01)		-10,175
35 H-53 SERIES	15,870	11,870
Other support funding growth (OSIP 008-06)		-4,000
38 EP-3 SERIES	13,030	13,030
43 C-130 SERIES	16,737	16,737
48 SPECIAL PROJECT AIRCRAFT	2,714	2,714
54 COMMON AVIONICS CHANGES	570	570
62 COMMON GROUND EQUIPMENT	2,380	2,380
TOTAL, AIRCRAFT PROCUREMENT, NAVY	164,582	215,698
WEAPONS PROCUREMENT, NAVY		
9 HELLFIRE	17,000	17,000
10 STAND OFF PRECISION GUIDED MUNITIONS	6,500	5,500
Support funding carryover		-1,000
TOTAL, WEAPONS PROCUREMENT, NAVY	23,500	22,500

P-1	Budget Request	Conference
PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
1 GENERAL PURPOSE BOMBS	18,000	18,000
2 AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
3 MACHINE GUN AMMUNITION	21,500	21,500
6 AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
11 OTHER SHIP GUN AMMUNITION	532	532
12 SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
13 PYROTECHNIC AND DEMOLITION	2,322	2,322
14 AMMUNITION LESS THAN \$5 MILLION	6,308	6,308
15 SMALL ARMS AMMUNITION	10,948	10,948
16 LINEAR CHARGES, ALL TYPES	9,940	9,940
17 40 MM, ALL TYPES	5,963	5,963
20 120MM, ALL TYPES	11,605	11,605
21 CTG 25MM, ALL TYPES	2,831	1,534
25MM TP-T linked LAP kits cost growth		-1,297
22 GRENADES, ALL TYPES	2,359	2,359
23 ROCKETS, ALL TYPES	3,051	3,051
24 ARTILLERY, ALL TYPES	54,886	54,886
25 DEMOLITION MUNITIONS, ALL TYPES	1,391	0
Prior year funds available		-1,391
26 FUZE, ALL TYPES	30,945	30,945
27 NON LETHALS	8	8
29 ITEMS LESS THAN \$5 MILLION	12	12
TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	285,747	283,059

P-1	Budget Request	Conference
OTHER PROCUREMENT, NAVY		
70 TACTICAL/MOBILE C4I SYSTEMS	3,603	3,603
97 EXPEDITIONARY AIRFIELDS	58,200	58,200
127 PASSENGER CARRYING VEHICLES	3,901	3,901
128 GENERAL PURPOSE TRUCKS	852	852
129 CONSTRUCTION & MAINTENANCE EQUIPMENT	2,436	2,436
130 FIRE FIGHTING EQUIPMENT	3,798	3,798
131 TACTICAL VEHICLES	13,394	13,394
134 ITEMS UNDER \$5 MILLION	375	375
149 C4ISR EQUIPMENT	3,000	3,000
150 PHYSICAL SECURITY EQUIPMENT	9,323	9,323
TOTAL, OTHER PROCUREMENT, NAVY	98,882	98,882
PROCUREMENT, MARINE CORPS		
2 LAV PIP	10,000	10,000
5 HIGH MOBILITY ARTILLERY ROCKET SYSTEM Marine Corps requested transfer to title IX AP,N line 23	108,860	77,731 -31,129
10 JAVELIN Unit cost efficiencies	29,158	28,658 -500
13 MODIFICATION KITS	41,602	41,602
15 REPAIR AND TEST EQUIPMENT	13,632	13,632
17 MODIFICATION KITS	2,831	2,831
19 AIR OPERATIONS C2 SYSTEMS	15,575	15,575
20 RADAR SYSTEMS	8,015	8,015
23 INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
29 NIGHT VISION EQUIPMENT	652	652
30 COMMON COMPUTER RESOURCES	19,807	19,807
32 RADIO SYSTEMS	36,482	36,482
33 COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
39 MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
41 FAMILY OF TACTICAL TRAILERS	7,642	7,642

P-1	Budget Request	Conference
45 BULK LIQUID EQUIPMENT	18,239	18,239
46 TACTICAL FUEL SYSTEMS	51,359	51,359
47 POWER EQUIPMENT ASSORTED	20,247	20,247
49 EOD SYSTEMS JCREW 3.3 contract award delay	362,658	272,658 -90,000
50 PHYSICAL SECURITY EQUIPMENT	55,500	55,500
52 MATERIAL HANDLING EQUIPMENT	19,100	19,100
54 FIELD MEDICAL EQUIPMENT	15,751	15,751
55 TRAINING DEVICES	3,602	3,602
57 FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
TOTAL, PROCUREMENT, MARINE CORPS	943,683	822,054
AIRCRAFT PROCUREMENT, AIR FORCE		
35 LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
55 U-2 MODS	46,800	46,800
63 C-130	11,400	11,400
67 COMPASS CALL MODS	14,000	14,000
68 RC-135	8,000	8,000
75 HC/MC-130 MODIFICATIONS	4,700	4,700
81 INITIAL SPARES/REPAIR PARTS	21,900	21,900
100 OTHER PRODUCTION CHARGES	59,000	59,000
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	305,600	305,600
MISSILE PROCUREMENT, AIR FORCE		
5 PREDATOR HELLFIRE MISSILE	34,350	34,350
TOTAL, MISSILE PROCUREMENT, AIR FORCE	34,350	34,350
PROCUREMENT OF AMMUNITION, AIR FORCE		
2 CARTRIDGES	13,592	13,592
4 GENERAL PURPOSE BOMBS	23,211	23,211
5 JOINT DIRECT ATTACK MUNITION	53,923	53,923
6 CAD/PAD	2,638	2,638

P-1	Budget Request	Conference
10 ITEMS LESS THAN \$5 MILLION	2,600	2,600
11 FLARES	11,726	11,726
12 FUZES	8,513	8,513
TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	116,203	116,203
OTHER PROCUREMENT, AIR FORCE		
2 MEDIUM TACTICAL VEHICLE	2,010	2,010
4 ITEMS LESS THAN \$5M (CARGO)	2,675	2,675
6 ITEMS LESS THAN \$5M (SPECIAL)	2,557	2,557
8 ITEMS LESS THAN \$5,000,000	4,329	4,329
9 RUNWAY SNOW REMOVAL AND CLEANING EQUIPMENT	984	984
10 ITEMS LESS THAN \$5,000,000	9,120	9,120
22 WEATHER OBSERVATION FORECAST	5,600	5,600
27 GENERAL INFORMATION TECHNOLOGY	11,157	11,157
49 TACTICAL C-E EQUIPMENT	7,000	7,000
53 BASE COMM INFRASTRUCTURE	10,654	554
Excess to need		-10,100
54 COMM ELECT MODS	8,000	8,000
55 NIGHT VISION GOGGLES	902	902
59 CONTINGENCY OPERATIONS	60,090	43,190
JCREW LRIP delay		-16,900
62 MOBILITY EQUIPMENT	9,400	9,400
63 ITEMS LESS THAN \$5 MILLION (BASES)	9,175	9,175
999 OTHER PROGRAMS	2,672,317	2,561,317
Classified adjustment		-111,000
71 SPARES AND REPAIR PARTS	2,300	2,300
TOTAL, OTHER PROCUREMENT, AIR FORCE	2,818,270	2,680,270

P-1	Budget Request	Conference
PROCUREMENT, DEFENSE-WIDE		
15 TELEPORT PROGRAM	5,260	5,260
61 MQ-8 UAV	16,500	8,250
Program adjustment		-8,250
68 COMMUNICATIONS EQUIPMENT & ELECTRONICS	151	151
69 SOF INTELLIGENCE SYSTEMS	30,528	30,528
77 TACTICAL VEHICLES	1,843	1,843
82 SOF AUTOMATION SYSTEMS	1,000	1,000
86 SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	108	108
91 SOF OPERATIONAL ENHANCEMENTS	14,758	14,758
OTHER PROGRAMS	126,201	126,201
TOTAL, PROCUREMENT, DEFENSE-WIDE	196,349	188,099
NATIONAL GUARD & RESERVE EQUIPMENT ACCOUNT		
RESERVE EQUIPMENT		
ARMY RESERVE	0	240,000
MISCELLANEOUS EQUIPMENT (OCO)		240,000
NAVY RESERVE	0	90,000
MISCELLANEOUS EQUIPMENT (OCO)		90,000
MARINE CORPS RESERVE	0	120,000
MISCELLANEOUS EQUIPMENT (OCO)		120,000
AIR FORCE RESERVE	0	130,000
MISCELLANEOUS EQUIPMENT (OCO)		130,000
NATIONAL GUARD EQUIPMENT		
ARMY NATIONAL GUARD	0	460,000
MISCELLANEOUS EQUIPMENT (OCO)		460,000
AIR NATIONAL GUARD	0	460,000
MISCELLANEOUS EQUIPMENT (OCO)		460,000
TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT ACCOUNT	0	1,500,000
TOTAL, PROCUREMENT	7,911,841	8,979,438

NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement provides \$1,500,000,000 for National Guard and Reserve Equipment. Of that amount, \$460,000,000 is for the Army National Guard, \$460,000,000 for the Air National Guard, \$240,000,000 for the Army Reserve, \$90,000,000 for the Navy Reserve, \$120,000,000 for the Marine Corps Reserve, and \$130,000,000 for the Air Force Reserve to meet urgent equipment needs that may arise this fiscal year.

This funding will allow the Guard and reserve components to procure high priority equipment that may be used by these components for both their combat missions and their missions in support of state governors. The conferees direct that the National Guard and Reserve Equipment account shall be executed by the Chiefs of the National Guard and reserve components with priority consideration given to the following items: A-10 Situation Awareness Upgrade; ARC 210 Radios for ANG F-16s; Arctic Search and Rescue Packages; Armory-Based Individual and Unstabilized Gunnery Trainers; Batteries and Battery Support Equipment; Bradley Modifications; C-130 Crash-Resistant Loadmaster Seats; C-130 Secure Line-of-Sight [SLOS] Beyond Line-of-Sight [BLOS] Capability; C-130/KC-135 Real Time Information in Cockpit [RTIC] Data Link; CH-47 Door Gun Mounts; Combat Mobility Equipment; Combined Arms Virtual Trainers; F-15 AESA Radars; Field Engineering, Logistics, Maintenance, and Security Equipment; Force Protection Equipment; Generation 4 Advanced Targeting Pods; Green Laser Inter-

diction Systems; handheld laser trackers; HC-130 Forward Area Refueling Point; Helicopter Firefighting Equipment; Helmet-Mounted Cueing System; HMMWV Recapitalization; In-Flight Propeller Balancing System; Internal and External Auxiliary Fuel Tanks for Apaches and Chinooks; Joint Threat Emitters; Large Aircraft Infrared Countermeasures [LAIRCM]; Light Utility Helicopters; Modular Airborne Firefighting System II; Modular Small Arms Training Systems; MRAP Vehicle Virtual Trainers; Naval Construction Force Tactical Vehicles and Support Equipment; Reactive Skin Decontamination Lotions; SATCOM Ground Stations; Support Wide Area Network [SWAN] D V3/MRT Packages; Targeting Pod Upgrades; Thermal Imaging Systems; Ultra-Light Tactical Vehicles; Unit Maintenance Aerial Recovery Kits; Virtual Convoy Operations Trainers; and Virtual Door Gunner Trainers.

RESERVE COMPONENT SIMULATION TRAINING SYSTEMS

The use of simulation training systems has yielded a military that is better trained, more capable, and more confident as compared to units that do not have access to modern simulation training devices. Simulation training is a cost-effective means by which reserve units can improve tactical decision-making skills and ultimately save lives. It is anticipated that a portion of the funding in the National Guard and Reserve Equipment account will be used to procure a variety of simulation training systems. To ensure the most efficient and effective train-

ing programs, these systems should be a combination of both government owned and operated simulators, as well as simulation support from a dedicated commercial activity capable of providing frequent hardware and software updates.

NATIONAL GUARD AND RESERVE EQUIPMENT RESEARCH AND DEVELOPMENT

The conferees are concerned that the active Services are not providing the necessary research, development, test and evaluation funding for federal and domestic operations requirements as they relate to equipping the reserve components, especially equipment unique to the reserve component or legacy systems with limited active component investment. The conferees understand that the funding required is minimal, and therefore direct the Services, particularly the Air Force, to provide the necessary research, development, test and evaluation funds to ensure that modernizing equipment or legacy systems unique to the reserve component be given the required design, integration, test, and software efforts needed prior to procurement.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides \$247,716,000 for Research, Development, Test and Evaluation, instead of \$235,516,000 as proposed by the House and \$260,413,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	Conference
RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY		
60 SOLDIER SUPPORT AND SURVIVABILITY	19,860	12,360
Program adjustment		-7,500
79 AIRCRAFT AVIONICS	0	17,300
Degraded visual environment - transfer from title IV		17,300
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	19,860	29,660
RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
56 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	4,600	4,600
131 MEDICAL DEVELOPMENT	2,173	2,173
160 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,200	5,200
195 MARINE CORPS COMBAT SERVICES SUPPORT	6,762	6,762
221 RQ-7 UAV	7,600	0
Undefined weapons capability		-7,600
999 OTHER PROGRAMS	33,784	33,784
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	60,119	52,519
RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		
999 OTHER PROGRAMS	53,150	53,150
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	53,150	53,150
RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE		
239 MQ-8 UAV	5,000	5,000
999 OTHER PROGRAMS	107,387	107,387
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	112,387	112,387
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION	245,516	247,716

REVOLVING AND MANAGEMENT FUNDS

The conference agreement provides \$243,600,000 for the Defense Working Capital Funds, instead of \$293,600,000 as proposed by the House and \$1,467,864,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

		Budget request	Conference
WORKING CAPITAL FUND, ARMY			
Army	PREPOSITIONED WAR RESERVE STOCKS.	42,600	42,600
	TOTAL, WORKING CAPITAL FUND, ARMY.	42,600	42,600
WORKING CAPITAL FUND, AIR FORCE			
AF	C-17 CLS ENGINE REPAIR.	230,400	0
	Transfer to OM, AF line 021M.		-230,400
	TRANSPORTATION OF FALLEN HEROES.	10,000	10,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE.	240,400	10,000
WORKING CAPITAL FUND, DEFENSE-WIDE			
DLA	DEFENSE LOGISTICS AGENCY.	220,364	191,000
	Excess growth in OEF disposition operations.		-18,364
	Excess growth in OEF consolidated shipping costs.		-2,000
	Excess growth in DLA distributions in Kuwait for OEF.		-9,000
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE.	220,364	191,000
	TOTAL, DEFENSE WORKING CAPITAL FUND.	503,364	243,600

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides \$993,898,000 for the Defense Health Program as proposed by the Senate, instead of \$1,003,898,000 as proposed by the House. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

		Budget request	Conference
OPERATION AND MAINTENANCE		993,898	993,898
IN-HOUSE CARE		483,326	483,326
PRIVATE SECTOR CARE		376,982	376,982
CONSOLIDATED HEALTH SUPPORT		111,675	111,675
INFORMATION MANAGEMENT		4,773	4,773
MANAGEMENT ACTIVITIES		660	660
EDUCATION AND TRAINING ...		15,370	15,370
BASE OPERATIONS AND COMMUNICATIONS		1,112	1,112

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides \$469,025,000 for Drug Interdiction and

Counter-Drug Activities, Defense, as proposed by both the House and the Senate.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The conference agreement provides \$1,622,614,000 for the Joint Improvised Explosive Device Defeat Fund, all in title IX, instead of \$217,414,000 in title VI and \$1,614,900,000 in title IX as proposed by the House, and \$1,514,114,000, all in title IX, as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

(In thousands of dollars)

		Budget request	Conference
1	ATTACK THE NET-WORK.	950,500	807,500
	Biometric ID—transfer to OM, A line 432.		-22,000
	Falcon—transfer to OM, A line 135.		-48,000
	Sand Dragon—excess prior year carryover funding.		-40,000
	TEDAC—excess prior year carryover funding.		-33,000
2	DEFEAT THE DEVICE	400,000	393,300
	ALARM excess to need.		-4,700
	3-Band Long Wave infrared camera ahead of need.		-2,000
3	TRAIN THE FORCE	149,500	119,000
	ISR emulation and trainer ahead of need.		-28,500
	Dismounted virtual simulators—undefined unit cost increase.		-2,000
4	STAFF AND INFRA-STRUCTURE.	175,400	302,814
	Staff and infrastructure—transfer from title VI.		227,414
	Forward financed from prior years.		-100,000
	TOTAL, JOINT IED DEFEAT FUND.	1,675,400	1,622,614

The conference agreement provides funding for the Joint Improvised Explosive Device Defeat Fund in title IX as such requirements are considered to be war related.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides \$10,766,000 for the Office of the Inspector General, as proposed by both the House and the Senate.

GENERAL PROVISIONS—THIS TITLE

The conference agreement for title IX incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed in conference are as follows:

The conference agreement modifies a provision proposed by the House and the Senate which provides general transfer authority not to exceed \$3,500,000,000.

The conference agreement retains a provision proposed by the Senate regarding funding and guidelines for the Commander's Emergency Response Program. The House bill contained a similar provision.

The conference agreement retains a provision proposed by the Senate concerning fund-

ing and guidelines for the Task Force for Business and Stability Operations in Afghanistan. The House bill contained a similar provision.

The conference agreement modifies a provision proposed by the House concerning transition activities of the Office of Security Cooperation in Iraq and security assistance teams. The Senate bill contained a similar provision.

(RESCISSIONS)

The conference agreement modifies a provision proposed by the House and the Senate recommending rescissions. The provision provides for the rescission of \$1,860,052,000 from the following programs:

2009 Appropriations:

General Provisions:

Retroactive stop loss special pay program \$127,200,000

2012 Appropriations:

Afghanistan Security

Forces Fund:

Afghanistan Security Forces Fund 1,000,000,000

Other Procurement,

Army:

Gunshot detection system 10,100,000

Base support communications 5,000,000

Sense through the wall 10,000,000

Installation info infrastructure mod program 125,500,000

Knight family 42,000,000

Tactical bridging 15,000,000

Procurement of Ammunition,

Navy and Marine Corps:

60mm, all types 6,900,000

81mm, all types 22,276,000

Demolition munitions 3,000,000

Procurement, Marine Corps:

Weapons under \$5 million 2,776,000

Mine Resistant Ambush Protection Vehicle Fund:

MRAP carryover 400,000,000

Research, Development, Test and Evaluation,

Air Force:

Endurance unmanned aerial vehicles—Blue Devil 50,000,000

Joint Improvised Explosive Device Defeat Fund:

ALARM 19,300,000

Integrated supply chain 21,000,000

The conference agreement modifies a provision proposed by the House which makes Coalition Support Funds for Pakistan contingent on a certification by the Secretary of Defense, with concurrence from the Secretary of State, that certain conditions are met. The Senate bill contained no similar provision.

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
TITLE I				
MILITARY PERSONNEL				
Military Personnel, Army.....	43,298,409	40,777,844	40,199,263	-3,099,146
Military Personnel, Navy.....	26,803,334	27,090,893	26,902,346	+99,012
Military Personnel, Marine Corps.....	13,635,136	12,481,050	12,531,549	-1,103,587
Military Personnel, Air Force.....	28,036,708	28,048,539	28,052,826	-43,882
Reserve Personnel, Army.....	4,289,407	4,513,753	4,456,823	+167,416
Reserve Personnel, Navy.....	1,935,544	1,898,668	1,874,023	-61,521
Reserve Personnel, Marine Corps.....	644,722	664,641	658,251	+13,529
Reserve Personnel, Air Force.....	1,712,705	1,741,365	1,722,425	+9,720
National Guard Personnel, Army.....	7,585,645	8,103,207	7,981,577	+395,932
National Guard Personnel, Air Force.....	3,088,929	3,110,065	3,153,990	+65,061
Total, Title I, Military Personnel.....	131,090,539	128,430,025	127,533,073	-3,557,466

TITLE II				
OPERATION AND MAINTENANCE				
Operation and Maintenance, Army.....	31,072,902	36,608,592	35,409,260	+4,336,358
Operation and Maintenance, Navy.....	38,120,821	41,606,943	41,614,453	+3,493,632
Operation and Maintenance, Marine Corps.....	5,542,937	5,983,163	6,034,963	+492,026
Operation and Maintenance, Air Force.....	34,985,486	35,435,360	34,780,406	-205,080

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
Operation and Maintenance, Defense-Wide	30,152,008	31,993,013	31,862,980
Operation and Maintenance, Army Reserve	3,071,733	3,162,008	3,182,923
Operation and Maintenance, Navy Reserve	1,305,134	1,246,982	1,256,347
Operation and Maintenance, Marine Corps Reserve	271,443	272,285	277,377
Operation and Maintenance, Air Force Reserve	3,274,359	3,166,482	3,261,324
Operation and Maintenance, Army National Guard	6,924,932	7,108,612	7,154,161
Operation and Maintenance, Air National Guard	6,098,780	6,015,455	6,494,326
United States Court of Appeals for the Armed Forces	13,861	13,516	13,516
Environmental Restoration, Army	346,031	335,921	335,921
Environmental Restoration, Navy	308,668	310,594	310,594
Environmental Restoration, Air Force	525,453	529,263	529,263
Environmental Restoration, Defense-Wide	10,716	11,133	11,133
Environmental Restoration, Formerly Used Defense Sites	326,495	237,543	287,543
Overseas Humanitarian, Disaster, and Civic Aid	107,662	108,759	108,759
Cooperative Threat Reduction Account	508,219	519,111	519,111
Department of Defense Acquisition Workforce			
Development Fund	105,501	274,198	50,198
Total, Title II, Operation and maintenance	163,073,141	174,938,933	173,494,558
			+10,421,417

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
TITLE III				
PROCUREMENT				
Aircraft Procurement, Army.....	5,360,334	5,853,729	6,028,754	+668,420
Missile Procurement, Army.....	1,461,223	1,302,689	1,535,433	+74,210
Procurement of Weapons and Tracked Combat Vehicles, Army.....	2,070,405	1,501,706	1,857,823	-212,582
Procurement of Ammunition, Army.....	1,884,424	1,739,706	1,641,306	-243,118
Other Procurement, Army.....	7,924,214	6,326,245	5,741,664	-2,182,550
Aircraft Procurement, Navy.....	17,675,734	17,129,296	17,382,152	-293,582
Weapons Procurement, Navy.....	3,224,432	3,117,578	3,036,871	-187,561
Procurement of Ammunition, Navy and Marine Corps.....	626,848	759,539	659,897	+33,049
Shipbuilding and Conversion, Navy.....	14,919,114	13,579,845	15,584,212	+665,098
Other Procurement, Navy.....	6,013,385	6,169,378	5,955,078	-58,307
Procurement, Marine Corps.....	1,422,570	1,622,955	1,411,411	-11,159
Aircraft Procurement, Air Force.....	12,950,000	11,002,999	11,774,019	-1,175,981
Coast Guard (by transfer).....	(63,500)	---	---	(-63,500)
Missile Procurement, Air Force.....	6,080,877	5,491,846	4,962,376	-1,118,501
Advanced Extremely High Frequency Communications Satellites, Advanced appropriation FY 2014.....	---	833,500	---	---
Advanced appropriation FY 2015.....	---	763,900	---	---
Advanced appropriation FY 2016.....	---	708,400	---	---
Advanced appropriation FY 2017.....	---	1,107,200	---	---
Advanced appropriation FY 2018.....	---	1,013,700	---	---
Total, Advanced appropriations	---	4,426,700	---	---

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Procurement of Ammunition, Air Force.....	499,185	599,194	594,694	+95,509
Other Procurement, Air Force.....	17,403,564	16,720,848	17,082,508	-321,056
Procurement, Defense-Wide	4,893,428	4,187,935	4,878,985	-14,443
Defense Production Act Purchases	169,964	89,189	223,531	+53,567
Total, Title III, Procurement.....	104,579,701	101,621,377	100,350,714	-4,228,987
FY 2013.....	(104,579,701)	(97,194,677)	(100,350,714)	(-4,228,987)

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Research, Development, Test and Evaluation, Army.....	8,745,492	8,929,415	8,676,627	-68,865
Research, Development, Test and Evaluation, Navy.....	17,753,940	16,882,877	16,963,398	-790,542
Research, Development, Test and Evaluation, Air Force.....	26,535,996	25,428,046	25,432,738	-1,103,258
Research, Development, Test and Evaluation, Defense-Wide	19,193,955	17,982,161	18,631,946	-562,009
Operational Test and Evaluation, Defense.....	191,292	185,268	223,768	+32,476
Total, Title IV, Research, Development, Test and Evaluation.....	72,420,675	69,407,767	69,928,477	-2,492,198

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
TITLE V				
REVOLVING AND MANAGEMENT FUNDS				
Defense Working Capital Funds.....	1,575,010	1,516,184	1,516,184	-58,826
National Defense Sealift Fund.....	1,100,519	608,136	697,840	-402,679
Total, Title V, Revolving and Management Funds..	2,675,529	2,124,320	2,214,024	-461,505

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

Defense Health Program:				
Operation and maintenance.....	30,582,235	31,349,279	30,885,165	+302,930
Procurement.....	632,518	506,462	521,762	-110,756
Research, development, test and evaluation.....	1,267,306	672,977	1,308,377	+41,071
Total, Defense Health Program 1/.....	32,482,059	32,528,718	32,715,304	+233,245
Chemical Agents and Munitions Destruction, Defense:				
Operation and maintenance.....	1,147,691	635,843	635,843	-511,848
Procurement.....	---	18,592	18,592	+18,592
Research, development, test and evaluation.....	406,731	647,351	647,351	+240,620
Total, Chemical Agents 2/.....	1,554,422	1,301,786	1,301,786	-252,636

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Drug Interdiction and Counter-Drug Activities, Defense	1,209,620	999,363	1,159,263	-50,357
Joint Improvised Explosive Device Defeat Fund 2/.....	---	227,414	---	---
Joint Urgent Operational Needs Fund.....	---	99,477	---	---
Office of the Inspector General 1/.....	346,919	273,821	350,321	+3,402
	-----	-----	-----	-----
Total, Title VI, Other Department of Defense Programs.....	35,593,020	35,430,579	35,526,674	-66,346

TITLE VII

RELATED AGENCIES

Central Intelligence Agency Retirement and Disability System Fund.....	513,700	514,000	514,000	+300
Intelligence Community Management Account (ICMA).....	547,891	540,252	534,421	-13,470
	-----	-----	-----	-----
Total, Title VII, Related agencies.....	1,061,591	1,054,252	1,048,421	-13,170

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
TITLE VIII			
GENERAL PROVISIONS			
Additional transfer authority (Sec. 8005).....	(3,750,000)	(5,000,000)	(4,000,000)
Indian Financing Act incentives (Sec. 8019).....	15,000	---	15,000
FFRDC (Sec. 8023).....	-150,245	---	---
Overseas Military Facility Invest Recovery (Sec. 8028).....	1,000	---	---
Rescissions (Sec. 8041).....	-2,575,217	---	-2,142,447
O&M, Defense-wide transfer authority (Sec. 8052).....	(30,000)	(30,000)	(30,000)
O&M, Army transfer authority (Sec. 8067).....	(124,493)	(133,381)	(133,381)
Global Security Contingency Fund (O&M, Defense-wide transfer) (Sec. 8069).....	(200,000)	(200,000)	(200,000)
Fisher House Foundation (Sec. 8070).....	4,000	---	4,000
National grants (Sec. 8078).....	44,000	---	44,000
Shipbuilding & conversion funds, Navy (Sec. 8083).....	8,000	8,000	8,000
Working Capital Fund excess cash balances.....	-515,000	---	---
ICMA transfer authority (Sec. 8090).....	(20,000)	(20,000)	(20,000)
Fisher House transfer authority (Sec. 8095).....	(11,000)	(11,000)	(11,000)
Defense Health O&M transfer authority (Sec. 8100).....	(135,631)	(139,204)	(139,204)
Alternative Energy Resources for Deployed Forces	10,000	---	---
Ship Modernization, Operations and Sustainment Fund (Sec. 8105).....	---	---	2,382,100
			+2,382,100

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
Operation and Maintenance, Defense-Wide (Sec.8110).....	250,000	---	270,000
(transfer authority).....	---	(51,000)	---
Military Intelligence Program Transfer Fund	310,758	---	-310,758
Eliminate civilian pay raise (Sec.8123).....	---	---	-72,718
Total, Title VIII, General Provisions.....	-2,597,704	8,000	507,935

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS (OCO) 3/

Military Personnel

Military Personnel, Army (OCO).....	7,195,335	9,165,082	9,790,082	+2,594,747
Military Personnel, Navy (OCO).....	1,259,234	874,625	774,225	-485,009
Military Personnel, Marine Corps (OCO).....	714,360	1,621,356	1,425,156	+710,796
Military Personnel, Air Force (OCO).....	1,492,381	1,286,783	1,286,783	-205,598
Reserve Personnel, Army (OCO).....	207,162	156,893	156,893	-50,269
Reserve Personnel, Navy (OCO).....	44,530	39,335	39,335	-5,195
Reserve Personnel, Marine Corps (OCO).....	25,421	24,722	24,722	-699
Reserve Personnel, Air Force (OCO).....	26,815	25,348	25,348	-1,467
National Guard Personnel, Army (OCO).....	664,579	583,804	583,804	-80,775
National Guard Personnel, Air Force (OCO).....	9,435	10,473	10,473	+1,038
Total, Military Personnel.....	11,639,252	13,788,421	14,116,821	+2,477,569

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
Operation and Maintenance			
Operation & Maintenance, Army (OCO).....	44,794,156	28,591,441	-16,342,138
Operation & Maintenance, Navy (OCO).....	7,674,026	5,880,395	-1,834,092
Coast Guard (by transfer) (OCO).....	---	(254,461)	---
Operation & Maintenance, Marine Corps (OCO).....	3,935,210	4,066,340	+181,130
Operation & Maintenance, Air Force (OCO).....	10,879,347	9,241,613	-1,629,611
Operation & Maintenance, Defense-Wide (OCO).....	9,252,211	7,824,579	-1,538,132
Coalition support funds (OCO).....	(1,690,000)	(1,750,000)	(-40,000)
Operation & Maintenance, Army Reserve (OCO).....	217,500	154,537	-59,613
Operation & Maintenance, Navy Reserve (OCO).....	74,148	55,924	-18,224
Operation & Maintenance, Marine Corps Reserve (OCO).....	36,084	25,477	-10,607
Operation & Maintenance, Air Force Reserve (OCO).....	142,050	120,618	-81,432
Operation & Maintenance, Army National Guard (OCO).....	377,544	382,448	+14,904
Operation & Maintenance, Air National Guard (OCO).....	34,050	19,975	+450
Overseas Contingency Operations Transfer Fund (OCO)...	---	---	+582,884
Subtotal, Operation and Maintenance.....	77,416,326	56,363,347	-20,734,481
Afghanistan Infrastructure Fund (OCO).....	400,000	400,000	-75,000
Afghanistan Security Forces Fund (OCO).....	11,200,000	5,749,167	-6,075,833
Total, Operation and Maintenance.....	89,016,326	62,512,514	-26,885,314

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Procurement				
Aircraft Procurement, Army (OCO).....	1,137,381	486,200	550,700	-586,681
Missile Procurement, Army (OCO).....	126,556	49,653	67,951	-58,605
Procurement of Weapons and Tracked Combat Vehicles, Army (OCO).....	37,117	15,422	15,422	-21,695
Procurement of Ammunition, Army (OCO).....	208,381	357,493	338,493	+130,112
Other Procurement, Army (OCO).....	1,334,345	2,015,907	1,740,157	+405,812
Aircraft Procurement, Navy (OCO).....	480,935	164,582	215,698	-265,237
Weapons Procurement, Navy (OCO).....	41,070	23,500	22,500	-18,570
Procurement of Ammunition, Navy and Marine Corps (OCO).....	317,100	285,747	283,059	-34,041
Other Procurement, Navy (OCO).....	236,125	98,882	98,882	-137,243
Procurement, Marine Corps (OCO).....	1,233,996	943,683	822,054	-411,942
Aircraft Procurement, Air Force (OCO).....	1,235,777	305,600	305,600	-930,177
Missile Procurement, Air Force (OCO).....	41,220	34,350	34,350	-6,870
Procurement of Ammunition, Air Force (OCO).....	109,010	116,203	116,203	+7,193
Other Procurement, Air Force (OCO).....	3,088,510	2,818,270	2,680,270	-408,240
Procurement, Defense-Wide (OCO).....	405,768	196,349	188,099	-217,669
National Guard and Reserve Equipment (OCO).....	1,000,000	---	1,500,000	+500,000
Mine Resistant Ambush Protected Vehicle Fund (OCO).....	2,600,170	---	---	-2,600,170
Total, Procurement.....	13,633,461	7,911,841	8,979,438	-4,654,023

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army (OCO)	18,513	19,860	29,660
Research, Development, Test & Evaluation, Navy (OCO)	53,884	60,119	52,519
Research, Development, Test & Evaluation, Air Force (OCO)	259,600	53,150	53,150
Research, Development, Test and Evaluation, Defense-Wide (OCO)	194,361	112,387	112,387
Total, Research, Development, Test and Evaluation	526,358	245,516	247,716
Revolving and Management Funds			
Defense Working Capital Funds (OCO)	435,013	503,364	243,600
Other Department of Defense Programs			
Defense Health Program:			
Operation and maintenance (OCO)	1,228,288	993,898	993,898
Drug Interdiction and Counter-Drug Activities, Defense (OCO)	456,458	469,025	469,025
			+12,567

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
Joint IED Defeat Fund (OCO) 2/.....	2,441,984	1,675,400	1,622,614
Joint Urgent Operational Needs Fund (OCO).....	---	100,000	---
Office of the Inspector General (OCO).....	11,055	10,766	10,766
Total, Other Department of Defense Programs.....	4,137,785	3,249,089	3,096,303
TITLE IX General Provisions			
Additional transfer authority (OCO) (Sec.9002).....	(4,000,000)	(4,000,000)	(3,500,000)
Troop reduction (OCO).....	-4,042,500	---	---
Rescissions (OCO) (Sec.9013).....	-380,060	---	-1,860,052
Total, General Provisions.....	-4,422,560	---	-1,860,052
Total, Title IX	114,965,635	88,210,745	86,954,838
Total for the bill (net).....			
Less appropriations for subsequent years.....	622,862,127	601,225,998	597,558,714
Net grand total.....	622,862,127	596,799,298	597,558,714

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET RECAP				
Scorekeeping adjustments:				
Lease of defense real property (permanent).....	22,000	22,000	22,000	---
Disposal of defense real property (permanent).....	9,000	9,000	9,000	---
DHP, O&M to DOD-VA Joint Incentive Fund:				
Defense function.....	---	-15,000	-15,000	-15,000
Non-defense function.....	---	15,000	15,000	+15,000
DHP, O&M to Joint DOD-VA Medical Facility				
Demonstration Fund:				
Defense function.....	---	-139,204	-139,204	-139,204
Non-defense function.....	---	139,204	139,204	+139,204
O&M, Defense-wide transfer to Department of State:				
Defense function.....	-200,000	-100,000	-100,000	+100,000
Non-defense function.....	200,000	100,000	100,000	-100,000
Tricare accrual (permanent, indefinite auth.) 4/..	10,733,000	8,026,000	8,026,000	-2,707,000
(OCO) 3/.....	117,000	271,000	271,000	+154,000
Total, scorekeeping adjustments.....	10,881,000	8,328,000	8,328,000	-2,553,000
Adjusted total (includ. scorekeeping adjustments)	633,743,127	605,127,298	605,886,714	-27,856,413
Appropriations.....	(636,318,344)	(605,127,298)	(608,029,161)	(-28,289,183)
Rescissions.....	(-2,575,217)	---	(-2,142,447)	(+432,770)
Total mandatory and discretionary.....	633,743,127	605,127,298	605,886,714	-27,856,413
Mandatory.....	(513,700)	(514,000)	(514,000)	(+300)
Discretionary.....	(633,229,427)	(604,613,298)	(605,372,714)	(-27,856,713)

DIVISION A: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
RECAPITULATION			
Title I - Military Personnel.....	131,090,539	128,430,025	127,533,073
Title II - Operation and Maintenance.....	163,073,141	174,938,933	173,494,558
Title III - Procurement.....	104,579,701	101,621,377	100,350,714
Title IV - Research, Development, Test and Evaluation.....	72,420,675	69,407,767	69,928,477
Title V - Revolving and Management Funds.....	2,675,529	2,124,320	2,214,024
Title VI - Other Department of Defense Programs.....	35,593,020	35,430,579	35,526,674
Title VII - Related Agencies.....	1,061,591	1,054,252	1,048,421
Title VIII - General Provisions (net).....	-2,597,704	8,000	507,935
Title IX - Overseas Contingency Operations (OCO).....	114,965,635	88,210,745	86,954,838
Total, Department of Defense.....	622,862,127	601,225,998	597,558,714
Scorekeeping adjustments.....	10,881,000	8,328,000	8,328,000
Less appropriations for subsequent years.....	---	-4,426,700	---
Total mandatory and discretionary.....	633,743,127	605,127,298	605,886,714
			-27,856,413

FOOTNOTES:

- 1/ Included in Budget under Operation and Maintenance
- 2/ Included in Budget under Procurement
- 3/ Global War on Terrorism (GWOT)
- 4/ Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, P.L. 108-375) (CB0 est)

DIVISION B—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 112-491 and Senate Report 112-168 should be complied with unless specifically addressed to the contrary in the conference agreement and this explanatory statement. Report language included by the House, which is not changed by the report of the Senate or this explanatory statement, and Senate report language, which is not changed by this explanatory statement, is approved by the Committees on Appropriations of both Houses of Congress. This explanatory statement, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate has directed the submission of a report, such report is to be submitted to both Houses of Congress. House or Senate reporting requirements with deadlines prior to, or within 15 days after, enactment of the conference agreement shall be submitted no later than 60 days after enactment of this Act. All other reporting deadlines not changed by this explanatory statement are to be met.

Department of Defense and Veterans Affairs Joint Collaboration on Medical Facility Construction.—Having the Department of Defense (DOD) and Department of Veterans Affairs (VA) medical facility construction accounts in the same bill allows the Committees to review coordinated efforts and efficiencies within the two systems. An overarching concern of the conferees has been to facilitate the seamless transition from active duty service member to veteran, including the transition from DOD to VA medical facilities. The conferees are aware of multiple instances in which DOD and the VA have failed to coordinate medical facility construction efforts, in particular, where the VA is currently collocated with an existing DOD medical facility, but hospital replacement facilities are planned and budgeted in the military construction budget without coordination or consultation with the VA. Better coordination between the two Departments on construction activities, where appropriate, has the potential to save money by reducing duplicative construction costs, and provides a unique opportunity for creating more efficient use of medical equipment once the hospitals or outpatient clinics become operational. The conferees therefore direct the TRICARE Management Activity and the Veterans Health Administration to report to the congressional defense committees no later than 180 days after enactment of this Act on the current construction coordination between the two agencies. The report should include a comparison by fiscal year of the TRICARE Management Activity and the Veterans Health Administration's future year construction plans for new facilities that currently are collocated as well as any potential new collocation sites.

Hiring of veterans.—The conferees continue to be concerned about unemployment rates among the Nation's veterans, particularly for those who have recently left active duty. With impending force reductions, this problem is likely to worsen. The conferees urge the Department of Veterans Affairs (VA), as well as the Department of Defense and the domestic agencies funded in title III of this division, to redouble their efforts to hire returning veterans and to exceed where possible statutory requirements for veterans

hiring preferences. In recognizing the skills and specialty certifications veterans have received through their military training, these agencies will gain a superior workforce and at the same time demonstrate the Government's appreciation for our veterans' service.

**TITLE I
DEPARTMENT OF DEFENSE
ITEMS OF GENERAL INTEREST**

Incrementally Funded Projects.—The conferees note that the Administration requested several large military construction projects that can be incrementally funded, but were instead submitted as large single-year requests, in accordance with a directive from the Office of Management and Budget to the Department of Defense to severely restrict the use of incremental funding for military construction. The Committees on Appropriations of both Houses of Congress have previously notified the Administration that they reserve the prerogative to provide incremental funding where appropriate, in accordance with authorizing legislation. In general, the conferees support full funding for military construction projects. In some cases, however, incremental funding makes fiscal and programmatic sense. The conference agreement therefore incrementally funds the following projects: Ambulatory Care Center Phase 3, Joint Base San Antonio, Texas; STRATCOM Replacement Facility, Increment 2, Offutt AFB, Nebraska; U.S. Military Academy Cadet Barracks, West Point, New York; and Aegis Ashore Missile Defense Complex, Deveselu, Romania.

MILITARY CONSTRUCTION, ARMY

The conference agreement appropriates \$1,684,323,000 for Military Construction, Army. Within this amount, the agreement provides \$80,173,000 for study, planning, design, architect and engineer services, and host nation support.

Arlington Cemetery.—The budget request proposed to fund Arlington National Cemetery through three accounts: \$25,000,000 to be provided through Operation and Maintenance, Army, \$103,000,000 to be provided through Military Construction, Army, and \$45,800,000 to be provided through Cemeterial Expenses, Army for a total of \$173,800,000. The conferees do not include the \$103,000,000 requested in title I. The funds are instead provided in title III of Division J under Cemeterial Expenses, Army.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conference agreement appropriates \$1,549,164,000 for Military Construction, Navy and Marine Corps. Within this amount, the agreement provides \$102,619,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE

The conference agreement appropriates \$322,543,000 for Military Construction, Air Force. Within this amount, the agreement provides \$18,635,000 for study, planning, design, architect and engineer services.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates \$3,582,423,000 for Military Construction, Defense-Wide. Within this amount, the agreement provides \$315,562,000 for study, planning, design, architect and engineer services.

Energy Conservation Investment Program (ECIP).—The conference agreement provides \$150,000,000 for ECIP. Additionally, the con-

ference agreement provides \$10,000,000 in dedicated funding for ECIP planning and design. The conferees strongly support the efforts of the Department of Defense to promote energy conservation, green building initiatives, energy security, and investment in renewable energy resources, and commend the leadership of the Department and the services for making energy efficiency a key component of construction on military installations. The conferees urge the Department to use the dedicated planning and design funds to invest in innovative renewable energy projects as well as projects that enhance energy security at military installations. The conferees also encourage the Department to request dedicated planning and design funding for ECIP in future budget submissions.

**MILITARY CONSTRUCTION, ARMY
NATIONAL GUARD**

The conference agreement appropriates \$613,799,000 for Military Construction, Army National Guard. Within this amount, the agreement provides \$26,622,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, AIR
NATIONAL GUARD**

The conference agreement appropriates \$42,386,000 for Military Construction, Air National Guard. Within this amount, the agreement provides \$4,000,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, ARMY
RESERVE**

The conference agreement appropriates \$305,846,000 for Military Construction, Army Reserve. Within this amount, the agreement provides \$15,951,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, NAVY
RESERVE**

The conference agreement appropriates \$49,532,000 for Military Construction, Navy Reserve. Within this amount, the agreement provides \$2,118,000 for study, planning, design, architect and engineer services.

**MILITARY CONSTRUCTION, AIR FORCE
RESERVE**

The conference agreement appropriates \$10,979,000 for Military Construction, Air Force Reserve. Within this amount, the agreement provides \$2,879,000 for study, planning, design, architect and engineer services.

**NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

The conference agreement appropriates \$254,163,000 for the North Atlantic Treaty Organization Security Investment Program.

FAMILY HOUSING CONSTRUCTION, ARMY

The conference agreement appropriates \$4,641,000 for Family Housing Construction, Army.

**FAMILY HOUSING OPERATION AND
MAINTENANCE, ARMY**

The conference agreement appropriates \$530,051,000 for Family Housing Operation and Maintenance, Army.

**FAMILY HOUSING CONSTRUCTION, NAVY
AND MARINE CORPS**

The conference agreement appropriates \$102,182,000 for Family Housing Construction, Navy and Marine Corps.

**FAMILY HOUSING OPERATION AND
MAINTENANCE, NAVY AND MARINE
CORPS**

The conference agreement appropriates \$378,230,000 for Family Housing Operation and Maintenance, Navy and Marine Corps.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

The conference agreement appropriates \$83,824,000 for Family Housing Construction, Air Force.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement appropriates \$497,829,000 for Family Housing Operation and Maintenance, Air Force.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement appropriates \$52,238,000 for Family Housing Operation and Maintenance, Defense-Wide.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The conference agreement appropriates \$1,786,000 for the Department of Defense Family Housing Improvement Fund.

DEPARTMENT OF DEFENSE HOMEOWNERS ASSISTANCE FUND

The conference agreement provides no appropriation for the Department of Defense Homeowners Assistance Fund in fiscal year 2013, the same as the budget request.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

The conference agreement appropriates \$151,000,000 for Chemical Demilitarization Construction, Defense-Wide.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

The conference agreement appropriates \$409,396,000 for the Department of Defense Base Closure Account 1990. This amount is \$60,000,000 above the budget request to accelerate the pace of environmental cleanup at closed or realigned military installations. Based on requirements identified by the services, the conferees direct that, of the additional funding provided, \$30,000,000 be made available for the Army, and \$30,000,000 for the Navy. These funds are to be allocated at the discretion of the services to meet the most pressing unfunded environmental cleanup requirements at closed or realigned bases.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The conference agreement appropriates \$126,697,000 for the Department of Defense Base Closure Account 2005. The conferees note that significant bid savings have been realized in the BRAC 2005 military construction program, primarily as a result of the favorable bid climate over the past several years, and believe that these savings should be used to offset current BRAC 2005 requirements. The conferees therefore are rescinding \$132,513,000 from previous BRAC 2005 appropriations (Sec. 131 of Administrative Provisions) to offset the fiscal 2013 request.

BRAC 133.—In an effort to mitigate traffic congestion surrounding the Mark Center site, the conference agreement includes a

limitation on the number of parking spaces the Department may utilize at the Mark Center to no more than 2,500, with the exception of disabled parking spaces. The limitation may be waived in part, but not in whole, if the Secretary of Defense certifies that none of the intersections surrounding the Mark Center reach failing levels of service “e” or “f,” as defined by the Transportation Research Board Highway Capacity Manual, during a consecutive 90 day period.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

The conference agreement includes section 101 limiting the use of funds under a cost-plus-a-fixed-fee contract.

The conference agreement includes section 102 allowing the use of construction funds in this title for hire of passenger motor vehicles.

The conference agreement includes section 103 allowing the use of construction funds in this title for advances to the Federal Highway Administration for the construction of access roads.

The conference agreement includes section 104 prohibiting construction of new bases in the United States without a specific appropriation.

The conference agreement includes section 105 limiting the use of funds for the purchase of land or land easements that exceed 100 percent of the value.

The conference agreement includes section 106 prohibiting the use of funds, except funds appropriated in this title for that purpose, for family housing.

The conference agreement includes section 107 limiting the use of minor construction funds to transfer or relocate activities.

The conference agreement includes section 108 prohibiting the procurement of steel unless American producers, fabricators, and manufacturers have been allowed to compete.

The conference agreement includes section 109 prohibiting the use of construction or family housing funds to pay real property taxes in any foreign nation.

The conference agreement includes section 110 prohibiting the use of funds to initiate a new installation overseas without prior notification.

The conference agreement includes section 111 establishing a preference for American architectural and engineering services for overseas projects.

The conference agreement includes section 112 establishing a preference for American contractors in certain locations.

The conference agreement includes section 113 requiring congressional notification of military exercises when construction costs exceed \$100,000.

The conference agreement includes section 114 allowing funds appropriated in prior years for new projects authorized during the current session of Congress.

The conference agreement includes section 115 limiting obligations in the last two months of the fiscal year.

The conference agreement includes section 116 allowing the use of expired or lapsed funds to pay the cost of supervision for any project being completed with lapsed funds.

The conference agreement includes section 117 allowing military construction funds to be available for five years.

The conference agreement includes section 118 allowing the transfer of proceeds between BRAC accounts.

The conference agreement includes section 119 allowing the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Fund.

The conference agreement includes section 120 allowing transfers to the Homeowners Assistance Fund.

The conference agreement includes section 121 limiting the source of operation and maintenance funds for flag and general officer quarters and allowing for notification by electronic medium.

The conference agreement includes section 122 extending the availability of funds in the Ford Island Improvement Account.

The conference agreement includes section 123 placing limitations on the expenditure of funds for projects impacted by BRAC 2005.

The conference agreement includes section 124 allowing the transfer of expired funds to the Foreign Currency Fluctuations, Construction, Defense account.

The conference agreement includes section 125 which limits parking at BRAC 133 to 2,500 spaces and includes other requirements and exemptions.

The conference agreement includes section 126 prohibiting the use of funds for any action related to the expansion of Pinon Canyon Maneuver Site, Colorado.

The conference agreement includes section 127 allowing for the reprogramming of construction funds among projects and activities subject to certain criteria.

The conference agreement includes section 128 restricting the obligation of funds for relocating an Army unit that performs a testing mission.

The conference agreement includes section 129 prohibiting the obligation or expenditure of funds provided to the Department of Defense for military construction for projects at Arlington National Cemetery.

The conference agreement includes section 130 rescinding unobligated balances from the contingency construction account in Military Construction, Defense-Wide.

The conference agreement includes section 131 rescinding unobligated balances from the Department of Defense Base Closure Account 2005.

The conference agreement includes section 132 allowing the transfer of funds to the Secretary of the Navy from the Defense Family Housing Improvement Fund.

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT

ALABAMA		
ARMY NATIONAL GUARD		
FORT MC CLELLAN		
LIVE FIRE SHOOT HOUSE.....	5,400	5,400
ALASKA		
ARMY		
FORT WAINWRIGHT		
MODIFIED RECORD FIRE RANGE.....	10,400	10,400
JOINT BASE ELMENDORF-RICHARDSON		
MODIFIED RECORD FIRE RANGE.....	7,900	7,900
ARIZONA		
NAVY		
YUMA		
COMBAT AIRCRAFT LOADING APRON.....	15,985	15,985
SECURITY OPERATIONS COMPLEX.....	13,300	13,300
DEFENSE-WIDE		
MARANA		
SOF PARACHUTE TRAINING FACILITY.....	6,477	6,477
YUMA		
TRUCK UNLOAD FACILITY.....	1,300	1,300
NAVY RESERVE		
YUMA		
RESERVE TRAINING FACILITY - YUMA AZ.....	5,379	5,379
ARKANSAS		
AIR FORCE		
LITTLE ROCK AFB		
C-130J FLIGHT SIMULATOR ADDITION.....	4,178	4,178
C-130J FUEL SYSTEMS MAINTENANCE HANGAR.....	26,000	26,000
ARMY NATIONAL GUARD		
SEARCY		
FIELD MAINTENANCE SHOP.....	6,800	6,800
CALIFORNIA		
ARMY		
CONCORD		
ENGINEERING/HOUSING MAINTENANCE SHOP.....	3,100	3,100
LIGHTNING PROTECTION SYSTEM.....	5,800	5,800
NAVY		
CAMP PENDLETON		
COMM. INFORMATION SYSTEMS OPS COMPLEX.....	78,897	78,897
MV22 AVIATION SIMULATOR BUILDING.....	4,139	4,139
SAN JACINTO ROAD EXTENSION.....	5,074	5,074
CORONADO		
BACHELOR QUARTERS.....	76,063	76,063
H-60S SIMULATOR TRAINING FACILITY.....	2,478	2,478
VENTURA COUNTY		
BAMS MAINTENANCE TRAINING FACILITY.....	14,843	12,790
MIRAMAR		
HANGAR 5 RENOVATIONS & ADDITION.....	27,897	27,897
SAN DIEGO		
ENTRY CONTROL POINT (GATE FIVE).....	11,752	11,752
LCS TRAINING FACILITY.....	59,436	59,436
SEAL BEACH		
STRATEGIC SYSTEMS WEAPONS EVAL. TEST LAB.....	30,594	30,594
TWENTYNINE PALMS		
LAND EXPANSION PHASE 2.....	47,270	47,270
DEFENSE-WIDE		
CORONADO		
SOF CLOSE QUARTERS COMBAT/DYNAMIC SHOOT FAC.....	13,969	13,969
SOF INDOOR DYNAMIC SHOOTING FACILITY.....	31,170	31,170
SOF MOBILE COMM DETACHMENT SUPPORT FACILITY.....	10,120	10,120

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
DEF FUEL SUPPORT POINT - SAN DIEGO		
REPLACE FUEL PIER.....	91,563	91,563
EDWARDS AIR FORCE BASE		
REPLACE FUEL STORAGE.....	27,500	27,500
TWENTYNINE PALMS		
MEDICAL CLINIC REPLACEMENT.....	27,400	27,400
ARMY NATIONAL GUARD		
FORT IRWIN		
MANEUVER AREA TRAINING & EQUIPMENT SITE PH3.....	25,000	25,000
AIR NATIONAL GUARD		
FRESNO YOSEMITE IAP ANG		
F-15 CONVERSION.....	11,000	11,000
ARMY RESERVE		
FORT HUNTER LIGGETT		
ORTC.....	64,000	64,000
UPH BARRACKS.....	4,300	4,300
TUSTIN		
ARMY RESERVE CENTER.....	27,000	27,000
COLORADO		
ARMY		
FORT CARSON		
DIGITAL MULTIPURPOSE TRAINING RANGE.....	18,000	18,000
DEFENSE-WIDE		
BUCKLEY AIR FORCE BASE		
DENVER POWER HOUSE.....	30,000	30,000
FORT CARSON		
SOF BATTALION OPERATIONS COMPLEX.....	56,673	56,673
PIKES PEAK		
HIGH ALTITUDE MEDICAL RESEARCH LAB.....	3,600	3,600
PUEBLO DEPOT		
AMMUNITION DEMILITARIZATION FACILITY, PH XIV.....	36,000	36,000
CONNECTICUT		
ARMY NATIONAL GUARD		
CAMP HARTELL		
COMBINED SUPPORT MAINTENANCE SHOP.....	32,000	32,000
DELAWARE		
DEFENSE-WIDE		
DOVER AFB		
REPLACE TRUCK OFF-LOAD FACILITY.....	2,000	2,000
ARMY NATIONAL GUARD		
BETHANY BEACH		
REGIONAL TRAINING INSTITUTE PH1.....	5,500	5,500
DISTRICT OF COLUMBIA		
ARMY		
FORT MCNAIR		
VEHICLE STORAGE BUILDING, INSTALLATION.....	7,200	7,200
FLORIDA		
NAVY		
JACKSONVILLE		
BAMS MISSION CONTROL COMPLEX.....	21,980	21,980
AIR FORCE		
TYNDALL AFB		
F-22 ADAL HANGAR FOR LOW OBSERVABLE/COMPOSITE.....	14,750	14,750
DEFENSE-WIDE		
EGLIN AFB		
SOF AVFID OPS AND MAINTENANCE FACILITIES.....	41,695	41,695
HURLBURT FIELD		
CONSTRUCT FUEL STORAGE FACILITY.....	16,000	16,000
MACDILL AFB		
SOF JOINT SPECIAL OPS UNIVERSITY FAC (JSOU).....	34,409	34,409

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT

ARMY NATIONAL GUARD		
CAMP BLANDING		
COMBINED ARMS COLLECTIVE TRAINING FAC.....	9,000	9,000
MIRAMAR		
READINESS CENTER.....	20,000	20,000
GEORGIA		
ARMY		
FORT BENNING		
GROUND SOURCE HEAT TRANSFER SYSTEM.....	16,000	16,000
FORT GORDON		
GROUND SOURCE HEAT TRANSFER SYSTEM.....	12,200	12,200
MODIFIED RECORD FIRE RANGE.....	4,000	4,000
MULTIPURPOSE MACHINE GUN RANGE.....	7,100	7,100
FORT STEWART		
AUTOMATED COMBAT PISTOL QUAL CRSE.....	3,650	3,650
DIGITAL MULTIPURPOSE TRAINING RANGE.....	22,000	22,000
UNMANNED AERIAL VEHICLE COMPLEX.....	24,000	24,000
AIR FORCE		
FORT STEWART		
AIR SUPPORT OPERATIONS CENTER (ASOC).....	7,250	7,250
MOODY AFB		
HC-130J SIMULATOR FACILITY.....	8,500	8,500
HAWAII		
ARMY		
POHAKULOA TRAINING AREA		
AUTOMATED INFANTRY PLATOON BATTLE COURSE.....	29,000	29,000
SCHOFIELD BARRACKS		
BARRACKS.....	41,000	41,000
BARRACKS.....	55,000	55,000
WHEELER ARMY AIR FIELD		
COMBAT AVIATION BRIGADE BARRACKS.....	85,000	85,000
NAVY		
KANEOHE BAY		
AIRCRAFT STAGING AREA.....	14,680	14,680
MV-22 HANGAR AND INFRASTRUCTURE.....	82,630	82,630
DEFENSE-WIDE		
JOINT BASE PEARL HARBOR-HICKAM		
SOF SDVT-1 WATERFRONT OPERATIONS FACILITY.....	24,289	24,289
ARMY NATIONAL GUARD		
KAPOLEI		
ARMY AVIATION SUPPORT FACILITY PH1.....	28,000	28,000
AIR NATIONAL GUARD		
JOINT BASE PEARL HARBOR-HICKAM		
TFI - F-22 COMBAT APRON ADDITION.....	6,500	6,500
IDAHO		
ARMY NATIONAL GUARD		
ORCHARD TRAINIG AREA		
ORTC(BARRACKS)PH2.....	40,000	40,000
ILLINOIS		
DEFENSE-WIDE		
GREAT LAKES		
DRUG LABORATORY REPLACEMENT.....	28,700	28,700
SCOTT AFB		
DISA FACILITY UPGRADES.....	84,111	84,111
MEDICAL LOGISTICS WAREHOUSE.....	2,600	2,600
ARMY RESERVE		
FORT SHERIDAN		
ARMY RESERVE CENTER.....	28,000	28,000

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
INDIANA		
DEFENSE-WIDE		
GRISSOM ARB		
REPLACE HYDRANT FUEL SYSTEM.....	26,800	26,800
ARMY NATIONAL GUARD		
SOUTH BEND		
ARMED FORCES RESERVE CENTER ADD/ALT.....	21,000	21,000
TERRE HAUTE		
FIELD MAINTENANCE SHOP.....	9,000	9,000
IOWA		
ARMY NATIONAL GUARD		
CAMP DODGE		
URBAN ASSAULT COURSE.....	3,000	3,000
NAVY RESERVE		
FORT DES MOINES		
JOINT RESERVE CENTER - DES MOINES IA.....	19,162	19,162
KANSAS		
ARMY		
FORT RILEY		
UNMANNED AERIAL VEHICLE COMPLEX.....	12,200	12,200
ARMY NATIONAL GUARD		
TOPEKA		
TAXIWAY, RAMP & HANGAR ALTERATIONS.....	9,500	9,500
KENTUCKY		
ARMY		
FORT CAMPBELL		
BATTALION HEADQUARTERS COMPLEX.....	55,000	55,000
LIVE FIRE EXERCISE SHOOTHOUSE.....	3,800	3,800
UNMANNED AERIAL VEHICLE COMPLEX.....	23,000	23,000
FORT KNOX		
AUTOMATED INFANTRY SQUAD BATTLE COURSE.....	6,000	6,000
DEFENSE-WIDE		
BLUE GRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION PH XIII.....	115,000	115,000
FORT CAMPBELL		
REPLACE BARKLEY ELEMENTARY SCHOOL.....	41,767	41,767
SOF GROUND SUPPORT BATTALION.....	26,313	26,313
SOF LANDGRAF HANGAR EXTENSION.....	3,559	3,559
ARMY NATIONAL GUARD		
FRANKFORT		
ARMY AVIATION SUPPORT FACILITY.....	32,000	32,000
LOUISIANA		
DEFENSE-WIDE		
BARKSDALE AFB		
UPGRADE PUMPHOUSE.....	11,700	11,700
NAVY RESERVE		
NEW ORLEANS		
TRANSIENT QUARTERS.....	7,187	7,187
MARYLAND		
DEFENSE-WIDE		
ANNAPOLIS		
HEALTH CLINIC REPLACEMENT.....	66,500	66,500
BETHESDA NAVAL HOSPITAL		
BASE INSTALLATION ACCESS./APPEARANCE PLAN.....	7,000	7,000
ELECTRICAL CAPACITY AND COOLING TOWERS.....	35,600	35,600
TEMPORARY MEDICAL FACILITIES.....	26,600	26,600
FORT DETRICK		
USAMRIID STAGE I, INCR 7.....	19,000	19,000
FORT MEADE		
HIGH PERFORMANCE COMPUTING CENTER INC 2.....	300,521	300,521
NSAW RECAPITALIZE BUILDING #1/SITE M INC 1.....	25,000	25,000

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT

ARMY RESERVE		
ABERDEEN PROVING GROUND		
ARMY RESERVE CENTER.....	21,000	21,000
BALTIMORE		
ADD/ALT ARMY RESERVE CENTER.....	10,000	10,000
MASSACHUSETTS		
ARMY NATIONAL GUARD		
CAMP EDWARDS		
UNIT TRAINING EQUIPMENT SITE.....	22,000	22,000
ARMY RESERVE		
DEVENS RESERVE FORCES TRAINING AREA		
AUTOMATIC RECORD FIRE RANGE.....	4,800	4,800
COMBAT PISTOL/MP FIREARMS QUALIFICATION.....	3,700	3,700
MINNESOTA		
ARMY NATIONAL GUARD		
CAMP RIPLEY		
SCOUT RECONNAISSANCE RANGE.....	17,000	17,000
ARDEN HILLS		
READINESS CENTER.....	17,000	17,000
MISSISSIPPI		
NAVY		
MERIDIAN		
DINING FACILITY.....	10,926	10,926
MISSOURI		
ARMY		
FORT LEONARD WOOD		
BATTALION COMPLEX FACILITIES.....	26,000	26,000
TRAINEE BARRACKS COMPLEX 3, PH 2.....	58,000	58,000
VEHICLE MAINTENANCE SHOP.....	39,000	39,000
DEFENSE-WIDE		
FORT LEONARD WOOD		
DENTAL CLINIC.....	18,100	18,100
ARMY NATIONAL GUARD		
FORT LEONARD WOOD		
REGIONAL TRAINING INSTITUTE.....	18,000	18,000
KANSAS CITY		
READINESS CENTER ADD/ALT.....	1,900	1,900
MONETT		
READINESS CENTER ADD/ALT.....	820	820
PERRYVILLE		
READINESS CENTER ADD/ALT.....	700	700
MONTANA		
ARMY NATIONAL GUARD		
MILES CITY		
READINESS CENTER.....	11,000	11,000
NEBRASKA		
AIR FORCE		
OFFUTT AFB		
US STRATCOM REPLACEMENT FACILITY, INCR 2.....	161,000	128,000
NEVADA		
ARMY RESERVE		
LAS VEGAS		
ARMY RESERVE CENTER/AMSA.....	21,000	21,000
NEW JERSEY		
ARMY		
JOINT BASE MCGUIRE-DIX-LAKEHURST		
FLIGHT EQUIPMENT COMPLEX.....	47,000	47,000

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
PICATINNY ARSENAL		
BALLISTIC EVALUATION CENTER.....	10,200	10,200
NAVY		
EARLE		
COMBAT SYSTEM ENGINEERING BUILDING ADDITION.....	33,498	33,498
ARMY NATIONAL GUARD		
SEA GIRT		
REGIONAL TRAINING INSTITUTE.....	34,000	34,000
ARMY RESERVE		
JOINT BASE MCGUIRE-DIX-LAKEHURST		
AUTOMATED INFANTRY SQUAD BATTLE COURSE.....	7,400	7,400
NEW MEXICO		
AIR FORCE		
HOLLOMAN AFB		
MQ-9 MAINTENANCE HANGAR.....	25,000	25,000
DEFENSE-WIDE		
CANNON AFB		
MEDICAL/DENTAL CLINIC REPLACEMENT.....	71,023	71,023
SOF AC-130J COMBAT PARKING APRON.....	22,062	22,062
AIR NATIONAL GUARD		
KIRTLAND AFB		
ALTER TARGET INTELLIGENCE FACILITY.....	8,500	8,500
NEW YORK		
ARMY		
FORT DRUM		
AIRCRAFT MAINTENANCE HANGAR.....	95,000	95,000
U.S. MILITARY ACADEMY		
CADET BARRACKS.....	192,000	86,000
DEFENSE-WIDE		
FORT DRUM		
IDT COMPLEX.....	25,900	25,900
SOLDIER SPECIALTY CARE CLINIC.....	17,300	17,300
ARMY NATIONAL GUARD		
STORMVILLE		
COMBINED SUPPORT MAINT SHOP PH1.....	24,000	24,000
NAVY RESERVE		
BROOKLYN		
VEHICLE MAINT. FAC. - BROOKLYN NY.....	4,430	4,430
AIR FORCE RESERVE		
NIAGARA FALLS IAP		
FLIGHT SIMULATOR FACILITY.....	6,100	6,100
NORTH CAROLINA		
ARMY		
FORT BRAGG		
AERIAL GUNNERY RANGE.....	42,000	42,000
INFRASTRUCTURE.....	30,000	---
UNMANNED AERIAL VEHICLE COMPLEX.....	26,000	26,000
NAVY		
CAMP LEJEUNE		
BASE ACCESS AND ROAD - PHASE 3.....	40,904	40,904
STAFF NCO ACADEMY FACILITIES.....	28,986	28,986
CHERRY POINT MARINE CORPS AIR STATION		
ARMORY.....	11,581	11,581
MARINE AIR SUPPORT SQUADRON COMPOUND.....	34,310	34,310
NEW RIVER		
PERSONNEL ADMINISTRATION CENTER.....	8,525	8,525
DEFENSE-WIDE		
CAMP LEJEUNE		
MEDICAL CLINIC REPLACEMENT.....	21,200	21,200
SOF MARINE BATTALION COMPANY/TEAM FACILITIES.....	53,399	53,399
SOF SURVIVAL EVASION RESIST. ESCAPE TNG FAC.....	5,465	5,465
FORT BRAGG		
SOF BATTALION OPERATIONS FACILITY.....	40,481	70,481

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
SOF CIVIL AFFAIRS BATTALION COMPLEX.....	31,373	31,373
SOF SUPPORT ADDITION.....	3,875	3,875
SOF SUSTAINMENT BRIGADE COMPLEX.....	24,693	24,693
SEYMOUR JOHNSON AFB		
MEDICAL CLINIC REPLACEMENT.....	53,600	53,600
REPLACE PIPELINE.....	1,850	1,850
NORTH DAKOTA		
AIR FORCE		
MINOT AFB		
B-52 ADD/ALTER MUNITIONS AGE FACILITY.....	4,600	4,600
OHIO		
ARMY NATIONAL GUARD		
CHILLICOTHE		
FIELD MAINTENANCE SHOP ADD/ALT.....	3,100	3,100
DELAWARE		
READINESS CENTER.....	12,000	12,000
OKLAHOMA		
ARMY		
FORT SILL		
MODIFIED RECORD FIRE RANGE.....	4,900	4,900
ARMY NATIONAL GUARD		
CAMP GRUBER		
OPERATIONS READINESS TRAINING COMPLEX.....	25,000	25,000
PENNSYLVANIA		
DEFENSE-WIDE		
DEF DISTRIBUTION DEPOT NEW CUMBERLAND		
REPLACE COMMUNICATIONS BUILDING.....	6,800	6,800
REPLACE RESERVOIR.....	4,300	4,300
REPLACE SEWAGE TREATMENT PLANT.....	6,300	6,300
SOUTH CAROLINA		
ARMY		
FORT JACKSON		
TRAINEE BARRACKS COMPLEX 2, PH 2.....	24,000	24,000
NAVY		
BEAUFORT		
AIRCRAFT MAINTENANCE HANGAR.....	42,010	42,010
AIRFIELD SECURITY UPGRADES.....	13,675	13,675
GROUND SUPPORT EQUIPMENT SHOP.....	9,465	9,465
RECYCLING/HAZARDOUS WASTE FACILITY.....	3,743	3,743
SIMULATED LHD FLIGHT DECK.....	12,887	12,887
PARRIS ISLAND		
FRONT GATE ATFP IMPROVEMENTS.....	10,135	10,135
DEFENSE-WIDE		
SHAW AFB		
MEDICAL CLINIC REPLACEMENT.....	57,200	57,200
TEXAS		
ARMY		
CORPUS CHRISTI		
AIRCRAFT COMPONENT MAINTENANCE SHOP.....	13,200	13,200
AIRCRAFT PAINT SHOP.....	24,000	24,000
FORT BLISS		
MULTIPURPOSE MACHINE GUN RANGE.....	7,200	7,200
FORT HOOD		
MODIFIED RECORD FIRE RANGE.....	4,200	4,200
TRAINING AIDS CENTER.....	25,000	25,000
UNMANNED AERIAL VEHICLE COMPLEX.....	22,000	22,000
JOINT BASE SAN ANTONIO		
BARRACKS.....	21,000	21,000

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT

AIR FORCE		
JOINT BASE SAN ANTONIO		
DORMITORY (144 RM).....	18,000	18,000
DEFENSE-WIDE		
FORT BLISS		
HOSPITAL REPLACEMENT INCR 4.....	207,400	207,400
JOINT BASE SAN ANTONIO		
AMBULATORY CARE CENTER PHASE 3 INCR.....	80,700	26,400
RED RIVER ARMY DEPOT		
DFAS FACILITY.....	16,715	16,715
NAVY RESERVE		
FORT WORTH		
COMMERCIAL VEHICLE INSPECTION SITE.....	11,256	11,256
UTAH		
AIR FORCE		
HILL AFB		
F-35 ADAL BUILDING 118 FOR FLIGHT SIMULATOR.....	4,000	4,000
F-35 ADAL HANGAR 45W/AMU.....	7,250	7,250
F-35 MODULAR STORAGE MAGAZINES.....	2,280	2,280
DEFENSE-WIDE		
CAMP WILLIAMS		
IC CNCI DATA CENTER 1 INC 4.....	191,414	191,414
ARMY NATIONAL GUARD		
CAMP WILLIAMS		
BEQ FACILITY (REGIONAL TRAINING INSTITUTE).....	15,000	15,000
REGIONAL TRAINING INSTITUTE PH2.....	21,000	21,000
VIRGINIA		
ARMY		
ARLINGTON		
CEMETERY EXPANSION MILLENNIUM SITE.....	84,000	---
FORT BELVOIR		
SECURE ADMIN/OPERATIONS FACILITY.....	94,000	94,000
FORT LEE		
ADV INDIVIDUAL TRAINING BARRACKS CPLX, PH2.....	81,000	81,000
NAVY		
DAHLGREN		
CRUISER/DESTROYER UPGRADE TRAINING FACILITY.....	16,494	16,494
PHYSICAL FITNESS CENTER.....	11,734	11,734
OCEANA NAVAL AIR STATION		
A SCHOOL BARRACKS.....	39,086	39,086
PORTSMOUTH		
DRYDOCK 8 ELECTRICAL DISTRIBUTION UPGRADE.....	32,706	32,706
QUANTICO		
INFRASTRUTURE - WIDEN RUSSELL ROAD.....	14,826	14,826
THE BASIC SCHOOL STUDENT QUARTERS - PHASE 7.....	31,012	31,012
WEAPONS TRAINING BATTALION MESS HALL.....	12,876	12,876
YORKTOWN		
ARMORY.....	4,259	4,259
BACHELOR ENLISTED QUARTERS.....	18,422	18,422
MOTOR TRANSPORTATION FACILITY.....	6,188	6,188
REGIMENTAL HEADQUARTERS.....	11,015	11,015
SUPPLY WAREHOUSE FACILITY.....	8,939	8,939
DEFENSE-WIDE		
JOINT EXPEDITIONARY BASE LITTLE CREEK - STORY		
SOF COMBAT SERVICES SUPPORT FACILITY - EAST.....	11,132	11,132
NORFOLK		
VETERINARY FACILITY REPLACEMENT.....	8,500	8,500
WASHINGTON		
ARMY		
JOINT BASE LEWIS-MCCHORD		
BATTALION COMPLEX.....	73,000	73,000
WASTE WATER TREATMENT PLANT.....	91,000	91,000

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
YAKIMA		
CONVOY LIVE FIRE RANGE.....	5,100	5,100
NAVY		
KITSAP		
EXPLOSIVES HANDLING WHARF #2 (INC).....	280,041	280,041
WHIDBEY ISLAND		
EA-18G FLIGHT SIMULATOR FACILITY.....	6,272	6,272
DEFENSE-WIDE		
FORT LEWIS		
SOF BATTALION OPERATIONS FACILITY.....	46,553	46,553
SOF MILITARY WORKING DOG KENNEL.....	3,967	3,967
ARMY NATIONAL GUARD		
FORT LEWIS		
READINESS CENTER.....	35,000	35,000
ARMY RESERVE		
JOINT BASE LEWIS-MCCHORD		
ARMY RESERVE CENTER.....	40,000	40,000
WEST VIRGINIA		
ARMY NATIONAL GUARD		
LOGAN		
READINESS CENTER.....	14,200	14,200
WISCONSIN		
ARMY NATIONAL GUARD		
WAUSAU		
FIELD MAINTENANCE SHOP.....	10,000	10,000
ARMY RESERVE		
FORT MCCOY		
CENTRAL ISSUE FACILITY.....	12,200	12,200
DINING FACILITY.....	8,600	8,600
ECS TACTICAL EQUIP. MAINT. FACILTY (TEMF).....	27,000	27,000
WYOMING		
AIR NATIONAL GUARD		
CHEYENNE MAP		
C-130 FLIGHT SIMULATOR TRAINING FACILITY.....	6,486	6,486
BAHRAIN ISLAND		
NAVY		
SW ASIA		
COMBINED DINING FACILITY.....	9,819	---
TRANSIENT QUARTERS.....	41,529	---
BELGIUM		
DEFENSE-WIDE		
BRUSSELS		
NATO HEADQUARTERS FACILITY.....	26,969	26,969
DIEGO GARCIA		
NAVY		
DIEGO GARCIA		
COMMUNICATIONS INFRASTRUCTURE.....	1,691	1,691
DJIBOUTI		
NAVY		
CAMP LEMONIER		
CONTAINERIZED LIVING AND WORK UNITS.....	7,510	---
FITNESS CENTER.....	26,960	---
GALLEY ADDITION AND WAREHOUSE.....	22,220	---
JOINT HQ/JOINT OPERATIONS CENTER FACILITY.....	42,730	---
GERMANY		
DEFENSE-WIDE		
RHINE ORDNANCE BARRACKS		
MEDICAL CENTER REPLACEMENT INCR 2.....	127,000	127,000

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
STUTTGART-PATCH BARRACKS		
DISA EUROPE FACILITY UPGRADES.....	2,413	2,413
VOGELWEH		
REPLACE VOGELWEH ELEMENTARY SCHOOL.....	61,415	61,415
WIESBADEN		
WIESBADEN HIGH SCHOOL ADDITION.....	52,178	52,178
GREECE		
NAVY		
SOUDA BAY		
AIRCRAFT PARKING APRON EXPANSION.....	20,493	20,493
INTERMODAL ACCESS ROAD.....	4,630	4,630
GREENLAND		
AIR FORCE		
THULE AB		
DORMITORY (48 PN).....	24,500	24,500
GUAM		
NAVY		
JOINT REGION MARIANAS		
NORTH RAMP PARKING (ANDERSEN AFB) - INC 2.....	25,904	25,904
DEFENSE-WIDE		
ANDERSEN AFB		
UPGRADE FUEL PIPELINE.....	67,500	67,500
ARMY NATIONAL GUARD		
BARRIGADA		
JFHQ PH4.....	8,500	8,500
GUANTANAMO BAY, CUBA		
DEFENSE-WIDE		
GUANTANAMO BAY		
REPLACE FUEL PIER.....	37,600	37,600
REPLACE TRUCK LOAD FACILITY.....	2,600	2,600
ITALY		
ARMY		
CAMP EDERLE		
BARRACKS.....	36,000	36,000
VICENZA		
SIMULATIONS CENTER.....	32,000	32,000
AIR FORCE		
AVIANO AB		
F-16 MISSION TRAINING CENTER.....	9,400	9,400
JAPAN		
ARMY		
OKINAWA		
SATELLITE COMMUNICATIONS FACILITY.....	78,000	78,000
SAGAMI		
VEHICLE MAINTENANCE SHOP.....	18,000	18,000
NAVY		
IWAKUNI		
MAINTENANCE HANGAR IMPROVEMENTS.....	5,722	5,722
VERTICAL TAKE-OFF AND LANDING PAD NORTH.....	7,416	7,416
OKINAWA		
BACHELOR QUARTERS.....	8,206	8,206
DEFENSE-WIDE		
CAMP ZAMA		
RENOVATE ZAMA HIGH SCHOOL.....	13,273	13,273
KADENA AB		
REPLACE ELEMENTARY SCHOOL.....	71,772	71,772
REPLACE STEARLEY HEIGHTS ELEMENTARY SCHOOL.....	71,773	71,773
SASEBO		
REPLACE SASEBO ELEMENTARY SCHOOL.....	35,733	35,733

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT
ZUKERAN		
REPLACE ZUKERAN ELEMENTARY SCHOOL.....	79,036	79,036
KOREA		
ARMY		
CAMP HUMPHREYS		
BATTALION HEADQUARTERS COMPLEX.....	45,000	45,000
DEFENSE-WIDE		
KUNSAN AIR BASE		
MEDICAL/DENTAL CLINIC ADDITION.....	13,000	13,000
OSAN AFB		
HOSPITAL ADDITION/ALTERATION.....	34,600	34,600
REPLACE OSAN ELEMENTARY SCHOOL.....	42,692	42,692
PORTUGAL		
AIR FORCE		
LAJES AFB		
SANITARY SEWER LIFT/PUMP STATION.....	---	2,000
PUERTO RICO		
ARMY NATIONAL GUARD		
CAMP SANTIAGO		
READINESS CENTER.....	3,800	3,800
CEIBA		
REFILL STATION BUILDING.....	2,200	2,200
GUAYNABO		
READINESS CENTER (JFHQ).....	15,000	15,000
GURABO		
READINESS CENTER.....	14,700	14,700
ROMANIA		
NAVY		
DEVESELU, ROMANIA		
AEGIS ASHORE MISSILE DEFENSE COMPLEX.....	45,205	45,205
DEFENSE-WIDE		
DEVESELU, ROMANIA		
AEGIS ASHORE MISSILE DEFENSE SYSTEM COMPLEX.....	157,900	120,000
SPAIN		
NAVY		
ROTA		
GENERAL PURPOSE WAREHOUSE.....	3,378	3,378
HIGH EXPLOSIVE MAGAZINE.....	13,837	13,837
AIR FORCE		
ROTA		
TRANSIENT CONTINGENCY DORMITORY.....	---	---
TRANSIENT AIRCRAFT HANGARS.....	---	---
UNITED KINGDOM		
DEFENSE-WIDE		
MENWITH HILL STATION		
MHS UTILITIES AND ROADS.....	3,795	3,795
REPLACE MENWITH HILL ELEMENTARY/HIGH SCHOOL.....	46,488	46,488
RAF FELTWELL		
FELTWELL ELEMENTARY SCHOOL ADDITION.....	30,811	30,811
RAF MILDENHALL		
SOF CV-22 SIMULATOR FACILITY.....	6,490	6,490
NATO SECURITY INVESTMENT PROGRAM	254,163	254,163
WORLDWIDE UNSPECIFIED		
ARMY		
HOST NATION SUPPORT	34,000	34,000
MINOR CONSTRUCTION	25,000	25,000
PLANNING AND DESIGN	65,173	46,173

MILITARY CONSTRUCTION (AMOUNTS IN THOUSANDS)		
	BUDGET REQUEST	CONFERENCE AGREEMENT

NAVY		
PLANNING AND DESIGN	102,619	102,619
MINOR CONSTRUCTION	16,535	16,535
BAMS OPERATIONAL FACILITIES.....	34,048	34,048
AIR FORCE		
PLANNING AND DESIGN	18,635	18,635
MINOR CONSTRUCTION	18,200	18,200
SANITARY SEWER LIFT/PUMP STATION.....	2,000	---
TRANSIENT CONTINGENCY DORMITORY.....	17,625	---
TRANSIENT AIRCRAFT HANGARS.....	15,032	---
DEFENSE-WIDE		
CONTINGENCY CONSTRUCTION	10,000	---
RESCISSION.....	---	-20,000
ENERGY CONSERVATION INVESTMENT PROGRAM	150,000	150,000
PLANNING AND DESIGN		
DEFENSE LEVEL ACTIVITIES.....	47,978	37,978
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION.....	105,569	105,569
ENERGY CONSERVATION INVESTMENT PROGRAM.....	---	10,000
NATIONAL SECURITY AGENCY.....	8,300	8,300
SPECIAL OPERATIONS COMMAND.....	27,620	27,620
TRICARE MANAGEMENT ACTIVITY.....	105,700	105,700
WASHINGTON HEADQUARTERS SERVICE.....	7,928	7,928
MISSILE DEFENSE AGENCY.....	4,548	4,548
DEFENSE INTELLIGENCE AGENCY.....	2,919	2,919
DEFENSE LOGISTICS AGENCY.....	5,000	5,000
SUBTOTAL, PLANNING AND DESIGN.....	315,562	315,562
UNSPECIFIED MINOR CONSTRUCTION		
DEFENSE LOGISTICS AGENCY.....	7,254	7,254
DEPARTMENT OF DEFENSE DEPENDENT EDUCATION.....	4,091	4,091
NATIONAL SECURITY AGENCY.....	3,000	3,000
JOINT CHIEFS OF STAFF.....	6,440	6,440
SPECIAL OPERATIONS COMMAND.....	10,000	10,000
TRICARE MANAGEMENT ACTIVITY.....	5,000	5,000
DEFENSE LEVEL ACTIVITIES.....	3,000	3,000
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION.....	38,785	38,785
ARMY NATIONAL GUARD		
PLANNING AND DESIGN	26,622	26,622
MINOR CONSTRUCTION	15,057	15,057
AIR NATIONAL GUARD		
PLANNING AND DESIGN	4,000	4,000
MINOR CONSTRUCTION	5,900	5,900
ARMY RESERVE		
PLANNING AND DESIGN	15,951	15,951
MINOR CONSTRUCTION	10,895	10,895
NAVY RESERVE		
PLANNING AND DESIGN	2,118	2,118
AIR FORCE RESERVE		
PLANNING AND DESIGN	2,879	2,879
MINOR CONSTRUCTION	2,000	2,000
FAMILY HOUSING, ARMY		
PLANNING AND DESIGN	4,641	4,641
SUBTOTAL, CONSTRUCTION	4,641	4,641

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	88,112	88,112
SERVICES ACCOUNT	13,487	13,487
MANAGEMENT ACCOUNT	56,970	56,970
MISCELLANEOUS ACCOUNT	620	620
FURNISHINGS ACCOUNT	31,785	31,785
LEASING	203,533	203,533
MAINTENANCE OF REAL PROPERTY	109,534	109,534
PRIVATIZATION SUPPORT COSTS	26,010	26,010
SUBTOTAL, OPERATION AND MAINTENANCE	530,051	530,051
FAMILY HOUSING, NAVY AND MARINE CORPS		
CONSTRUCTION IMPROVEMENTS	97,655	97,655
PLANNING AND DESIGN	4,527	4,527
SUBTOTAL, CONSTRUCTION	102,182	102,182
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	80,860	80,860
SERVICES ACCOUNT	19,615	19,615
MANAGEMENT ACCOUNT	62,741	62,741
MISCELLANEOUS ACCOUNT	491	491
FURNISHINGS ACCOUNT	17,697	17,697
LEASING	83,774	83,774
MAINTENANCE OF REAL PROPERTY	85,254	85,254
PRIVATIZATION SUPPORT COSTS	27,798	27,798
SUBTOTAL, OPERATION AND MAINTENANCE	378,230	378,230
FAMILY HOUSING, AIR FORCE		
CONSTRUCTION IMPROVEMENTS	79,571	79,571
PLANNING AND DESIGN	4,253	4,253
SUBTOTAL, CONSTRUCTION	83,824	83,824
OPERATION AND MAINTENANCE		
UTILITIES ACCOUNT	75,662	75,662
MANAGEMENT ACCOUNT	55,002	55,002
SERVICES ACCOUNT	16,550	16,550
FURNISHINGS ACCOUNT	37,878	37,878
MISCELLANEOUS ACCOUNT	1,943	1,943
LEASING	62,730	62,730
MAINTENANCE	201,937	201,937
PRIVATIZATION SUPPORT COSTS	46,127	46,127
SUBTOTAL, OPERATION AND MAINTENANCE	497,829	497,829
FAMILY HOUSING, DEFENSE-WIDE		
OPERATION AND MAINTENANCE		
NATIONAL SECURITY AGENCY		
UTILITIES	12	12
FURNISHING	66	66
LEASING	10,822	10,822
MAINTENANCE OF REAL PROPERTY	73	73
DEFENSE INTELLIGENCE AGENCY		
FURNISHINGS	4,660	4,660
LEASING	35,333	35,333
DEFENSE LOGISTICS AGENCY		
UTILITIES	283	283
FURNISHINGS	422	422
MAINTENANCE OF REAL PROPERTY	567	567
SUBTOTAL, OPERATION AND MAINTENANCE	52,238	52,238
DOD FAMILY HOUSING IMPROVEMENT FUND	1,786	1,786

MILITARY CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE AGREEMENT

BASE REALIGNMENT AND CLOSURE		
BASE REALIGNMENT AND CLOSURE ACCOUNT, 1990.....	349,396	409,396
BASE REALIGNMENT AND CLOSURE ACCOUNT, 2005.....	126,697	126,697
RESCISSION BASE REALIGNMENT AND CLOSURE, 2005.....	---	-132,513

SUBTOTAL, BRAC.....	476,093	403,580
NAVY LAND TRANSFER (SEC. 132).....	---	11,000

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

Budget justification requirements.—The conferees believe that the Department of Veterans Affairs (VA) must strengthen its presentation of budget justification materials in several areas. The conferees concur in the direction of the Senate regarding the budget detail for components of the Veterans Health Administration (VHA) such as the VHA central office, Veterans Integrated Service Network (VISN) staff offices and centralized field support offices. The conferees request VA to provide more detailed information about the Board of Veterans Appeals staffing and claims workloads, and require the data requested in the House report pertaining to full-time equivalents and funding within administrative line items. The conferees also require a breakout of all reimbursable or cost sharing arrangements exceeding \$5,000,000 in value that are in place for cross-cutting efforts across the Department.

VETERANS BENEFITS ADMINISTRATION
COMPENSATION AND PENSIONS

(Including Transfer of Funds)

The conference agreement appropriates \$60,599,855,000 for Compensation and Pensions. The agreement reflects new estimates provided in the Administration's mid-session review. Of the amount provided, not more than \$9,204,000 is to be transferred to General Operating Expenses, Veterans Benefits Administration and Information Technology Systems, for reimbursement of necessary expenses in implementing provisions of title 38.

READJUSTMENT BENEFITS

The conference agreement appropriates \$12,023,458,000 for Readjustment Benefits. The agreement reflects new estimates provided in the Administration's mid-session review. The agreement provides full funding for the Veterans Retraining Assistance Program (VRAP), for which the Department of Veterans Affairs (VA) estimates it will obligate more than \$1,100,000,000 in fiscal year 2013.

VETERANS INSURANCE AND
INDEMNITIES

The conference agreement appropriates \$104,600,000 for Veterans Insurance and Indemnities.

VETERANS HOUSING BENEFIT PROGRAM
FUND

The conference agreement appropriates such sums as may be necessary for costs associated with direct and guaranteed loans for the Veterans Housing Benefit Program Fund. The agreement limits obligations for direct loans to not more than \$500,000 and provides that \$157,814,000 shall be available for administrative expenses.

VOCATIONAL REHABILITATION LOANS
PROGRAM ACCOUNT

The conference agreement appropriates \$19,000 for the cost of direct loans from the Vocational Rehabilitation Loans Program Account, plus \$346,000 to be paid to the appropriation for General Operating Expenses, Veterans Benefits Administration. The agreement provides for a direct loan limitation of \$2,729,000.

NATIVE AMERICAN VETERAN HOUSING
LOAN PROGRAM ACCOUNT

The conference agreement appropriates \$1,089,000 for administrative expenses of the Native American Veteran Housing Loan Program Account.

VETERANS HEALTH ADMINISTRATION
AREAS OF INTEREST

Advance appropriation budgeting.—The conferees believe the Department must provide

more detailed explanations within its budget justification so the Committees on Appropriations of the House of Representatives and the Senate ("Committees") will have an accurate and complete view of how its advance funding requests were determined. The conferees concur in the data requirements for advance funding described in the Senate report.

Reprogramming for medical care initiatives.—The conference agreement includes an administrative provision requiring the Department to submit a reprogramming request whenever funding allocated in the fiscal year 2013 expenditure plan for a medical care initiative differs by more than \$25,000,000 from the allocation shown in the 2013 congressional budget justification. Due to the nature of advance appropriations, the Department submits its budget request almost seven full fiscal year quarters before the funding becomes available for obligation. The conferees understand that medical care funding is dynamic in nature and that this length of time between budget submission and obligation creates a situation in which funding priorities and needs may change. However, the conferees believe this has limited the Committees' ability to provide proper budget oversight of initiatives which are budgeted outside of the actuarial model. Therefore, the conferees expect the submission of reprogramming requests throughout the year identifying current year estimates whenever the Department intends to make significant funding shifts within these initiatives. The term "medical care initiative" in the bill language refers only to the initiatives, not legislative proposals, in the "Initiatives/Legislative Proposals" section of the VA Medical Care Obligations by Program display on page 1A -5 of Volume 2 of the fiscal year 2013 budget justification. The bill language does not refer to special purpose funds allocated outside the Veterans Equitable Resource Allocation model. The Committees request that reprogrammings be identified only in the aggregate and not by specific project or location.

The conferees concur with the Senate direction regarding life cycle costs as it relates to the acquisition of batteries and directs that the reporting requirement contained in the Senate report be submitted no later than 180 days after enactment of this Act.

MEDICAL SERVICES

The conference agreement appropriates \$43,557,000,000 in advance for fiscal year 2014 for Medical Services. The agreement also provides \$155,000,000 for fiscal year 2013 in addition to the advance appropriation provided last year. The conference report includes bill language citing new authority for services for those affected by drinking water contamination at Camp Lejeune, NC. Additional fiscal year 2013 funding is provided for hiring mental health providers and offsetting a projected decline in revenues.

The conference agreement provides \$1,351,851,000 in fiscal year 2014 to fully implement VA homeless assistance programs, including the providers grant and per diem, domiciliary care for homeless veterans, and the HUD-VA supported housing program. In addition, the agreement provides \$4,816,132,000 for homeless veteran treatment costs in fiscal year 2014.

The conference agreement provides the full fiscal year 2014 request of \$6,453,027,000 for mental health programs, including \$443,332,000 for post-traumatic stress disorder (PTSD), \$246,400,000 for traumatic brain injury, and \$75,605,000 for suicide prevention.

The conferees support the VA effort to hire an additional 1,600 mental health clinicians and 300 support staff as part of an ongoing review of mental health operations. The conferees direct the VA to provide the Committees, no later than 60 days after enactment of this Act, a detailed staffing plan and timeline to add these additional personnel.

The conference agreement provides \$250,000,000 for the Office of Rural Health. The conferees acknowledge that the VA is making substantial efforts to improve access and quality of care for rural areas, but are concerned that significant gaps remain. To address the ongoing challenges in recruiting and retaining highly qualified healthcare professionals in rural areas, the conferees urge the VA to consider innovative ways to rotate practitioners through rural areas, including the approaches suggested in the Senate report. Secondly, the conferees urge the VA to move expeditiously in its implementation of the grant program that will allow veterans service organizations to provide better transportation options for rural veterans seeking care at VA facilities. Finally, the conferees urge the VA to thoroughly test the approach for providing non-VA care in rural facilities that is being demonstrated in the Access Received Closer to Home program (Project ARCH) and consider expanding Project ARCH's reach.

The conferees concur with the direction of the House regarding an annual report detailing the distribution of medical services funding among the VISNs, central headquarters, and medical centers.

The conferees understand that the time period for the Office of Management and Budget's (OMB) review of the regulation establishing VA participation in State prescription drug monitoring boards has expired. The conferees urge OMB to facilitate publication of the regulation so that the program may be implemented before the end of the calendar year.

The conferees urge the VA to work in conjunction with the Department of Justice's veterans treatment courts program to provide collaborative, rehabilitative approaches for continuing judicial supervision over offenders who are veterans.

MEDICAL SUPPORT AND COMPLIANCE

The conference agreement appropriates \$6,033,000,000 in advance for fiscal year 2014 for Medical Support and Compliance.

MEDICAL FACILITIES

The conference agreement appropriates \$4,872,000,000 in advance for fiscal year 2014 for Medical Facilities.

In March of 2012, the Committees were notified that contracting errors were made in the Solicitation for Offers to build the Community Based Outpatient Clinics (CBOCs) in Southwest Louisiana. These errors have resulted in delays in the opening of the Lake Charles CBOC and the expansion of the Lafayette CBOC. The conferees direct the Department to continue to provide the Committees regular updates on the progress being made to correct the errors and to complete these CBOCs in an expeditious manner.

MEDICAL AND PROSTHETIC RESEARCH

The conference agreement appropriates \$582,674,000 for Medical and Prosthetic Research.

NATIONAL CEMETERY ADMINISTRATION

The conference agreement appropriates \$258,284,000 for the National Cemetery Administration (NCA). Of the amount provided, \$25,828,000 is available until September 30, 2014.

The conferees are concerned that the NCA is not adequately serving the Nation's veterans in rural areas. While the strategy to serve rural veterans outlined in the fiscal year 2013 budget request is a partial step, it fails to offer a long-term strategy for addressing this underserved veteran population. The conferees are concerned that the NCA places undue emphasis on major urban areas whereas the NCA's effort toward rural areas appears to be a lower priority. As a result, the conference agreement includes bill language requiring the Secretary to provide a report to the Committees within 180 days of enactment of this Act outlining a strategy to address the shortcomings identified in House Report 112-491, with proposed policies and an implementation timeframe. In addition, the conference agreement requires the Government Accountability Office to conduct a review of this strategy and submit it to the Committees not later than 180 days after the Committees receive the strategy.

The conference agreement includes bill language directing the Secretary to issue guidelines on committal services at VA national cemeteries to ensure that veterans' families may hold committal services with any religious or secular content they desire and invite the participation of an honor guard and veterans service organizations, subject to VA security, safety, and law enforcement regulations. The agreement also restricts VA from editing or controlling the content of speeches at events at national cemeteries, subject to VA authorities provided in section 2413 of title 38, United States Code.

DEPARTMENTAL ADMINISTRATION
GENERAL ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates \$424,737,000 for General Administration. Of the amount provided, \$20,837,000 is available for obligation until September 30, 2014. The conference agreement includes bill language permitting the transfer of funds from this account to "General Operating Expenses, Veterans Benefits Administration."

The conference agreement includes bill language designating that not less than \$86,006,000 is provided for the Board of Veterans Appeals. The conferees direct the Department to provide to the Committees within 30 days of enactment of this Act a fiscal year 2013 staffing plan and detailed strategic plan to address wait time and backlogs at the Board of Veterans Appeals.

The conference agreement includes bill language indicating that such sums as may be necessary are provided so that the Department may comply with the energy management requirements under the National Energy Conservation Policy Act.

The conference agreement includes the following funding levels:

(In thousands of dollars)	
	Conference
Office of the Secretary	10,085
Board of Veterans Appeals	86,006
Office of General Counsel	83,099
Office of Management	45,598
Office of Human Resources	70,379
Office of Policy and Planning	26,015
Office of Operations, Security and Preparedness	18,510
Office of Public and Intergovernmental Affairs	23,037
Office of Congressional Affairs and Legislative Affairs	6,302
Office of Acquisition, Logistics and Construction	55,706
Total	424,737

The conferees concur with the House language for the Major Construction account regarding a report on the contract audit pro-

gram for construction projects and the periodic reporting done by building contractors and intend that the report be provided by the VA central office. The conferees also concur with the Senate language for the General Administration account requesting a report outlining processes that are in place to ensure proper oversight of construction, including which components of central oversight are performed outside of the various VA administrations and whether spot audits are performed in the field.

The conferees concur with House language regarding the VA budget office being the primary communication source within the VA to the Committees and their Members.

GENERAL OPERATING EXPENSES,
VETERANS BENEFITS ADMINISTRATION

The conference agreement appropriates \$2,164,074,000 for General Operating Expenses, Veterans Benefits Administration. The agreement makes available not to exceed \$113,000,000 of this funding until the end of fiscal year 2014.

The lengthy wait time and persistent backlog of claims at the Veterans Benefits Administration (VBA) continue to impose an unacceptable burden on disabled veterans. The conferees understand that the Department has set 2015 as the date by which it plans to achieve a significant reduction in the backlog of claims and to increase the accuracy rate at all regional offices to 98 percent. The conferees concur with direction and reporting requirements in the Senate report and direct the Department to submit one report 90 days after enactment of this Act containing: (1) the metrics developed for evaluating the success in reducing the backlog of claims and the average adjudication time by utilizing external vendors in specific areas of collecting claims materials; (2) the wait times, accuracy rates, and backlog of disability claims decisions at all 57 regional offices; (3) how the quality-review teams and the quality initiatives at each regional office have affected the performance, wait times, and rates at each location; and (4) the specific metrics the VBA uses in determining personnel performance.

The conferees direct the Department to provide quarterly reports on the implementation of the Veterans Benefits Management System (VBMS) and how the implementation has increased the efficiency and timeliness of VBA claims processing, with the quarterly reports including the number and location of the regional offices that have adopted the paperless claims processing system and the rollout of the individual improved business processes.

Recent findings by the Department of Veterans Affairs Office of Inspector General that the Oakland, Los Angeles and San Diego, California VA Regional Offices have high error rates and claims processing times compared to other regional offices across the Nation is unacceptable. For example, the Inspector General found that 80 percent of claims reviewed in the Los Angeles office were unnecessarily delayed and that in one case a claim in Oakland had been pending for 8 years. The conferees concur with the direction in the Senate report and direct the Department to submit a report to the Committees no later than 90 days after enactment of this Act detailing how the Inspector General's recommendations are being implemented at these Regional Offices. The report shall also include an explanation about why the Los Angeles office is currently operating in what is referred to as "safe mode," which means that staff is not held accountable to VA standards.

INFORMATION TECHNOLOGY SYSTEMS
(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates \$3,327,444,000 for Information Technology (IT) Systems. The agreement identifies separately in bill language the funding available for pay (\$1,021,000,000); operations and maintenance (\$1,812,045,000); and systems development, modernization, and enhancement (\$494,399,000). The agreement makes \$30,630,000 of pay funding available until the end of fiscal year 2014; \$126,000,000 of operations and maintenance funding available until the end of fiscal year 2014; and all IT systems development, modernization and enhancement funding available until the end of fiscal year 2014.

The conference agreement includes bill language prohibiting the obligation of IT development, modernization, and enhancement funding until the VA submits a certification of the amounts to be obligated, in part or in full, for each development project.

The conference agreement includes bill language permitting funding made available for the three IT subaccounts to be transferred among them after the VA requests and receives approval from the Committees.

The conference agreement includes bill language providing that funding may be transferred between development projects or to new projects subject to the Committees' approval.

The conference agreement includes bill language restricting the amount of funding that may be obligated to develop the integrated Department of Defense/Department of Veterans Affairs (DOD-VA) integrated electronic health record (iEHR) to 25 percent of the funding provided until the DOD-VA Interagency Program Office (IPO) provides the Committees an expenditure plan including elements such as a long-term roadmap for the life of the project, with annual and total spending for each Department and quarterly milestones. The expenditure plan should also be submitted to the Government Accountability Office (GAO) for review. The Department of Defense Appropriations Act has comparable bill language.

The conferees are concerned that after four years of working to establish a joint framework to collaborate and develop an integrated electronic health record, the two Departments still seem to be operating as separate entities. The conferees support the creation of the IPO and recognize this office as the single point of accountability for the development and implementation of the integrated electronic health record for both Departments. Unfortunately, since the creation of the IPO and the naming of a director, the conferees have seen little benefit from establishing this office, since both Departments still appear to operate as separate entities. Despite repeated inquiries, neither of the Departments nor the IPO has been able to provide Congress with a firm total cost of the integrated system. The conferees are concerned that the IPO is unable to maintain focus on its defined goals, provide effective governance, manage and maintain accountability on behalf of both Departments, and provide Congress with detailed expenditure plans as well as information regarding progress and future plans for this project.

As a result, the conferees direct the IPO to deliver to the congressional defense committees, the Senate and House Subcommittees on Appropriations for Military Construction, Veterans Affairs, and Related Agencies, and to the GAO a quarterly report that includes a detailed, plain English narrative explanation of the cost and schedule of the iEHR

development, to include milestones, knowledge points, and acquisition timelines as it impacts both Departments, as well as quarterly obligation reports. The conferees also direct the IPO to continue briefing the Committees on a quarterly basis. The conferees further direct the GAO to review these quarterly reports and provide an annual report to the congressional defense committees and the Senate and House Subcommittees on Ap-

propriations for Military Construction, Veterans Affairs, and Related Agencies on the cost and schedule of the iEHR.

As part of the VA's modernization effort, the Department plans to replace its current automated appointment scheduling system with a modern application. The conferees support this effort, however, remain concerned that the VA has not developed a clear strategy aimed at replacing this system.

Therefore the conferees direct the Department to submit a report to the Committees detailing the timeline, cost estimate, and implementation strategy for replacing the scheduling system.

The conferees include bill language making funds available for IT development, modernization, and enhancement for the projects and in the amounts specified in the following table:

Information Technology Development Projects

(\$ in 000s)

Project	Conf. Agreement
Access to Healthcare IT Development	40,313
Surgical Quality and Workflow Management Development	27,503
Healthcare Efficiency IT Development	4,659
Homelessness IT Development	3,075
Integrated Electronic Health Record (iEHR)	104,000
Mental Health IT Development	8,818
New Models of Care IT Development	35,724
Veterans Benefits Management System (VBMS)	38,525
Virtual Lifetime Electronic Record (VLER)	49,939
Veterans Relationship Management (VRM)	96,218
Health Management Platform Development	7,500
International Classification of Diseases-10 Development	11,500
VHA Research IT Support Development	18,521
Human Capital Development	9,100
Integrated Operating Model	14,100
VA Learning Management Systems Development	5,540
Other IT Development	19,364
Total All Development	494,399

The conferees intend this table to serve as the Department's approved list of development projects; any requested changes are subject to reprogramming guidelines.

The conference agreement directs the Department to submit an expenditure plan to the Committees within 30 days of enactment of this Act. This plan should be in the same format as the table above.

OFFICE OF INSPECTOR GENERAL

The conference agreement appropriates \$115,000,000 for the Office of Inspector General. Of the amount provided, \$6,000,000 is available for obligation until September 30, 2014. The conferees intend the increase above the budget request to be used for review of VA spending on conferences, the NCA rural cemetery strategy, and VHA audit and field review activities.

CONSTRUCTION, MAJOR PROJECTS

The conference agreement appropriates \$532,470,000 for Construction, Major Projects. The agreement makes this funding available for five years, except that \$30,000,000 is made available until expended.

The conferees are pleased that the Department has already begun to transition major construction to a five-year funding cycle. During this implementation period, the conferees provide extended availability for a small amount of the funding while the VA reaches the requirement that project design be 35 percent complete prior to requesting construction funding. The extended availability will protect VA investment if unanticipated circumstances mandate expenditures beyond the five-year project window.

The conference agreement funds the following items as requested in the budget submission:

Project	Conference agreement
Veterans Health Admin (VHA):	
St. Louis, MO medical facility improvements	\$130,300,000
Palo Alto, CA polytrauma/ambulatory care building	177,823,000
Seattle, WA mental health building	55,000,000
Dallas, TX spinal cord injury building	33,500,000
Advance Planning Fund	70,000,000
Asbestos	8,000,000
Major Construction Staff	24,000,000
Claims Analysis	2,000,000
Facility Security	7,200,000
Hazardous Waste	5,000,000
Judgment Fund	5,000,000
Total VHA	517,823,000
National Cemetery Admin (NCA):	
Advance Planning Fund	2,647,000
NCA Land Acquisition Fund	7,000,000
Total NCA	9,647,000
General Admin staff offices advance planning fund	5,000,000
Major construction total	532,470,000

The conferees direct the VA to submit a master plan at the time of the budget submission describing each major construction project included in the budget. The plan should include the projected timeline for completion of each component of each of the projects and the annual and total cost of each project. The format of the DOD Form 1391 is a good model for the VA to use to describe clearly and completely the expected obligations for each project.

CONSTRUCTION, MINOR PROJECTS

The conference agreement appropriates \$607,530,000 for Construction, Minor Projects. The agreement makes this funding available for five years. The agreement provides \$506,332,000 for the Veterans Health Administration; \$58,100,000 for the National Cemetery Administration; \$13,405,000 for the General

Administration—Staff Offices; and \$29,693,000 for the Veterans Benefits Administration.

The conferees direct the Department to provide to the Committees an expenditure plan for this account within 30 days of enactment of this Act.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

The conference agreement appropriates \$85,000,000 for Grants for Construction of State Extended Care Facilities.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

The conference agreement appropriates \$46,000,000 for Grants for Construction of Veterans Cemeteries.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

The conference agreement includes section 201 allowing for transfers among the three mandatory accounts.

The conference agreement includes section 202 allowing for the transfer of funds among the three medical accounts.

The conference agreement includes section 203 allowing salaries and expenses funds to be used for related authorized purposes.

The conference agreement includes section 204 restricting the use of funds for the acquisition of land.

The conference agreement includes section 205 limiting the use of funds in the Medical Services account only for entitled beneficiaries unless reimbursement is made to the Department.

The conference agreement includes section 206 allowing for the use of certain mandatory appropriations accounts for payment of prior year accrued obligations for those accounts.

The conference agreement includes section 207 allowing the use of appropriations available in this title to pay prior year obligations.

The conference agreement includes section 208 allowing the Department to use surplus earnings from the National Service Life Insurance Fund, the Veterans' Special Life Insurance Fund, and the United States Government Life Insurance Fund to administer these programs.

The conference agreement includes section 209 allowing the Department to cover the administrative expenses of enhanced-use leases and provides authority to obligate these reimbursements in the year in which the proceeds are received.

The conference agreement includes section 210 limiting the amount of reimbursement the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication can charge other offices of the Department for services provided.

The conference agreement includes section 211 limiting the use of funds for any lease with an estimated annual rental cost of more than \$1,000,000 unless approved by the Committees.

The conference agreement includes section 212 requiring the Department to collect third-party payer information for persons treated for a non-service connected disability.

The conference agreement includes section 213 allowing for the use of enhanced-use leasing revenues for Construction, Major Projects and Construction, Minor Projects.

The conference agreement includes section 214 outlining authorized uses for medical services funds.

The conference agreement includes section 215 allowing for funds deposited into the Medical Care Collections Fund to be transferred to the Medical Services account.

The conference agreement includes section 216 which allows Alaskan veterans to use medical facilities of the Indian Health Service or tribal organizations.

The conference agreement includes section 217 providing for the transfer of funds from the Department of Veterans Affairs Capital Asset Fund to the Construction, Major Projects and Construction, Minor Projects accounts and makes those funds available until expended.

The conference agreement includes section 218 prohibiting the use of funds for any policy prohibiting the use of outreach or marketing to enroll new veterans.

The conference agreement includes section 219 requiring the Secretary to submit quarterly reports on the financial status of the Veterans Health Administration.

The conference agreement includes section 220 requiring the Department to notify and receive approval from the Committees of any proposed transfer of funding to or from the Information Technology Systems account.

The conference agreement includes section 221 prohibiting any funds to be used to contract out any function performed by more than ten employees without a fair competition process.

The conference agreement includes section 222 limiting the obligation of non-recurring maintenance funds during the last two months of the fiscal year.

The conference agreement includes section 223 providing up to \$247,356,000 for transfer to the joint DOD-VA Medical Facility Demonstration Fund.

The conference agreement includes section 224 which authorizes transfers from the Medical Care Collections Fund to the joint DOD-VA Demonstration Fund.

The conference agreement includes section 225 which transfers at least \$15,000,000 from VA medical accounts to the DOD-VA health care sharing incentive fund.

The conference agreement includes section 226 which rescinds fiscal year 2013 medical account funding and re-appropriates it to be available for two years. The provision rescinds and re-appropriates \$1,500,000,000 for Medical Services, \$200,000,000 for Medical Support and Compliance, and \$250,000,000 for Medical Facilities.

The conference agreement includes section 227 requiring that the Department notify the Committees of bid savings in major construction projects of at least \$5,000,000 or 5 percent within 14 days of a contract identifying the programmed amount.

The conference agreement includes section 228 which prohibits the VA from increasing the scope of work for a major construction project above the scope specified in the original budget request.

The conference agreement includes section 229 requiring the Secretary to report to the Committees each quarter about any single national outreach and awareness marketing campaign exceeding \$2,000,000.

The conference agreement includes section 230 requiring the VA to submit a reprogramming request whenever funding allocated in the expenditure plan for a Medical Care initiative differs by more than \$25,000,000 from the allocation shown in the 2013 congressional budget justification.

The conference agreement includes section 231 prohibiting the use of funds in the Act for any contract using procedures that do not give to small business concerns owned and controlled by veterans any preference with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans.

The conference agreement includes section 232 clarifying that Medical Services funds appropriated in advance for fiscal year 2013 may be used for newly authorized services for those affected by drinking water contamination at Camp Lejeune, NC.

TITLE III
RELATED AGENCIES
AMERICAN BATTLE MONUMENTS
COMMISSION
SALARIES AND EXPENSES

The conference agreement includes \$62,929,000 for Salaries and Expenses of the American Battle Monuments Commission. The conference agreement provides an additional \$4,529,000 above the budget request to be used for additional engineering and maintenance projects and interpretive activities.

FOREIGN CURRENCY FLUCTUATIONS
ACCOUNT

The conference agreement includes such sums as necessary, estimated at \$15,200,000, for the Foreign Currency Fluctuations Account.

UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS
SALARIES AND EXPENSES

The conference agreement includes \$32,481,000 for Salaries and Expenses.

Pro Bono Program.—The conferees direct that the Veterans Consortium Pro Bono program provide an annual report to the Committees that includes the expenditure plan for funds provided by this agreement not

later than 60 days after the enactment of this Act.

DEPARTMENT OF DEFENSE—CIVIL
CEMETERIAL EXPENSES, ARMY
SALARIES AND EXPENSES

The budget request proposed to fund Arlington National Cemetery through three accounts: \$25,000,000 to be provided through Operation and Maintenance, Army, \$103,000,000 to be provided through Military Construction, Army, and \$45,800,000 to be provided through Cemeterial Expenses, Army for a total of \$173,800,000. The conferees provide \$65,800,000 for Salaries and Expenses, which includes \$20,000,000 to address the maintenance and infrastructure repairs proposed for funding through Operation and Maintenance, Army. Language is included to make \$27,000,000 available until September 30, 2015 instead of providing all funds as available until expended. The conference agreement also establishes a new construction account.

CONSTRUCTION

The conference agreement provides \$103,000,000 for construction and language has been included to make these funds available until September 30, 2017. The budget request proposed to fund these projects through Military Construction, Army.

ARMED FORCES RETIREMENT HOME
TRUST FUND

The conference agreement includes \$67,590,000 for the Armed Forces Retirement Home, to be derived from the Trust Fund.

ADMINISTRATIVE PROVISION

The conference agreement includes section 301 permitting funds to be provided to Arlington County, Virginia for the relocation of a water main located on the Arlington National Cemetery property.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS
DEPARTMENT OF DEFENSE

The conference agreement includes title IV, Overseas Contingency Operations. Title IV provides funding for certain military construction projects in the Central Command and Africa Command Areas of Responsibility that were requested in title I, Military Construction, in the budget submission. The conferees agree that the projects transferred to title IV are necessary to support the global war on terrorism and should be designated as overseas contingency operations functions.

MILITARY CONSTRUCTION, NAVY AND
MARINE CORPS

The conference agreement appropriates \$150,768,000 for Military Construction, Navy and Marine Corps.

ADMINISTRATIVE PROVISION

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes section 401 rescinding unobligated balances from section 2005 in title X, of Public Law 112–10 and division H in title IV, of Public Law 112–74 in the specific amount of \$150,768,000.

OVERSEAS CONTINGENCY OPERATIONS
(AMOUNTS IN THOUSANDS)

CONFERENCE
AGREEMENT

TITLE IV
FY 2013 OVERSEAS CONTINGENCY OPERATIONS

BAHRAIN ISLAND

NAVY

SW ASIA

COMBINED DINING FACILITY.....	9,819
TRANSIENT QUARTERS.....	41,529

DJIBOUTI

NAVY

CAMP LEMONIER

CONTAINERIZED LIVING AND WORK UNITS.....	7,510
FITNESS CENTER.....	26,960
GALLEY ADDITION AND WAREHOUSE.....	22,220
JOINT HQ/JOINT OPERATIONS CENTER FACILITY.....	42,730

RESCISSION FROM SECTION 2005 IN TITLE X OF P.L. 112-10 AND TITLE IV OF DIVISION H P.L. 112-74....	-150,768
--	----------

TOTAL.....	---
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Note: Funding for these projects was requested and is displayed in title I, Military Construction. The recommendation provides the requested level of funding for these projects in title IV.

TITLE V

GENERAL PROVISIONS

The conference agreement includes section 501 prohibiting the obligation of funds in this Act beyond the current fiscal year unless expressly so provided.

The conference agreement includes section 502 prohibiting the use of the funds in this Act for programs, projects or activities not in compliance with Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

The conference agreement includes section 503 prohibiting the use of funds in this Act to support or defeat legislation pending before Congress.

The conference agreement includes section 504 encouraging all Departments to expand their use of "E-Commerce".

The conference agreement includes section 505 specifying the Congressional Committees that are to receive all reports and notifications.

The conference agreement includes section 506 prohibiting the transfer of funds to any instrumentality of the United States Government without authority from an appropriations Act.

The conference agreement includes section 507 prohibiting the use of funds for a project or program named for a serving Member, Delegate, or Resident Commissioner of the United States House of Representatives.

The conference agreement includes section 508 requiring all reports submitted to the Congress to be posted on official websites of the submitting agency.

The conference agreement includes section 509 prohibiting the use of funds to establish or maintain a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, except for law enforcement investigation, prosecution, or adjudication activities.

The conference agreement includes section 510 prohibiting funds in this Act for the Association of Community Organizations for Reform Now or its subsidiaries or successors.

The conference agreement includes section 511 prohibiting the use of funds in this Act for the renovation, expansion, or construction of any facility in the continental United States for the purpose of housing any individual who has been detained at the United States Naval Station, Guantanamo Bay, Cuba.

The conference agreement includes section 512 prohibiting the use of funds for the payment of first-class travel by an employee of the executive branch.

The conference agreement includes section 513 prohibiting the use of funds in this Act for any contract where the contractor has not complied with E-Verify requirements.

The conference agreement includes section 514 prohibiting the use of funds in this Act for any contract, memorandum of understanding, or cooperative agreement with any corporation convicted of a felony criminal violation within the preceding 24 months, where the awarding agency is aware of the conviction.

The conference agreement includes section 515 prohibiting the use of funds in this Act for any contract, memorandum of understanding, or cooperative agreement with any corporation with an unpaid tax liability.

The conference agreement includes section 516 requiring pay raises to be absorbed within the levels appropriated in the Act.

The conference agreement includes section 517 prohibiting the use of funds to pay for attendance of more than 50 employees at any single conference outside the United States.

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF DEFENSE				
Military construction, Army.....	3,006,491	1,923,323	1,684,323	-1,322,168
Military construction, Navy and Marine Corps.....	2,112,823	1,701,985	1,549,164	-563,659
Military construction, Air Force.....	1,227,058	388,200	322,543	-904,515
Military construction, Defense-Wide.....	3,431,957	3,654,623	3,582,423	+150,466
Total, Active components.....	9,778,329	7,668,131	7,138,453	-2,639,876
Military construction, Army National Guard.....	773,592	613,799	613,799	-159,793
Military construction, Air National Guard.....	116,246	42,386	42,386	-73,860
Military construction, Army Reserve.....	280,549	305,846	305,846	+25,297
Military construction, Navy Reserve.....	26,299	49,532	49,532	+23,233
Military construction, Air Force Reserve.....	33,620	10,979	10,979	-22,641
Total, Reserve components.....	1,230,306	1,022,542	1,022,542	-207,764
Total, Military construction.....	11,008,635	8,690,673	8,160,995	-2,847,640
North Atlantic Treaty Organization Security Investment Program.....				
Family housing construction, Army.....	247,611	254,163	254,163	+6,552
Family housing operation and maintenance, Army.....	176,897	4,641	4,641	-172,256
Family housing construction, Navy and Marine Corps.....	493,458	530,051	530,051	+36,593
Family housing operation and maintenance, Navy and Marine Corps.....	100,972	102,182	102,182	+1,210
Total, North Atlantic Treaty Organization Security Investment Program.....	367,863	378,230	378,230	+10,367

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Family housing construction, Air Force.....	60,042	83,824	83,824	+23,782
Family housing operation and maintenance, Air Force...	429,523	497,829	497,829	+68,306
Family housing operation and maintenance, Defense-Wide	50,723	52,238	52,238	+1,515
Department of Defense Family Housing Improvement				
Fund.....	2,184	1,786	1,786	-398
Homeowners assistance fund.....	1,284	---	---	-1,284
=====	=====	=====	=====	=====
Total, Family housing.....	1,682,946	1,650,781	1,650,781	-32,165
=====	=====	=====	=====	=====
Chemical demilitarization construction, Defense-Wide..	75,312	151,000	151,000	+75,688
Base realignment and closure:				
Base realignment and closure account, 1990.....	323,543	349,396	409,396	+85,853
Base realignment and closure account, 2005.....	258,776	126,697	126,697	-132,079
=====	=====	=====	=====	=====
Total, Base realignment and closure.....	582,319	476,093	536,093	-46,226
=====	=====	=====	=====	=====
Rescission (Sec. 130):				
Military Construction, Army.....	-100,000	---	---	+100,000
Military Construction, Navy and Marine Corps.....	-25,000	---	---	+25,000
Military Construction, Air Force.....	-32,000	---	---	+32,000
Military Construction, Defense-Wide.....	-131,400	---	-20,000	+111,400
Rescission (Sec. 131):				
Base Realignment and Closure, 2005.....	-258,776	---	-132,513	+126,263
Rescission (Sec. 129):				
Civilian pay raise reduction.....	---	---	---	---

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Navy Land Transfer (Sec. 132).....	---	---	11,000	+11,000
Total, title I, Department of Defense.....	13,049,647	11,222,710	10,611,519	-2,438,128
Appropriations.....	(13,596,823)	(11,222,710)	(10,764,032)	(-2,832,791)
Rescissions.....	(-547,176)	---	(-152,513)	(+394,663)

TITLE II - DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

Compensation and pensions.....	51,237,567	61,741,232	60,599,855	+9,362,288
Readjustment benefits.....	12,108,488	12,607,476	12,023,458	-85,030
Veterans insurance and indemnities.....	100,252	104,600	104,600	+4,348
Veterans housing benefit program fund (indefinite).....	318,612	184,859	184,859	-133,753
(Limitation on direct loans).....	(500)	(500)	(500)	---
Administrative expenses.....	154,698	157,814	157,814	+3,116
Vocational rehabilitation loans program account.....	19	19	19	---
(Limitation on direct loans).....	(3,019)	(2,729)	(2,729)	(-290)
Administrative expenses.....	343	346	346	+3

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Native American veteran housing loan program account...	1,116	1,089	1,089	-27
Total, Veterans Benefits Administration.....	63,921,095	74,797,435	73,072,040	+9,150,945
Veterans Health Administration				
Medical services:				
Advance from prior year.....	(39,649,985)	(41,354,000)	(41,354,000)	(+1,704,015)
Current year request.....	--	165,000	155,000	+155,000
Advance appropriation, FY 2014.....	41,354,000	43,557,000	43,557,000	+2,203,000
Subtotal.....	41,354,000	43,722,000	43,712,000	+2,358,000
Medical support and compliance:				
Advance from prior year.....	(5,535,000)	(5,746,000)	(5,746,000)	(+211,000)
Advance appropriation, FY 2014.....	5,746,000	6,033,000	6,033,000	+287,000
Subtotal.....	5,746,000	6,033,000	6,033,000	+287,000
Medical facilities:				
Advance from prior year.....	(5,426,000)	(5,441,000)	(5,441,000)	(+15,000)
Advance appropriation, FY 2014.....	5,441,000	4,872,000	4,872,000	-569,000
Subtotal.....	5,441,000	4,872,000	4,872,000	-569,000
Medical and prosthetic research.....	581,000	582,674	582,674	+1,674

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference vs. Enacted
Medical care cost recovery collections:			
Offsetting collections.....	-3,326,000	-2,527,000	+799,000
Appropriations (indefinite).....	3,326,000	2,527,000	-799,000
DoD-VA Joint Medical Funds (transfers out).....	---	(-280,000)	(-280,000)
DoD-VA Joint Medical Funds (by transfer).....	---	(280,000)	(+280,000)
=====	=====	=====	=====
Total, Veterans Health Administration.....	53,122,000	55,209,674	+2,077,674
Appropriations.....	(581,000)	(747,674)	(+156,674)
Advance from prior year.....	(50,610,985)	(52,541,000)	(+1,930,015)
Advance appropriations, FY 2014.....	(52,541,000)	(54,462,000)	(+1,921,000)
=====	=====	=====	=====
National Cemetery Administration.....	250,934	258,284	+7,350
Departmental Administration.....			
General administration.....	416,737	416,737	+8,000
General operating expenses, VBA.....	2,018,764	2,164,074	+145,310
Information technology systems.....	3,111,376	3,327,444	+216,068
Office of Inspector General.....	112,391	113,000	+2,609
Construction, major projects.....	589,604	532,470	-57,134
Construction, minor projects.....	482,386	607,530	+125,144
Grants for construction of State extended care facilities.....	85,000	85,000	---

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Grants for the construction of veterans cemeteries....	46,000	46,000	46,000	---
Total, Departmental Administration.....	6,862,258	7,292,255	7,302,255	+439,997
General provision- block pay raise COLA (both advance and current).....	---	---	---	---
ADMINISTRATIVE PROVISIONS				
Medical services (Sec. 227).....	---	---	1,500,000	+1,500,000
(Rescission).....	---	---	-1,500,000	-1,500,000
Medical support and compliance (Sec. 227).....	---	---	200,000	+200,000
(Rescission).....	---	---	-200,000	-200,000
Medical facilities (Sec. 227).....	---	---	250,000	+250,000
(Rescission).....	---	---	-250,000	-250,000
Total. General Provisions.....	---	---	---	---
Total, title II.....	124,156,287	137,557,648	135,832,253	+11,675,966
Appropriations.....	(71,615,287)	(83,095,648)	(83,320,253)	(+11,704,966)
Advance from prior year.....	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)
Advance appropriations, FY 2014.....	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)
(Limitation on direct loans).....	(3,519)	(3,229)	(3,229)	(-290)
Discretionary.....	(60,391,368)	(62,919,481)	(62,919,481)	(+2,528,113)
Mandatory.....	(63,764,919)	(74,638,167)	(72,912,772)	(+9,147,853)

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
TITLE III - RELATED AGENCIES				
American Battle Monuments Commission				
Salaries and expenses.....	61,100	58,400	62,929	+1,829
Foreign currency fluctuations account.....	16,000	15,200	15,200	-800
Total, American Battle Monuments Commission.....	77,100	73,600	78,129	+1,029
U.S. Court of Appeals for Veterans Claims				
Salaries and expenses.....	30,770	32,481	32,481	+1,711
Department of Defense - Civil				
Cemeterial Expenses, Army				
Salaries and expenses.....	45,800	45,800	65,800	+20,000
Construction program.....	---	---	103,000	+103,000
Total, Cemeterial Expenses, Army.....	45,800	45,800	168,800	+123,000
Armed Forces Retirement Home - Trust Fund				
Operation and maintenance.....	65,700	65,590	65,590	-110
Capital program.....	2,000	2,000	2,000	---

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted

Armed Forces Retirement Home - General Fund				
Capital program.....	14,630	---	---	-14,630
Total, Armed Forces Retirement Home.....	82,330	67,590	67,590	-14,740
	=====	=====	=====	=====
Total, title III.....	236,000	219,471	347,000	+111,000
	=====	=====	=====	=====
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS				
Military Construction, Army.....	80,000	---	---	-80,000
Military Construction, Navy and Marine Corps.....	189,703	---	150,768	-38,935
Rescission (P.L. 112-10 and P.L. 112-74).....	-269,703	---	-150,768	+118,935
	=====	=====	=====	=====
Total, title IV.....	---	---	---	---
	=====	=====	=====	=====
Grand total.....	137,441,934	148,999,829	146,790,772	+9,348,838
Appropriations.....	(85,448,110)	(94,537,829)	(94,431,285)	(+8,983,175)
Rescissions.....	(-547,176)	---	(-2,102,513)	(-1,555,337)
Advances from prior year.....	(50,610,985)	(52,541,000)	(52,541,000)	(+1,930,015)
Advance appropriations, FY 2014.....	(52,541,000)	(54,462,000)	(54,462,000)	(+1,921,000)

DIVISION B: MILITARY CONSTRUCTION - VETERANS AFFAIRS - AND RELATED AGENCIES APPROPRIATIONS ACT 2013
(Amounts in Thousands)

	FY 2012 Enacted	FY 2013 Request	Conference	Conference vs. Enacted
Overseas contingency operations.....	---	---	---	---
(By transfer).....	---	(280,000)	(280,000)	(+280,000)
(Transfer out).....	---	(-280,000)	(-280,000)	(-280,000)
(Limitation on direct loans).....	(3,519)	(3,229)	(3,229)	(-290)
	=====	=====	=====	=====

DIVISION C—FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

This Act provides continuing appropriations for the remainder of fiscal year 2013 for programs and activities in the following bills:

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act,

Commerce, Justice, Science, and Related Agencies Appropriations Act,

Energy and Water Development and Related Agencies Appropriations Act,

Financial Services and General Government Appropriations Act,

Department of Homeland Security Appropriations Act,

Department of the Interior, Environment, and Related Agencies Appropriations Act,

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act,

Legislative Branch Appropriations Act,

Department of State, Foreign Operations, and Related Programs Appropriations Act, and

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

DIVISION D—ACROSS-THE-BOARD REDUCTIONS

Section 3001 provides across-the-board reductions to ensure that aggregate spending in the Act complies with the discretionary spending limits in the Budget Control Act of 2011.

Section 3002 indicates that a sequestration under section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is applied to the amounts provided in the Act.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

I rise to present H.R. 933, the Department of Defense and Military Construction and Veterans Affairs Appropriations, and Full-Year Continuing Resolution for fiscal year 2013.

Our Nation faces a three-pronged threat to its finances as we deal with sequestration, the debt ceiling, and, most immediately, a looming government shutdown.

This bill takes the risk of a government shutdown off the table, funding the government for the remainder of the fiscal year while helping maintain our national security and providing our troops and veterans with consistent, adequate funding.

First and foremost, this bill contains fiscal year 2013 appropriations bills for the Departments of Defense and Veterans Affairs. These bills were crafted by Chairman BILL YOUNG, chairman of the Defense Appropriations Subcommittee, and very handily done.

These bills passed the House with broad bipartisan support last year. They have been negotiated on a bipartisan basis by the House and the Sen-

ate, and agreed to by the Senate Committee. They do not add a cent to the overall top line of the CR.

I want to take a minute here to thank BILL YOUNG and his subcommittee, who did such a tremendous job of balancing the interests of the country but with the overriding concern for the security of the country as they drafted—and passed on a bipartisan basis—the Defense appropriations bill.

Last week, I had the opportunity to ask the Joint Chiefs of our military if they supported this CR package, and the answer was an absolute, wholehearted “yes.” In fact, each one of them was asked if it was critical, and each one of the Joint Chiefs said this was critical to the defense of the country.

This legislation addresses severe funding constraints that would put our national security in dire straits. Military hospitals would not be built, veterans would not be cared for adequately, and our readiness would be seriously jeopardized. With sequestration now in effect, this bill allows the Pentagon some leeway to do its best with what it has.

The bill provides \$518 billion, the same top line level as last year. Within this top line, accounts have to be reprioritized to ensure adequate investment in critical programs, such as operation and maintenance, while finding savings in lower priority areas.

The legislation right-sizes spending that would otherwise have been wasted. For instance, we eliminate funding for unneeded spare parts and save funding from outdated programs and projects related to operations in Iraq no longer needed.

In addition, the bill provides \$71.9 billion in discretionary funding for military construction and veterans affairs to ensure that our veterans get the care they have earned and that the quality of life in our military is continued. This includes an increase of about \$2.5 billion in veterans funding, offset by savings in military construction.

The remainder of the bill, Mr. Speaker, funds the rest of the Federal Government until the end of the fiscal year on September 30. Nearly all funding will remain consistent with current levels, except for the very few exceptions that are needed to prevent catastrophic changes to government programs or to ensure good government. These include provisions allowing critical law enforcement entities to maintain current staffing levels, additional funding for embassy security and critical weather satellite launches, and an extension of the current pay freeze for Federal employees—including Members of Congress.

We’ve also required every single Federal agency to provide spending plans to Congress to ensure transparency and strong oversight of taxpayer dollars.

Nearly all of the funding in this bill is subject to the President’s sequestration, bringing the grand total for discretionary spending to around \$984 billion. The bill is designed to help with the damage caused by continually putting off the regular annual appropriations bills, but it does not solve the many serious problems caused by these automatic spending cuts in sequestration.

A full-year continuing resolution is not the way this Congress should be appropriating taxpayer dollars. Each year, we should assess the needs and excesses of our government and make decisions accordingly in the regular appropriations process. We must return to regular order, pass individual spending bills on time, and fulfill our constitutional duty to fund government programs wisely and effectively. To do all of this, we have to have a partner in the Senate, and we’ve not had that now for these several years. Our hope springs eternal that the Senate will help us get back to regular order.

□ 1210

In light of the circumstances we face, we must make a good-faith effort to provide limited but fair and adequate funding for vital government programs and services through the end of the fiscal year. It is up to Congress to make these decisions to set the course for our financial future.

We must act now to make the most of this difficult situation, and that starts with avoiding a government shutdown on March 27 and providing for our national defense and veterans.

This CR package is the right thing to do, the right time to do it, and it is the fair thing.

And so I urge, Mr. Speaker, my colleagues to show our Nation that we can get our work done by supporting this bill.

I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Before us is a defense bill and a Military Construction-Veterans Affairs bill adjusting the FY 2012 funding levels to meet FY 2013 needs.

It is unacceptable that Federal agencies and departments covered by the 10 remaining bills would be forced to operate under full-year continuing resolutions based on planned spending levels enacted 15 to 18 months ago. Congress’ failure to do our jobs and pass responsible annual spending bills limits our ability to respond to changing circumstances, implement other laws enacted by Congress, and eliminate funding that is no longer necessary.

Specifically, this bill will delay implementation of the Affordable Care Act scheduled to begin enrolling participants in October. Without IT infrastructure to process enrollments and payments, verify eligibility, and establish call centers, health insurance for

millions of Americans would be further delayed. Last year's levels will hamper enforcement of Dodd-Frank protections against improper practices in the financial sector.

The bill underfunds Head Start, child care, essential for many working parents who would otherwise have to quit their jobs.

The bill fails to strike outdated language allowing HUD to use public housing agency reserves to fund operations or provide a requested increase to make up for the shortfall resulting in the lowest per-unit operating subsidy since 2007, despite rising housing costs.

The bill we consider today even denies increases for health care fraud and abuse control and Social Security disability reviews and SSI eligibility determinations, both of which return more money to the Treasury than they cost.

And the continuing resolution excludes loan guarantees for Jordan, necessary to help an important ally stabilize its economy.

The effects, my colleagues, of these outdated plans and spending levels in the continuing resolution are compounded by Congress' failure to replace sequestration with a balanced, responsible, long-term debt reduction plan. The Congressional Budget Office estimates that sequestration would cut economic growth in 2013 by a third. That's jobs. That's people's lives.

Last year, our fragile economy struggled to create a total of 2.2 million jobs. CBO says sequestration will wipe out, get rid of, 750,000 jobs, more than a third of all the jobs created last year.

Now, I want to make it very clear, my colleagues, this bill reaffirms sequestration. The terrible impact of those indiscriminate cuts will begin to take effect. This summer, we can expect significant flight delays and long lines at airports due to furloughs of air traffic controllers and a hiring freeze and reduced hours for transportation security officers.

Yesterday, the Labor-HHS Subcommittee, heard testimony from the directors of the National Institutes of Health and CDC on the detrimental effects these irresponsible cuts will have, including declining medical research, fewer child vaccinations, and reduced protections against epidemics. Just try and explain that to dear friends and neighbors who have children with autism, seniors who are dealing with Alzheimer's, friends who have heart cardiology issues. Just try and explain what the National Institute cuts in research will do. In addition to the impact in the research on these illnesses, these are real people who are going to be laid off and impede our future research.

All Americans rely on timely and accurate weather warnings and forecasts from the National Weather Service. Reduced resources will compromise

critical satellites, radar, computer analysis, and modeling.

Now, I am pleased that two bills, the defense bill and the Military Construction-Veterans Affairs bill, are the FY 2013 bills that were agreed on by the House and the Senate. But, my colleagues, let's not forget that sequestration will still strike our national defense.

Even if this bill is enacted, another \$46 billion will be subtracted from defense spending. Most of the civilian workforce will face significant furloughs, readiness will still face cuts, and defense health care will need to make some very tough choices with scarce resources.

Mr. Speaker, I cannot support this bill because it fails to take responsible steps to support the middle class in really tough economic times or responsibly address the long-term fiscal health of our Nation.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the very distinguished and hardworking chairman of the House Armed Services Committee, the gentleman from California (Mr. McKEON).

Mr. McKEON. I thank the chairman of the Appropriations Committee for yielding, and thank him for the great work that he has done on getting this bill to the floor; likewise, the chairman of the Defense Appropriations Subcommittee. They have done yeoman's work to help provide for our national defense.

Mr. Speaker, I agree with much of what my good friend, the gentlelady from New York, said: Sequestration is bad. And if we don't pass the CR, we will feel worse than the effects of the sequestration. We will shut down the whole government. Nobody wants to see that, and so I commend her for what she said.

This is not perfect, but it keeps a lot of people working. I think it is very, very important that we get it done.

As chairman of the House Armed Services Committee, I am happy to see us voting to include a full-year defense appropriations bill as well as a full-year Military Construction-Veterans Affairs bill. This is very important. At least we have one committee that can do regular order still, and I think that is very important.

Enacting a full-year DOD appropriations bill is the first step toward restoring funding for our military, which has been whipsawed by the dual combination of the sequester and the CR that we are operating under. None of our currently serving service Chiefs—the Chief of the Army, Navy, Air Force, and Marines, including the Chief of all of the services—in their time have ever operated under a real budget. Most of the Members of Congress haven't served under regular order in seeing how we have really done. So this

is a step forward to get us back to regular order.

□ 1220

A full year appropriation will allow the service chiefs to cancel programs that we've already canceled in the Defense Authorization Act. It allows them to restore critical shortfalls in their operation and maintenance accounts and add back a certain amount of training and flying hours.

This legislation does not by any means solve sequestration, but it gives our commanders some much needed flexibility and gives us time to work on a House budget that restores funding for our military.

Let me give you just a couple of quick examples of why we need to pass this package and encourage the other body to return to regular order: a straight CR stovepipes funding in certain accounts.

General Odierno, Chief of Staff of the Army, is looking at having to curtail 37,000 hours of flying for helicopter pilots at Fort Rucker in Alabama, where all of our helicopter pilots go to be trained. That's about 500 to 750 pilots who will not be trained. Units preparing now to deploy to Afghanistan are not receiving the same training as those who are there now fighting. That is shameful. We need to restore those accounts. This puts those who are preparing to go at greater risk once they arrive in theater. Under a full year DOD appropriation, which we'll be voting on today, General Odierno will have the authority to restore a lot of those flying hours and critical training for those who are preparing to deploy.

I have just another little example. Admiral Greenert, Chief of Naval Operations, has said that if he had the funding that would come from the appropriations bill that we're voting on, he would have the flexibility to move money between accounts, and the Navy would be able to keep a carrier strike group and an amphibious ready group in the Middle East and the Pacific through next year. That is crucial to our national security.

I would encourage all of our colleagues to support this bill. It's not perfect, but it takes us a long step toward helping to secure our national security.

I thank the chairman and the chairman of the subcommittee for their great work.

Mrs. LOWEY. Mr. McKEON, I just want to emphasize again that General Odierno in the recent appropriations hearing on the Defense bill testified that sequester would be a disaster for the military. And it's unfortunate that we are not ridding ourselves of the prospect of the disaster that the sequester bill will result in.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to

the Chair and not to other Members in the second person.

Mrs. LOWEY. At this time, I'm delighted to yield 2 minutes to my distinguished leader from Maryland (Mr. HOYER).

Mr. HOYER. I agree with the gentle lady who has just spoken, but I want to say to my friend, Mr. MCKEON, this is neither regular order nor rational policy. It ought to be rejected.

This CR does nothing to address the irrational cuts to defense and non-defense that the sequester will require. It could be very harmful to our economy and to our national security, and it could place the most vulnerable in America at great risk.

We should not allow, my colleagues, our government to shut down, but we cannot do business this way, lurching from one manufactured crisis to the next.

When we make agreements, we ought to stick to them. And the agreement was, as the chairman has tried to put forward—and I want to congratulate him for that—that we would spend on the discretionary side of the budget at about \$1.43 billion. That is not what this bill does. It breaks the deal.

Nobody expected sequester to take place, and we ought to obviate it because it will hurt defense, our national security and our domestic security.

Mr. Speaker, we made an agreement. We ought to keep it. That's not what we have in this CR.

While the Defense funding in this package is something I would like to vote for and the procedures incorporated in the bill I would like to vote for—let me say as an aside, that is regular order. When we usually pass CRs, we do it for House-passed bill levels, Senate-passed bill levels, conference levels, but not at a level a year ago. The reason they've amended Defense, Veterans and MILCON is because it is irrational, and they recognize its irrationality as it relates to national security. You ought to recognize the irrationality for the rest of the budget.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. LOWEY. I yield an additional 1 minute to the gentleman.

Mr. HOYER. While the Defense funding in this package is something, as I said, I would like to vote for—it would continue support for critical national security programs important in my district, but more important than that, important in our country—if Congress continues to face every manner of manufactured crisis every other month, we cannot govern rationally, and it will hurt our people, our economy, and our security. When dysfunction rusts the wheels of Congress, it is the American people who suffer. And our defense community and the industries that support it will also suffer greatly from the uncertainty that results.

I want to vote for appropriations bills that keep the promise we made to

each other. I want to vote for appropriations bills that enable us to limit the negative impact of sequestration on our defense community and the most vulnerable in our society, but this CR does not do that. This vote will do nothing to lessen the effects of the sequester, whose impact is already being felt in my district and throughout the country. That is what compels me to vote "no" on this CR.

I represent 62,000 Federal employees. I do not want this government to shut down. That is a more irrational policy than even sequester.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mrs. LOWEY. I yield an additional 30 seconds to the gentleman.

Mr. HOYER. The honoring of our agreement demands that we vote "no" on this and pass a CR that obviates the sequester.

I urge my colleagues to defeat this CR so we can send a message to those who control this Chamber that we have a responsibility to our country and to our people to adopt a balanced fiscal plan to reduce our debt and deficit and invest in the growth of the economy.

That is not what this bill does. I urge its defeat.

Mr. ROGERS of Kentucky. Mr. Speaker, I now yield 4 minutes to the gentleman from Texas (Mr. CULBERSON), the chairman of the Military Construction and Veterans Affairs Subcommittee on appropriations.

Mr. CULBERSON. Mr. Speaker, why are House conservatives so determined to cut the budget and move towards a balanced budget?

Every 5 years, the Joint Chiefs of Staff get together and they do a strategic review of the threats facing this Nation. In the last review, they determined that the greatest threat facing our Nation was the national debt, that it would ultimately consume us and cause its collapse.

Just a few days ago, we celebrated Texas Independence Day. But for the debt the Republic of Texas accumulated, we would have continued as an independent nation. That debt caused a collapse of the Republic of Texas, and House conservatives are deeply concerned that these debts and deficits will ultimately crush the United States of America just as it did the Republic of Texas.

How do we even begin to get our mind around it and understand it? Think in these terms: in your personal lives, you always pay your mortgage and taxes first.

I deduct my mortgage and taxes out of my paycheck. We all do. You have to pay your mortgage and taxes first. America's mortgage and taxes are Social Security, Medicare, Medicaid, interest on the national debt and veterans' benefits. Those are things we must pay first. That's our mortgage and taxes.

When we pay our mortgage and taxes first as a Nation, it consumes all of our income. All that's left is about \$185 billion. When we pay Social Security, Medicare, Medicaid, interest on the national debt, veterans' benefits, that's it. All you're left with is \$185 billion, America, to run the government for the entire year. That will only run the Federal Government for about 10 days.

We, as a Nation, are living on a credit card that will be paid for by our children and grandchildren, which is a devastating heritage to leave to our kids. This is why House conservatives are so determined to balance the budget. But we recognize how essential national security is. We recognize how vital it is that our men and women in uniform focus on their mission, focus on defending America around the world. We don't want them to worry about whether or not they've got enough equipment, enough gas, enough ammo, that they've got the best facilities in the world, the best health care in the world.

That's why Chairman ROGERS and Chairman YOUNG put together this bill. I'm proud to be a part of it for my piece, the Military Construction and Veterans Affairs portion, to make sure our men and women in uniform can focus on their mission and not look over their shoulder and worry for one moment that they have the full support of the Congress, the full support of the American people to do what they have to do to put their lives on the line to defend this great Nation.

□ 1230

This bill is essential because it funds the military at a level for fiscal year '13, which is a sufficient increase that will allow them to absorb these automatic budget cuts—the sequester. That terminology is confusing to folks, but it is essentially an automatic spending cut across the board.

All of us conservatives want to see those cuts go into place, and we'd like to shift them away from the military and move them into other areas; but we've got a situation in which conservatives only control, basically, one half of one-third of the Federal Government. We are outnumbered. We feel a little bit like the Spartans at Thermopylae. We're doing our best to get moving towards a balanced budget in a way that is prudent, that won't raise taxes, that protects our military and the veterans and the essential needs of this Nation.

Chairman BILL YOUNG has done a superb job in putting together a Defense bill at this level of funding for the Defense Department. In fact, we determined yesterday from the Chief of Staff of the Army, General Odierno, that, by passing this bill today, we will solve at least a third of the problems that the Army would face as a result of the automatic spending cuts. By funding at fiscal year '13, when the cuts

kick in, it's a far softer blow to the military than it would be if we were stuck at '12 levels. As well, the Chief of Naval Operations, Admiral Greene, said that the difference was night and day. By passing this bill today, it will cushion the blow on the Navy dramatically.

I look forward to working with my colleagues from all over the country to continue to work to soften the blow on the military; but this bill is essential in order to make sure our men and women in uniform have everything they need to do their jobs to protect this country.

Mrs. LOWEY. I would just like to quickly remind my colleagues on both sides of the aisle that the Defense bill will be subject to the \$46 billion as a result of sequestration, which General Odierno said will hollow out the force.

Mr. Speaker, I am very honored to yield 2 minutes to my colleague, the gentleman from North Carolina, Mr. DAVID PRICE, a distinguished ranking member of the Appropriations Committee.

Mr. PRICE of North Carolina. Mr. Speaker, there is a blizzard of evidence against this continuing resolution; yet the Republican majority keeps skidding ahead like an out-of-control snowplow.

Instead of avoiding sequestration with a balanced deficit reduction package, this CR will lock in these devastating cuts—impairing vital government functions, reducing the paychecks of thousands of American workers, and undermining our economic recovery. The CBO says it will cost three-quarters of a million jobs.

Earlier this week, Mr. Speaker, I heard a panel of economists speculate about what future historians some 20 or 30 years from now, will say about what we're going through. They're likely to be baffled: How could a great Nation do such damage to itself? How could political brinksmanship and rigid ideology go so far? In fact, that's exactly what my constituents are already asking as they begin to pay the price for this House's failure to do what we were elected to do.

Just yesterday, members of the Military Construction and Veterans' Affairs Subcommittee heard testimony from senior officers of each service about the impact of sequestration on their operations. Their message was: don't be fooled. We may be giving them marginally greater flexibility by including the full-year 2013 bills for defense and veterans in this continuing resolution, but we are not sparing them from the sledgehammer of sequestration.

This approach also begs the question: Why not pass full-year bills for all departments? The Homeland Security Subcommittee produced a compromise full-year bill that could easily have been included in this measure. Stopgap funding measures only perpetuate eco-

nomic uncertainty and only prevent us from getting to the heart of our fiscal challenges.

Mr. Speaker, we owe this body a better appropriations process, and we owe our people a budget that accelerates the recovery and protects our economic future instead of simply serving a rigid political ideology.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield now 3 minutes to the vice chairman of the House Armed Services Committee, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I appreciate the chairman for yielding.

Mr. Speaker, I've got to observe that I wish that all of the Members on both sides of the aisle who decry sequestration today had voted with those of us who passed bills twice last year to target cuts rather than having this across-the-board approach. This bill, like sequestration, is not what any of us would like. If it were up to me, for example, I would replace the money that it takes out of Defense and probably rearrange a lot of the domestic spending as well. Imperfect as this measure is, I believe it is absolutely essential that we pass it today. I want to focus for just a second on Defense.

Even if you spend the same amount of money on a continuing resolution or on an appropriation bill, it makes an enormous amount of difference which of those vehicles one uses because, in a regular appropriation bill, you can have the flexibility to meet the current needs. With a CR, you are locked into last year's levels, and that breeds inefficiencies and waste. So just to get the same amount of equipment, for example, it takes more money under a CR than it does under a regular appropriation bill.

You just had the question posed: Why do this just for Defense? Why treat Defense differently and have a full appropriation bill for Defense and MILCON and Veterans and not the rest of it? Let me offer some answers:

Number one is because we can. Both the House and Senate appropriators have negotiated a Defense appropriation bill. It is there for us to take and include in this measure, so Chairman ROGERS has picked it up and included it in this CR.

A second reason is that the House and Senate have passed and the President has signed into law a Defense authorization bill that is consistent with this appropriation bill. There is no other area of government that has done that. So if you look at what already is the law, passing an appropriation bill to implement it makes sense.

A third reason is that Defense took a disproportionate share of the cuts under sequestration. Defense is 18 percent of the Federal budget. It had to absorb 50 percent of the cuts. It took a disproportionate share, and therefore some relief from the constraints will be

had by the continuing resolution and make sense especially for Defense.

I'll tell you a fourth reason to treat Defense differently is that defense is the first job of the Federal Government. We send our soldiers and intelligence community personnel to all parts of the world to risk their lives to defend us, and it seems to me that the least we could do is give them the flexibility and support they need to do their jobs.

Therefore, I think it is absolutely essential for the country's defense that we pass this appropriation bill, and I urge all Members on both sides of the aisle to support it.

Mrs. LOWEY. Mr. Speaker, may I ask how much time remains.

The SPEAKER pro tempore. The gentleman from New York has 17 minutes. The gentleman from Kentucky has 12½ minutes.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished ranking member, the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. I thank the ranking member.

As the ranking member of the Financial Services and General Government Appropriations Subcommittee, I wanted to outline several areas of concern in this section of the bill. Several agencies under the jurisdiction of the subcommittee requested vital changes to their fiscal year 2013 budget to help them address pressing needs and to blunt the impact of the sequester. Unfortunately, all of these changes were rejected by the other side.

For instance, no additional money is provided to the Securities and Exchange Commission to continue the implementation of the Dodd-Frank legislation. We need a strong cop on the beat to prevent financial misbehavior, and this bill does not help in this regard.

Under this bill, no additional money is provided to the IRS to help them catch tax cheats or to help Americans with questions on their tax forms. Moreover, no additional money is provided to help the IRS administer new tax credits under the Affordable Care Act, which is something that will only lead to more confusion; and once again, Republicans are attempting to extend the Federal employee pay freeze for the rest of the year.

Had we had a full omnibus bill—and I think, with a little bit of work, we could have had such a bill—we could have helped address many of these concerns.

□ 1240

Unfortunately, this CR is inadequate to the needs of our Federal Government and to the American people, and does not provide all agencies with the needed flexibility to best deal with the sequester. For that and other reasons, I urge opposition to this bill.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. SHUSTER), who chairs the Transportation and Infrastructure Committee, for the purpose of a colloquy.

Mr. SHUSTER. Thank you, Chairman ROGERS, and I do want to engage in a quick colloquy on the Medium Extended Air Defense System, known as MEADS.

As you are aware, the fiscal year 2013 National Defense Authorization Act included a provision of law that prohibits funds from being obligated or expended on the MEADS program. There has been some confusion over the wording on the program in the Defense appropriations report before us. I would like to verify that it is your intent that the prohibition created in the NDAA is law and not changed or overridden by anything in this bill.

I yield to the chairman.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding and would confirm that the gentleman is correct. The prohibition in the NDAA is law, and nothing in this bill or report overrides or changes that fact. The language in our report was conferred last year when the outcome of MEADS in the NDAA was not known. Chairman YOUNG works closely with the Armed Services Committee, and it is not our intention to change or override any provision of that bill. The prohibition in the bill is the law.

Mr. SHUSTER. I thank the gentleman for making that clear.

Mrs. LOWEY. Mr. Speaker, I'm very pleased to yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the distinguished ranking member of the Energy and Water Subcommittee.

Ms. KAPTUR. I thank Ranking Member LOWEY.

Mr. Speaker, I rise to express my appreciation that we are considering this continuing resolution today and not on the precipice of another government shutdown. Chairman ROGERS and Ranking Member LOWEY have been tireless in their efforts to bring a semblance of regular order to the appropriations process and, in turn, this House.

However, I must express my disappointment that we are not advancing a government-wide, fully inclusive bill with adjustments that address the pressing needs of the American people across all Federal departments and agencies. Despite my appreciation for consideration of this bill, by being unable and unwilling to pass all our individually negotiated appropriation bills, the Congress is doing a great disservice to the American people and not providing the firm guidance necessary for Federal programs to operate effectively.

As ranking member of the Energy and Water Subcommittee, I would like to express my disappointment further

that necessary adjustments to two-thirds of our jurisdiction are not included. For example, important areas of cybersecurity, as well as reducing the local cost share for the Army Corps projects related to the revitalization after Hurricane Sandy, are missing.

Further, adjustments to the Weatherization Assistance Program are not included. This vital program is facing significant funding challenges given many States are either out of Federal funds entirely or will be out of all Federal funds. In order for the program to continue to deliver services as blizzards blanket this country, and for low-income Americans to continue to receive the energy savings from this program for their homes, an increase in program support is necessary and would be a real job creator across this country.

Further, the bill does not include the administration's request to increase funding for the Advanced Manufacturing program for our Nation to meet the fierce global competition for manufacturing jobs. The United States must regain its position in global manufacturing. We cannot prosper as a Nation of service providers only.

I would like to highlight the National Nuclear Security Administration as an example of where a CR does not provide the necessary oversight for good government.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LOWEY. I yield an additional 15 seconds to the gentlewoman.

Ms. KAPTUR. I thank the gentlelady.

The agency is plagued by dramatic cost increases on nearly every major task under its jurisdiction. Given the nature of a continuing resolution, the Congress is unable to meaningfully weigh in on important issues such as these. I do appreciate inclusion of support for the United States Enrichment Corporation.

In closing, while I am disappointed in the bill's shortcomings, I am hopeful that collectively Congress can improve upon this bill as it moves to the other body.

Again, I commend our chairman, Mr. ROGERS, and Ranking Member NITA LOWEY of New York, such a phenomenal leader.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself 1 minute, and I yield to the gentleman from California (Mr. ISSA) for the purpose of a colloquy.

Mr. ISSA. Mr. Chairman, it is my understanding that the Office of Management and Budget submitted a list of proposed anomalies for the pending continuing resolution. Is that correct, and can you tell me the date that the Office of Management and Budget transmitted that list?

Mr. ROGERS of Kentucky. The gentleman is correct. OMB did submit a list of proposed anomalies on February 18.

Mr. ISSA. Thank you, Mr. Chairman.

Can you also tell me if that proposed list of anomalies included any changes to the provisions in current law regarding what is commonly called 6-day delivery and requires a level of service by the Postal Service at the 1983 level?

Mr. ROGERS of Kentucky. OMB did not propose any change to the provisions in current law regarding 6-day mail delivery.

Mr. ISSA. I thank the gentleman.

Mrs. LOWEY. Mr. Speaker, I'm delighted to yield 2 minutes to my friend, the gentlewoman from Connecticut (Ms. DELAURO), the distinguished ranking member of the Labor, Health, Human Services, Education Subcommittee.

Ms. DELAURO. I rise in strong opposition to this continuing resolution. It makes permanent, deep, indiscriminate, and harmful across-the-board cuts—cuts that will cost our country hundreds of thousands of jobs, and will hamstring our economic recovery. It will cost 750,000 jobs, according to the Congressional Budget Office and Federal Reserve Chairman Ben Bernanke.

If you vote "yes":

You vote for \$400 million in cuts to Head Start—70,000 children will lose access;

You vote to slash \$282 million from job training programs;

You vote to cut \$731 million from Title I grants—that means 2,500 schools will be forced to stop providing this crucial aid to 1 million children;

You are voting to cut over \$580 million from special education grants—that shifts the cost of 300,000 students with special needs to State and local education agencies;

You vote to cut \$115 million from child care at a time when only one in six of the children eligible for child care assistance are receiving it—30,000 more kids will lose this aid;

You vote to starve implementation of the Affordable Care Act at a time when the health reforms we passed are being implemented;

You vote to cut funding for vaccinations and cancer screenings.

These cuts only add to the deep cuts that have already been made: \$12 billion since 2002 have been made to labor, education, and health programs, in addition to which the Budget Control Act added another \$9 billion, and this resolution will add \$7 billion more in cuts to what are critical priorities for this Nation.

We cannot shortchange all of these fundamental priorities. It is time for this institution to exercise its moral responsibility. Use our budget as a vehicle for job creation and economic growth. I urge my colleagues to oppose this dangerous resolution.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA), the chairman of the House Oversight and Government Reform Committee.

Mr. ISSA. Mr. Speaker, on February 6, the Postal Service announced a plan to move to a modified 6-day delivery schedule beginning in August. Under this plan, the Postal Service will continue high-quality delivery 6 days a week using its express and priority mail system. This will include packages and mail under that system, and will include vital medicine for our seniors. This change will enable the Postal Service to save \$2 billion a year or more.

As the chairman of the authorizing committee, I want to clarify that the authorizing language is consistent with a 6-day delivery provision in the CR under this system announced by the Postmaster on February 6.

□ 1250

Specifically, this provision would not prohibit the Postal Service from implementing this plan of modified 6-day delivery service.

I want to confirm further that the President, himself, had previously called for 5-day delivery. The Postmaster is maintaining 6-day delivery, but using priority and express mail to do so. This is fiscally responsible and consistent with the administration not putting an anomaly into the CR.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 1 minute to the gentleman from California (Mr. FARR), the distinguished ranking member of the Agriculture Subcommittee of Appropriations.

Mr. FARR. I thank the gentlewoman for yielding.

I've been in Congress 20 years, and on the Appropriations Committee not quite that long. And never in my life have I seen us in such disarray.

This institution has failed to lead the Nation. It's failed to get its own act together. We can't do this in a transparent, normal process by adopting bills. We're operating on these emergency issues like continuing resolutions, sequestration.

We've got the Nation totally confused, the entire administration of government in the United States confused as to what tomorrow's going to bring. We don't know whether we're going to have enough money, or we're going to give you back some money. Are you going to lay off people? Are you going to cut their salaries?

We're in mass confusion, and our States and local governments are dependent on us getting our act together. I'm really surprised that we are failing to address the needs of this Nation.

Yes, we have a huge debt. Everybody in this Congress has a huge debt in their own life. It's called a mortgage. And we figure out a 30-year plan or a 15-year plan to pay it off.

Doing this by CR is totally irresponsible. I ask for a "no" vote.

Mr. ROGERS of Kentucky. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Georgia (Mr. BISHOP), the distinguished ranking member of the MILCON Subcommittee of Appropriations.

Mr. BISHOP of Georgia. I thank the gentlelady for yielding.

Mr. Speaker, today this body is voting on two updated bills that reflect the needs of FY 2013 and 10 outdated plans with outdated spending levels that were enacted over a year ago.

Mr. Speaker, we need to complete the process on all the bills, not just two. Governing by continuing resolution is not governing.

Furthermore, the legislation before us today does nothing to address sequestration. The failure to address sequestration will be devastating on military construction. For example, the Army's Barracks Modernization efforts will be delayed. For the Navy, sequestration will affect 10,000 Navy-owned and 3,000 leased homes by delaying housing construction and improvements.

The Air Force has made it a goal to eliminate inadequate housing for unaccompanied airmen by 2017, and sequestration will delay that goal and cause airmen to continue to live in substandard housing.

The most troubling aspect of sequestration to me is the impact it will have on the Department of Defense's school recapitalization efforts. A comprehensive assessment of DOD dependent schools and construction requirements indicated that 149 out of 189 schools had an overall condition rating of poor or failing, and required significant recapitalization. Sequestration will only exacerbate this problem.

These reductions to military construction will only result in substandard facilities for our servicemembers and job losses in the construction industry and slowed economic growth.

I remain hopeful that a balanced solution will win over rigid, ideological discussions in the coming weeks so that we can restore the irresponsible cuts.

Sequestration is bad. This CR does not address it, not even to mention the nondefense related cuts. This is bad for Head Start, job training, title I, special ed, child care, cancer screening, the loss of WIC, and I could go on and on.

This CR is not the way to govern. However, we need to come together across partisan lines, and we need to find middle ground so that we can do what is needed for the American people.

Mr. ROGERS of Kentucky. Mr. Speaker, may I inquire of the time?

The SPEAKER pro tempore. The gentleman from Kentucky has 9½ minutes, and the gentlewoman from New York has 8¼ minutes.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 4 minutes to the gen-

tleman from New Jersey (Mr. FRELINGHUYSEN), the distinguished vice chairman of the Defense Subcommittee on Appropriations.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I rise in support of the resolution and urge its adoption.

I would like to commend the chairman of the full Appropriations Committee, Mr. ROGERS, and the chairman of the Defense Subcommittee, Mr. YOUNG, for their determination and perseverance in bringing the completed Defense and Military Construction/VA bills to the floor for our consideration this afternoon and this morning.

Since before the end of last fiscal year, they have been committed to completing the fiscal year 2013 bills in committee and to bringing them to the floor and on to the President's desk for his signature.

Why?

Because they understand the damage that would be done to our national security if the Department of Defense was forced to operate under the funding levels and restrictions placed on them by the fiscal year 2012 bill.

By passing this package today, we'll be giving our military leadership additional flexibility to protect their mission and capabilities in this constrained fiscal environment.

I would also add that the passage of these measures today reinforces Congress' authority to set policy for the Department of Defense in important areas such as the Air Force realignment, the retirement of Navy ships, etc. And also it makes sure that we don't cede these sort of decisions only to the executive branch.

I'm pleased that the package also allows additional funds for nuclear weapons modernization, to ensure the safety, security, and reliability of our Nation's nuclear stockpile. This is an important aspect of our energy and water appropriations bill.

Finally, I'd remind our colleagues that this legislative package does nothing to alter the sequestration that took effect last Friday. Simply put, that is a problem, a major problem.

Five members of the Joint Chiefs of Staff presented their chilling testimony before our subcommittee last week, as the chairman referred to earlier, describing how national security would be put at risk if they were forced to make deep reductions in spending for personnel and equipment modernization programs.

Maintenance will suffer. Training for non-deploying soldiers, sailors, Marines, airmen, and Guardsmen will virtually stop. Hardworking civilians will face unnecessary furloughs.

The Army Chief of Staff testified before our full committee. General Ray Odierno told us of his worry, and I quote:

If we do not have the resources to train and equip the force, our young men and

women will pay the price, potentially with their lives.

Marine Commandant General Jim Amos reminded us that America's allies and enemies are watching to determine whether our country remains able to meet its commitments overseas. He said, and I quote:

Sequestration viewed solely as a budget issue would be a grave mistake.

So while this measure before us helps our men and women in uniform, the meat ax of across-the-board sequestration hangs in the air over the defense and domestic programs alike.

It has now been over 300 days since this House passed its first sequestration replacement bill, and that was last year. Still, the President and the Senate Democrats haven't budged. And their only solution is to raise taxes for the second time in 8 weeks.

It's time for real balance. More tax increases won't help working families, create jobs and protect our troops.

By allowing sequestration to continue, it will hurt many working families, terminate hundreds of thousands of jobs, both public and private, and put our men in uniform at risk.

This resolution takes us forward. I support it. It's important for national security, and I urge its adoption.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROGERS of Kentucky. I yield the gentleman an additional 1 minute.

Mr. FRELINGHUYSEN. I yield to the chairman.

Mr. ROGERS of Kentucky. While we're waiting for the Senate to send us a bill relieving us of sequestration, while we're waiting for the President to send us something to relieve us of sequestration, we have no choice but to pass a continuing resolution to keep the government operating.

Sequestration I hope we can deal with in the future, but now we're dealing with whether or not to shut the government down. Is that not correct?

□ 1300

Mr. FRELINGHUYSEN. That is correct, Mr. Chairman. Let's keep the government open for business.

Mr. ROGERS of Kentucky. I thank the gentleman.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Before I yield to my next speaker, I would like to thank Mr. FRELINGHUYSEN for addressing sequestration and the devastating testimony of all those representing our distinguished Armed Forces. But I would also like to clarify again that this continuing resolution reaffirms sequestration. It does nothing in language or deed to make any efforts to cancel sequestration. We on this side of the aisle would be very pleased to continue to work with you in regular order to go through every bill, casting away waste, fraud and abuse, but to do away with sequestra-

tion. And I know my distinguished chair and I could work it out so that we could not have sequestration.

This bill, section 3002, reaffirms sequestration.

Mr. ROGERS of Kentucky. Will the gentlelady yield?

Mrs. LOWEY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Would the gentlelady be so kind as to talk to the majority leader in the Senate about sending us over a bill to relieve us of sequestration? And, two, would the gentlelady talk to her President to see if he would do that? We're ready to act.

Mrs. LOWEY. Mr. Chairman, I would be delighted to work with you, but I have read this continuing resolution very carefully and section 3002 reaffirms sequestration. Let's work together. We can be the leaders. Let's send over a bill that does away with sequestration, which my good friend, Mr. FRELINGHUYSEN, says—and I was at that defense hearing, too—would hollow out our forces. Let's do that. Let's do that today. Why don't you submit an amendment? Let's get rid of sequestration.

Mr. ROGERS of Kentucky. If the gentlelady will yield, last year we voted twice in this body to replace sequestration, and it died because the Senate wouldn't take it up.

Mrs. LOWEY. I would be delighted, Mr. Speaker, to yield 1 minute to our distinguished leader, who has provided important leadership on the issue of cutting out waste, fraud, and abuse in our budget, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank my colleague, Congresswoman LOWEY, for her leadership and for yielding time on this important debate.

I listened, too, attentively to Mr. FRELINGHUYSEN and the distinguished chairman of the Appropriations Committee, and I heard Mr. FRELINGHUYSEN say how awful sequestration would be. And I completely concur with him on that. I also heard him say nothing in this bill does anything on sequestration. Well, if it does not, why is it in the bill? Is it to get votes on the Republican side because there's not the support for the investments that were called for in the Budget Control Act? If that's the case, let's be clear about it and put it forth. But if it has nothing to do with sequestration, Mr. FRELINGHUYSEN, why is it in the bill? Is it a waste of time and space? Is it a topic of discussion that is fruitless because it has nothing to do with sequestration but it's in there because it sends a very serious message?

And why are we in this place? We're in this place, the Chamber of the House of Representatives, to represent the American people. We recognize that a thriving middle class is the backbone of our democracy and that we are here to meet the needs of the American peo-

ple and strengthen that democracy. With the legislation that is before us today, we undermine all of those efforts.

With the sequestration, which is reaffirmed in this legislation, we go down a path that is harmful to our economy and harmful to our national security. Don't take it from me. Federal Reserve Chairman Ben Bernanke told Congress last week on more than one occasion that cuts of this size made this quickly would hurt hiring and incomes, slow the recovery, cost the economy 750,000 jobs, and keep deficits larger than otherwise.

Why are we in this place? We're in this place because the Republicans have said that they would not close any tax loopholes except to lower rates—not to lower the deficit, but to lower rates. Because they will not close any loopholes to reduce the deficit, we have to reduce the deficit in other ways.

For example, they will not close the loophole for tax breaks for corporate jets. Instead, they want to cut 4 million Meals on Wheels. Instead of closing loopholes for Big Oil, they want to cut investments in little children's education. Instead of closing tax loopholes for corporations that send jobs overseas—that's my personal favorite, tax cuts for corporations that send jobs overseas—they want to lose 750,000 jobs here in our country. Instead of ensuring that millionaires and billionaires pay their fair share, our military readiness will be impaired and health care for our military families could be cut.

On a personal basis, we have teachers educating children of our military families who will be harmed by this. We have psychiatric nurses who meet the needs of our returning vets with PTSD and other challenges who may be furloughed because of this. What do we say to them? Oh, it's more important for us to have loopholes for tax breaks for corporate jets and millionaires and billionaires to send jobs overseas and the rest of it?

We had an opportunity to today in our previous question to bring to the floor the proposal advanced by Mr. CHRIS VAN HOLLEN, our ranking member on the Budget Committee. Mr. VAN HOLLEN's proposal is responsible and fair and it is balanced. It cuts spending responsibly. It ends unnecessary tax breaks for special interests, some of which I just named, and advances the Buffett rule, ensuring that millionaires pay their fair share.

I mention it because it's yet, again, another time where the Republicans on at least four occasions shut down the opportunity to debate an alternative to what the Republicans are proposing. And this is on top of all that we've already agreed to.

Many of us in a bipartisan way voted for the Budget Control Act, which cut \$1.2 trillion in spending. That was in

addition to over \$300 billion already cut last year. That is in addition to the President and Members of Congress saying we are prepared to make further cuts in waste, fraud, and abuse. And some things are not wasteful. Maybe they're just not a priority anymore or we found a better way to do it. Maybe they're duplicative or obsolete. But, nonetheless, we can't afford them anymore.

So let's subject every dollar to harsh scrutiny; but we also have to subject to scrutiny all the spending on these tax breaks, because that is spending. When you give a subsidy to Big Oil of \$38 billion as an incentive to drill, you are spending the taxpayers' dollars. Let's cut that spending, too.

Now, what's interesting about this is that, in what the Republicans are supporting, they are totally out of sync with the American people. Republicans across our country are opposed to the corporate jet loophole. They want to close the corporate jet loophole. And Republicans, by majority, support that. They want to eliminate oil and gas tax breaks. Republicans, by majority, support eliminating that. Republicans across the country say we should limit deductions for millionaires and billionaires. Republicans, of course, say we should end tax breaks for corporations to send jobs overseas. The list goes on.

Republicans, by majority, support the Buffett rule. Even some Republicans in the Senate say we must look at closing some of these loopholes—not just to lower rates for corporate America, but in order to lower the deficit—instead of going to our children, our seniors, our workers and all the rest to make those cuts.

So we are in a situation here today that is created not because the Republicans passed two bills last year. I know the gentlemen speaking on the floor know that last year is over. That Congress has ended. Those bills have no weight. The spending cuts that we agreed to last year are for over 10 years.

The bills that the Republicans passed last year ended at the end of the last Congress. How to make a law? Just read the book. I realize that you would hardly recognize that civics lesson if you see what's happening on the floor here today and over the last period of time.

□ 1310

But I have enormous, enormous respect for the chairman of the Appropriations Committee. We sat on that committee together for a number of years. I appreciate that he wanted to bring a bill to the floor that honors the Budget Control Act.

I disagree with the tactic of putting a reinforcement of a sequester into law. It exists. We have to do the sequester unless we can head it off, un-

less the safety of our troops and their training, our national security, the education of our children, the safety of our neighbors, unless that takes precedence over protecting tax breaks for corporate jets, businesses that send jobs overseas—the list goes on, and I have mentioned it now more than one time.

So I urge my colleagues to think carefully about this vote. This isn't a vote to shut down government or not. That vote will come at another time.

The Senate isn't going to accept this bill. The Senate is not going to accept this bill. When they don't, they will send back another bill. And we'll just see how many votes are on the Republican side to keep government open, because we have absolutely no intention of having the government shut down. We will just see how many Republican votes there are for that, for a bill that will be a better bill than this.

Although, with the threat of sequester and what that will do to our economy—and our job creation and our reducing of the deficit—that's one thing; but think of what it does in the lives of those 4 million meals not delivered to seniors. Think of those seniors who are not getting those meals, those children who are not getting Head Start—or even beyond Head Start, the education of our children. Some of them are being educated by teachers who are teaching children of military families who will now have to lose their jobs or be furloughed. This has an impact right to the kitchen table of the American people. So we have to think very seriously about what we are doing here. But whatever we do, let's just have it be on the level, Mr. Speaker. Let's have it be on the level.

This is a bill that reinforces the sequester; if it didn't, it wouldn't be in the bill. So this bill, I think, has no merit, and it will not have my support.

Mr. ROGERS of Kentucky. Mr. Speaker, might I inquire how many speakers remain on the gentlelady's side. I have one remaining speaker.

Mrs. LOWEY. Mr. Speaker, we have three remaining speakers.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am delighted to yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the distinguished ranking member of the Leg Branch Subcommittee of Appropriations.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise with grave concerns over the continuing resolution that we are considering today.

While we all support any effort to prevent a government shutdown, we await a bill from the Senate that hopefully treats domestic and defense bills with equal care.

There is no question that our men and women serving in Afghanistan de-

serve our support, but so do our children here in America. Yet the CR underfunds Head Start by \$70 million, even though both House and Senate fiscal year 2013 bills provide significant increases for the program through our regular budget process.

In addition to underfunding many domestic programs, like the Affordable Care Act and the Supplemental Nutrition Program for Women, Infants, and Children, the CR does nothing to stop the across-the-board budget cuts in the sequester for any agency, including Defense.

I still hope we can work together to replace these indiscriminate, meat-ax cuts with a balanced approach so we can avoid compromising our future through lack of investments in education, infrastructure, defense and public safety. Sequester cuts will be like slowly turning up the heat to boil a pot of water.

Thankfully, the House is bringing this bill to the floor in time for the Senate to act and pass a bill for the March 27 deadline for the continuing resolution that will take a responsible, balanced approach to deficit reduction with targeted spending cuts and closing tax loopholes for the wealthy so we can use the revenue and the spending cuts to pay down our debt.

Mr. Speaker, taking an indiscriminate, meat-ax approach to the sequester, to reducing our deficit in a balanced way is irresponsible. We must work together. I implore our friends on the other side of the aisle to come together and work together with us towards compromise so that we can avoid gravely harming our domestic priorities, including women, children, families, and the middle class. It is still possible, and there is still time.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished ranking member of the Defense Appropriations Committee, the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. I appreciate the time and, first of all, want to thank Chairman YOUNG of the Defense Subcommittee for his very good work. I want to thank the members of all of the subcommittees for their efforts throughout the years but, again, particularly those on the Defense Subcommittee, as well as our staff.

I do intend to support the measure, but do ask a question: Where are the other 10 bills for the Department of Agriculture, the Department of Transportation, and others, with less than 6 months left in the fiscal year?

For some of my colleagues who would vote for no appropriation ever in their life, I ask: What is there to fight over with the National Institute of Standards, or the Copyright Royalty Tribunal, or the Mine Safety and Health Administration?

I am grievously concerned, Mr. Chairman, that we no longer legislate in this body, but we lurch, we lurch from crisis to crisis. I find it inexplicable that some of my colleagues would vote in a heartbeat for a continuing resolution to run the government looking backwards last year at exactly the same amount of money for a similar appropriation bill with all 12 bills so that we could make decisions and exercise our constitutional responsibilities.

Continuing resolutions look back and run the most powerful Nation on Earth like we did last year. We are absent any legislative decisions, and it is an abdication of our constitutional responsibility. I would push it further and say we have a mandate. In article I, section 9, there is one sentence, it says:

No money shall be drawn from the Treasury but in consequence of appropriations made by law.

It is time that Congress begins to appropriate measures and runs this government and country and stops lurching.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself 1 minute and would ask Mr. VISCLOSKY if he might rejoin us at the microphone.

On the point the gentleman just broached and, that is, the passage of bills, one of the most frustrating things of my life is that we cannot get the Senate to pass any appropriations bills.

As the gentleman knows—because he helped pass the Defense bill for this year and all years—we passed, through the House committee, all 12 bills. We sent them to the Senate, and all we got back was a resounding snore. They didn't do anything. When the Senate doesn't appropriate, in spite of the fact that we've passed all of our bills over here, we have to pass a continuing resolution. That is where we are. I lament that, as does the gentleman. And I know that he joins me in wanting us to pass, through regular order, each individual bill, bring it to the floor, let the Members have their say and vote on amendments and the like.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would concur with the gentleman's remarks and would note that in my remarks I mentioned the Congress fails to appropriate, which includes the United States Senate.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to a hard-working Member, the gentleman from Iowa (Mr. LATHAM), who chairs the Transportation, Housing and Urban Development Subcommittee on Appropriations.

Mr. LATHAM. I thank the chairman of the full committee for the opportunity to address this.

I've been sitting here listening and heard the minority leader come to the floor and talk about children, about old people, about teachers—all these things—that she voted to cut the spending for to fund.

□ 1320

How can you support a bill, support the sequester insisted on by the President of the United States? It was his idea that he brought forth to try and resolve the differences at that time and something that he supports and he insisted on. The minority leader voted for these cuts that she now bemoans. It's fascinating when you look at the reality of the situation. There are some of us who actually did not support this because of the way the sequester would take place.

Now, you can say, well, it was never going to happen and all these things, but the fact of the matter is it is here today and it is law because people like the minority leader insisted on it. So to come to the floor and talk about those cuts today, something that she supported, is really quite fascinating to anyone listening or watching this debate today.

Mr. Speaker, I will tell you, it is very frustrating. As someone who went through the entire process last year with my ranking member, Mr. Olver from Massachusetts, who is now retired, we went through subcommittee and full committee. We had 3 days on the floor of the House, an open rule with amendments. We passed our bill, the Transportation and HUD appropriation bill, with the largest bipartisan majority of any bill passed last year, yet the Senate does nothing. That's why we're here today.

The House of Representatives, under the chairman's leadership, has moved bills, has done our work. The frustration we have is that we don't have a counterpart on the other side of this great building to actually do their job so that we can finally get resolution of these very difficult spending problems.

Mr. Speaker, it is very important today that we move this bill. This is the best alternative. It will give us certainty for the rest of the year so that we can address the big issues that are before us and this Nation about spending—\$16.5 trillion of national debt and about \$1 trillion of annual deficit has got to be addressed. By doing this, it will give us the opportunity to maybe forge a large compromise, to forge a big deal that will actually set a course for this country.

I think the reason most all of us are here is because we have children. I have five grandchildren. The reason I do this is because I believe that we've got to change direction, and this is a necessary step to do that.

With that, I ask everyone to support this bill.

The SPEAKER pro tempore. The gentleman from Kentucky has 1 minute re-

maining. The gentlewoman from New York has 1¼ minutes remaining.

Mrs. LOWEY. I am delighted to yield the balance of my time to a distinguished Member of the Appropriations Committee, the gentlewoman from California, Ms. BARBARA LEE.

Ms. LEE of California. Let me thank our ranking member for yielding and for her tremendous leadership.

First of all, let me just make this point. This bill—actually, this CR—reaffirms sequestration, and it really could have been canceled. I have to tell you, also, that at a time when the Pentagon has enjoyed a decade of unchecked defense spending, this bill gives the Pentagon new flexibility to cushion the effects of sequestration. Again, it reaffirms sequestration.

At the same time, the bill ignores the impacts of these devastating cuts on the American public. These sequestration cuts would not only hurt low-income families first and hurt them the most, but also communities of color and the millions of Americans who still are struggling to find a job.

The sequester will impact my congressional district, my home State of California, and every single household in America. It also underfunds the vital programs that protect public health and safety, promote and develop our workforce, and educate the next generation.

While all of us believe that it's important to keep the government functioning, governing by a continuing resolution is really no way to run the Federal Government. We need to rein in Federal spending and spend our security dollars wisely on proven programs that meet today's national security needs, but we also must begin some nation building here at home. The American people deserve better than that. Not only is this resolution a fiscal disaster, it is morally wrong.

[From the New York Times, March 5, 2013]

CALIFORNIA, ON BRINK OF RECOVERY, BRACES FOR SETBACK ON FEDERAL AID

(By Norimitsu Onishi)

SAN FRANCISCO.—After years of ballooning budget deficits, California finally seemed on firmer footing. Unemployment remained high, but revenues and housing prices were up. Taxpayers even voted themselves a tax increase to bring deficits down.

And then came the automatic federal budget cuts known as sequestration.

As the \$85 billion in spending cuts slowly roll out nationwide, California officials are girding themselves for a blow not only to the state's large military industry but also to its nascent economic recovery. Still, experts say, it will most likely slow down, though not derail, the state's economic growth.

The cuts, which began to take effect on Friday and will accelerate as time passes, will amount to a loss of an estimated \$9 billion for California this year. The military industry will incur the biggest reduction, \$3.2 billion, but education, social programs and other areas that were hit particularly hard by California's budget turmoil in recent years will also face cuts.

State officials await word from Washington on exactly how the cuts will be put in place in the weeks and months ahead, hoping that the long-term ripple effects on California's consumers and businesses will become clearer.

"It's very frustrating for a state like California, where we've had housing-market and job-market gains beginning to solidify here," said Jason Sisney, the director of state finance at the nonpartisan California Legislative Analyst's Office. "And just as that's happening, we have the federal government taking actions that could impede that recovery."

Despite the size of military and federal programs in California, the state's \$2 trillion economy is larger and more diverse than the economies of other states, and less dependent on federal workers.

"California will be an average state," said Stephen Levy, the director of the Center for Continuing Study of the California Economy. "We won't be hit less, and we won't be hit more."

Jerry Nickelsburg, an economics professor and expert on the California economy at the Anderson School of Management at the University of California, Los Angeles, said: "But is it sufficient to choke off the recovery in California? I think the answer is no. Will it slow the growth of the California economy? The answer is yes."

Because the automatic budget cuts had been set up to force Democrats and Republicans to negotiate over cuts and spending—and not to be actually put in place—California officials, like their counterparts in other state capitals, have received only general guidance so far from the Office of Management and Budget on how to carry out the cuts. But in the coming weeks, federal agencies are expected to provide details on their respective spending cuts.

"As we learn more the specifics on how they're going to do that, then we will have a better sense of how it will impact the state," said H. D. Palmer, a deputy director at the California Department of Finance.

State officials could have to adjust for the cuts in the state budget revision scheduled for May. In January, Gov. Jerry Brown announced the first balanced budget in years, thanks largely to a temporary tax surcharge that voters approved in November.

The budget cuts are expected to be felt strongly in the San Diego area, where the military industry plays a significant role in the economy. According to the White House, California's 64,000 civilian military workers will be furloughed starting next month, most likely by losing a day of work a week over several months. The White House estimates that the furloughs will total a \$400 million reduction in gross pay this year.

Military contractors in the area are also bracing for cuts.

Marion C. Blakey, the president of the Aerospace Industries Association, a trade group based in Arlington, Va., said larger contractors could absorb the loss of an anticipated order. But smaller members, she said, could be forced to lay off highly paid engineers, and in that way dampen the regional economy.

"These are companies that often do not have the resilience and flexibility to take this kind of body blow," Ms. Blakey said, adding that these were typically highly specialized companies incapable of quickly shifting their businesses. "As an industry, we are very concerned about the third and fourth tier in the supply chain, and California has a lot of those kinds of companies."

Gregory Bloom, a member of the trade group's executive board and the president of Seal Science, a 120-employee aerospace company in Irvine, Calif., said his business had already suffered from the cuts. Because of the uncertainty surrounding federal financing of military-related programs, his company had lost two top engineers and was unable to fill four existing engineering positions, he said.

"In my entire career, I've never been in a situation where I can't at least put some probability on what's going to happen," Mr. Bloom said, adding that he had delayed expanding capacity at a plant as a result. "There's absolutely no way to plan."

The cuts could hurt California's schools and colleges, whose budgets have been slashed in recent years. The University of California system is expected to face at least a 5 percent cut in the \$3.5 billion it receives annually in federal research money. Cuts in federal student aid programs will affect the next academic year.

"As a family starts to plan for what's going to happen next year—how much money do I need to send my son or daughter to school?—these are unknowns right now until we get more information from the federal government," said Gary Falle, the University of California's associate vice president for federal government relations.

According to the White House, California will also lose \$88 million in federal money for primary and secondary education this year. Though Washington accounts for less than 11 percent of the state's budget for schools, that share has taken on increasing weight in recent years because of state cuts, said Erika Webb-Hughes, an official at the California Department of Education's government affairs division.

The cuts are likely to affect disadvantaged students the most, including those with disabilities, Ms. Webb-Hughes said. The uncertainty of the magnitude of the cuts will also make it difficult for school districts to plan for next year because, by state law, they must notify staff members of their future employment status by March 15.

"People will be sending out pink slips," Ms. Webb-Hughes said. "Even if at the end of the year there is a miraculous agreement in the Congress that averts a majority of this issue, the damage is already done."

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this is all about whether or not we shut down the government. This is a bill to keep the government operating while we debate, then, how we deal with sequestration.

This is not a sequestration bill. This is a bill to continue funding the government for the balance of the fiscal year and to help the military cope with the restrictions so that our Nation is adequately defended by our men and women in uniform.

I urge the adoption of the continuing resolution. Let's keep the government going.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I rise today in strong support of H.R. 933, which includes as Division A the fiscal year 2013 Defense Appropriations Bill.

The Defense bill is a good bi-partisan bill which was negotiated with the Senate late last year. It is critical that we pass this bill and get

the Department of Defense out of a year-long continuing resolution, which would have devastating consequences—consequences that rival those of sequestration as several of the Service Chiefs have claimed.

The Defense bill provides the Department with funding in the proper accounts to match how the fiscal year 2013 funds were requested and will be executed, as opposed to the mismatch created by carrying forward the fiscal year 2012 enacted levels in a CR. Without correctly establishing this baseline for execution, the Operation and Maintenance accounts would have been almost \$11 billion short—a shortfall almost equivalent to the sequestration reductions.

Passing a Defense bill also removes the prohibition on new starts and rate increases which exists under a continuing resolution. With over five hundred programs impacted by this prohibition, the Department would experience hundreds of significant schedule delays and cost increases. Also, over a billion in savings would be lost because the Department could not enter into multi-year procurement contracts.

It has now been 5 months since the fiscal year began. But because the Senate did not pass one appropriations bill last year, we find ourselves still trying to wrap up fiscal year 2013. I want to thank Chairman ROGERS for including the Defense bill in this package. This bill is long overdue, and I urge its quick passage.

Chairman ROGERS is the initiator of this plan to pass Defense appropriation and military construction as the major parts of this legislation and he deserves appreciation for his determination to make this important plan work.

Mr. FRELINGHUYSEN. Mr. Speaker, at the outset I would like to commend the Chairman of the full Appropriations Committee, Mr. ROGERS, and the Chairman of the Defense Subcommittee, Mr. YOUNG of Florida, for their determination and perseverance in bringing the completed Defense and Military Construction/VA bills to the floor for our consideration. Since before the end of the last fiscal year, they have been committed to completing our FY '13 bills and move them onto the President's desk for his signature.

Why? Because they understood the damage that would be done to our national security if DoD was forced to operate under the funding levels and restrictions placed on them by our FY '12 bill.

By passing this package today, we will be giving our military leadership additional flexibility to protect their mission and capabilities in this constrained fiscal environment.

I would also add that passage of these measures today reinforces Congress' authority to set policy for the Department of Defense in important areas such as Air Force force structure, the retirement of Navy ships, increasing the pace of Navy shipbuilding, etc. and not cede it to the Executive Branch solely.

I am also pleased that the package also allows additional funding for nuclear weapons modernization, to ensure the safety, security, and reliability of the nation's nuclear stockpile.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I oppose H.R. 933, which appropriates money for the Department of Defense and the Department of Veterans Affairs, and

funds the rest of the government until the end of the Fiscal Year 2013. This bill maintains the across the board sequestration cuts that took effect last Friday. Democratic Members of Congress have repeatedly called for a common sense, bipartisan solution to avoid the sequester, and have been met by nothing but inaction by our colleagues in the majority.

These indiscriminate cuts will seriously jeopardize the economic stability of this country. While our economy is still recovering from the worst recession since the Great Depression, sequestration will have the effect of slowing the recovery and costing 750,000 jobs.

While the worst consequences of the sequester have not yet been realized, the wheels have now been set in motion. We are on a course that will have real impacts for millions of Americans. Furlough notices are going out to thousands of federal employees and contractors, and many services will begin to slow.

Programs and services that millions of Americans rely on like Head Start, nutrition programs like WIC, and even the Federal Emergency Management Agency will be crippled by these cuts in funding. The critical support that our communities depend upon—the law enforcement officers who protect us, the air traffic controllers who keep our skies safe, FDA food inspectors, and the CDC's funding for disease prevention—all of it is being slashed.

Mr. Speaker, in short the Republicans are putting the ability of our government to function at risk, and they are jeopardizing the safety and security of millions of families across this country.

Mr. BRALEY of Iowa. Mr. Speaker, I rise today against H.R. 933. This bill includes reckless, across-the-board spending cuts known as the sequester, which have a disproportionate impact on critical programs that serve those in our nation's most vulnerable communities. Because Congress is unwilling to act responsibly, drastic cuts are set to go into effect with this bill, and hundreds of Iowa kids will bear the burden of lawmakers' inaction by no longer having access to Head Start services. Investments for children's education will be cut. Additionally, the bill could impact other everyday services such as the closure of hundreds of air traffic control towers throughout the country, including three in Iowa. Along with the harmful cuts that the sequester brings, the Defense Appropriations portion of the bill continues to fund \$87 billion dollars towards the war in Afghanistan. We need to bring our brave men and women serving in uniform home rather than continue to fund a war that has lasted longer than a decade.

Although I oppose the bill in its current form, there are many provisions in the bill that I do support. I applaud the 1.7 percent pay increase for military personnel. I support the continuation of a pay freeze for Members of Congress. I also support the increased funding for embassy security following the needs identified after the Benghazi attacks. I am also pleased to know that the bill provides for substantial foreign aid to our ally Israel.

Mr. HIMES. Mr. Speaker, while I supported today's continuing resolution in an effort to ensure that essential governmental operations are funded beyond March 27, there remain

many questions about the application of the sequester.

One area that few Members of Congress or the administration are discussing is whether sequestration should apply to certain entities that Congress clearly intended to be legally independent of the federal government. Congress recognized the crucial importance of maintaining the objectivity of each of these entities and insulated them from the federal appropriations process in order to maintain their independence.

For example, the Financial Accounting Standards Board ("FASB"), the entity that establishes generally accepted accounting principles is a private entity that is explicitly not part of the Congressional appropriations process under the Sarbanes-Oxley Act. Indeed, that Act specifically states that FASB revenues are not to be considered "public monies."

Unfortunately, the Office of Management and Budget's sequestration order would require the private fee income on which FASB relies for its operations to be subject to the sequester. This is despite Congress' explicit intent in the Sarbanes-Oxley Act to keep FASB independent.

More fundamentally, sequestration of these monies makes no sense. FASB's funding does not come from the federal government and is instead collected from accounting support fees allocated among public issuers. As a result, sequestration of FASB funding has no effect on reducing the federal deficit. It does, however, undermine FASB's independence and important role in setting accounting standards for U.S. public issuers.

Other entities similar to FASB are also being sequestered despite Congress' clear intent to keep them separate from the federal budget process. The Public Company Accounting Oversight Board, the Securities Investor Protection Corporation, and the North American Electric Reliability Corporation are all entities subject to the sequester notwithstanding the fact that they collect fee income independent of the federal budget process.

Subjecting these entities to sequestration would seriously undermine the intent of Congress to keep them apart from the federal budget process as independent organizations. As we consider the effect of sequestration in the coming days and weeks, I urge my colleagues to support a legislative remedy that would ensure that entities like FASB are not subject to sequestration.

Mr. HOLT. Mr. Speaker, I rise in opposition to this bill.

While this bill does exempt the Department of Veterans Affairs from sequestration, that is the only good news in this bill.

H.R. 933 does provide the Department of Defense with a better balance between its operations and maintenance accounts and its longer-term investment accounts. However, it will do nothing to stop the \$46 billion sequester for the Department of Defense, which will result in civilian furloughs, deployment and training cutbacks, and facility maintenance cuts.

The bill shortchanges our homeland security needs by denying a requested increase for FEMA State and Local Grants, locking the program into its lowest funding level in history and shortchanging disaster preparedness and

anti-terrorism funds to states, urban areas, ports, transit, and first responders.

Communities impacted by Hurricane Sandy are also shortchanged by this bill. H.R. 933 does not include funding requests important for disaster recovery, cyber-security, water infrastructure, advanced manufacturing, and weatherization, including a request to lower the local cost-share from 65/35 to 90/10 for Army Corps of Engineers projects in communities affected by Sandy, hindering ability of local communities to recover and rebuild.

The bill also violates the intent of the Affordable Care Act by failing to include a requested \$949 million to implement health insurance exchanges under the Affordable Care Act, scheduled to begin enrolling participants in October. Funding is needed for IT infrastructure to process enrollments and payments, eligibility verification, call centers, and other assistance to help individuals and small businesses select and enroll in health plans.

I urge my colleagues to join me in opposing this badly flawed bill.

Mr. O'ROURKE. Mr. Speaker, I rise today to explain my vote for the Continuing Resolution, H.R. 933. It is a deeply flawed bill that fails to adequately address the mindless cuts of the sequester; however, I believe it is an improvement over the current budget status quo and will help ease the pain of the sequester cuts for El Paso.

We should be voting on a balanced plan to end the sequester. I and other members have attempted to introduce legislation that would replace the sequester. In fact, we even tried to force a vote today to do this once again, but have been continually and repeatedly blocked by the majority at every turn. The non-partisan CBO says that the sequester will mean 750,000 lost jobs across the country. In El Paso, 20,000 federal workers, including those that protect our borders and care for our wounded warriors, are facing furloughs and continued pay freezes because Congress has not acted. Federal Reserve Chairman Bernanke recently testified that the sequester cuts will actually make it more difficult to address our long-term deficits because it will slow economic growth. The sequester will also mean fewer teachers in our classrooms, less Head Start spots for low-income children, and cuts to job-training programs that help dislocated workers find employment.

The bill before us today recognizes that the sequester is irresponsible and it provides relief from the negative impacts of the sequester for two agencies—the Veterans Administration and the Defense Department. Our vote today on actual appropriations bills for these two agencies will help alleviate some of the worst sequester impacts. For example, this legislation allows the Defense Department to shift funds to the Operations and Maintenance account so that our military installations, including Fort Bliss, can operate effectively and ensure that our troops continue to receive world-class training. It provides advanced appropriations for the VA so they can care for our veterans. By providing a full year appropriations for Military Construction, this legislation will provide greater certainty for the Beaumont East hospital project on Fort Bliss. The bill also provides targeted relief to the Customs and Border Patrol (CBP) and will allow CBP to

maintain staffing levels and hopefully avoid the full 14 days of furloughs scheduled to start next month. This will help prevent gridlock at our ports of entry and help the economy of El Paso, not to mention the greater security afforded to family budgets for those CBP employees. For these reasons I am supporting the Continuing Resolution today.

However, this legislation is far from perfect and is certainly not the bill I would have authored. But I cannot go home and tell El Pasoans that I voted against protecting working families and tens of thousands of jobs at Fort Bliss and within the CBP because I was holding out for a better deal. My only choice was to vote yea or nay. I choose to help move the ball forward, avoid a government shutdown, and alleviate some of the worst impacts of the sequester.

There is still time to make needed improvements to this legislation and provide our federal agencies with the flexibility and funding they need to function properly. The Defense Department and the Veterans Administration are vitally important agencies; however, there is no reason that Congress should carry out its responsibilities of passing a budget for only them, while forcing the rest of the government to function under the mindless cuts imposed by the sequester and spending priorities enacted 18 months ago. I will continue to work toward a responsible solution to stop the sequester, fund our government, protect the jobs of El Pasoans, and ensure that programs that many in my community rely on are protected.

Mr. VAN HOLLEN. Mr. Speaker, today presents our last chance this month to deal with the harmful effects of sequestration, and yet the bill on the floor does nothing to address this critical issue. This week, for the fourth time, House Republicans blocked my amendment to replace sequestration, even as the nonpartisan Congressional Budget Office warns that these arbitrary cuts will cost the economy 750,000 jobs and lower economic growth by nearly one-third. By failing to address sequestration, this bill underfunds education, scientific research, and consumer protections.

Moreover, while I appreciate that today's bill makes necessary adjustments to defense and veterans programs, I regret that it fails to make similar provisions for every other federal agency. By failing to adjust agency budgets outside of defense, this bill continues spending on old policies while failing to fund important priorities like implementation of the Affordable Care Act and enforcement of Dodd-Frank protections against abuse in the financial sector.

This bill also continues to unfairly penalize our federal workforce, extending their pay freeze through the end of the year. I support my colleague GERRY CONNOLLY's bill to freeze Congressional pay, but our federal employees have already paid more than their fair share, sacrificing more than \$100 billion in pay and benefits to reduce our Nation's deficit. Private-sector wages rose by an average of 1.4 percent in 2011 and 1.7 percent in 2012, but federal pay has been frozen since 2010. Denying a 0.5 percent cost-of-living increase for the federal workers who secure our airports, patrol our borders, conduct research in national labs, care for our veterans, and inspect our Nation's food supply will only jeopardize our ability to recruit and retain the best and the brightest.

We stand ready to work with our Republican colleagues to end sequestration and responsibly fund our national priorities. Instead, the Republican Leadership, driven by their most extreme members, continues to move from manufactured crisis to manufactured crisis, ignoring our most pressing needs—jobs and the economy. We can and must do better for the American people. It is my hope that we can work with our colleagues in the Senate to craft balanced, responsible legislation that avoids a government shutdown, ends sequestration, and properly funds our Nation's priorities.

Mr. BLUMENAUER. Mr. Speaker, I oppose this legislation. In Congress, we continue to talk past ourselves on how to get to fundamental financial sustainability. If flexibility is necessary for some agencies, then why not provide all of them with the necessary flexibility to deal with the draconian impacts of the sequester?

I opposed the sequester from the beginning and still believe it's a terrible idea. Congress should have dealt with it comprehensively at the end of last year; we should have had a bigger solution then. Now that we are stuck with it, we have to deal with the consequences.

Providing flexibility to some of the agencies but not others makes no sense—it merely allows the Defense Department to mitigate some of the worst effects on its budget, while continuing to hamstring vital domestic priorities. For instance, the \$1.6 billion cut in the NIH budget will cut research into illnesses affecting millions of Americans, senior meal programs like Meals on Wheels will be cut by up to 4 million meals for needy seniors, and in my State, head start and early head start programs are being cancelled.

In my home State of Oregon, we will lose approximately \$10.2 million in funding for primary and secondary education, putting about 140 teacher and aide jobs at risk. Our Head Start and Early Head Start services will be eliminated for approximately 600 children, reducing access to critical early education. Oregon could lose up to \$81,000 in funds that provide services to victims of domestic violence, resulting in up to 300 fewer victims being served.

Overall, this reckless policy will cost our country roughly 750,000 jobs, according to the CBO. They also estimate that allowing sequester to take place will lower economic growth from 2.0 percent to 1.4 percent, cutting anticipated economic recovery by a third.

Instead of throwing our hands up, we should make smart, targeted budget decisions that, taken over 10 years, are an alternative to the arbitrary sequester cuts and can put the country on a more sustainable fiscal path.

Mr. KILMER. Mr. Speaker, I rise today in opposition to H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act.

Talking to folks in our region, I know they will be hurt by the reckless across-the-board cuts included in this budget plan. From day one, I've said sequestration is a bad idea for our country. The bill we voted on today doesn't stop the furloughs that will hurt our communities, doesn't give non-defense agencies the flexibility to deal with the across-the-

board cuts in a more strategic way, and doesn't limit the impact of deep cuts to programs like Impact Aid that ensures the schools that our military kids attend have the resources they need. I didn't come here to vote on partisan gimmicks. I'm here to solve problems. The bill we voted on today doesn't do that. It continues in the wrong direction for our military and for our other priorities.

Congress has 21 days until the current funding for the government expires. That's 21 days that Congress should be working non-stop until there is a bipartisan, long-term budget plan that addresses our financial sustainability and avoids making these mindless across-the-board cuts. For our national security, our businesses, and our middle class families, we need a responsible, long-term balanced budget plan to replace the across-the-board cuts and get our economy back on track.

Mr. CONAWAY. Mr. Speaker, I rise today to highlight an important oversight in the implementation of the sequester that this CR does not address: the inclusion of several private, non-profit organizations in the scope of the sequester.

We all recognize the importance of eliminating our country's growing deficit and debt. While the sequester is in no way the best solution to this problem, we cannot afford to ignore our nation's debt crisis. Meaningful spending cuts are absolutely required in order to get our fiscal house in order.

As a CPA, I am concerned about two organizations in particular, the Public Company Accounting Oversight Board and the Financial Accounting Standards Board. These two organizations were designed from their inception to be independent of the federal budget process.

High-quality accounting and independent audit oversight is critical to providing transparent, consistent, comparable, relevant, and reliable financial information to investors. Because of the complexity and the competing stakeholder interests associated with accounting standards, Congress has repeatedly determined that the establishment and enforcement of these standards should be managed by independent, private-sector organizations.

In order to insulate the PCAOB and FASB from coercion and to protect their independence, Congress authorized these organizations to collect fees as dedicated sources of funding in the Sarbanes-Oxley Act. These fees are not federal dollars; they never touch the Treasury or any other governmental entity, and are not subject to appropriation. In fact, Section 109(c)(1) of Sarbanes-Oxley specifically says: "accounting support fees and other receipts of the [PCAOB] and [FASB] shall not be considered public monies of the United States."

Importantly, neither the PCAOB nor FASB has any budget authority, or the ability to obligate and expend funds on behalf of the Federal government. Section 109(i) of Sarbanes-Oxley clarifies their independence further by stating: "Nothing in this section shall be construed to render either the [PCAOB], [FASB], or both, subject to procedures in Congress to authorize or appropriate public funds, or to prevent such organization from utilizing additional sources of revenue for its activities . . ."

Despite this clear Congressional intent to keep the PCAOB and FASB independent of

the Federal budget process, OMB included them both in the President's Budget, making them subject to sequestration under the BCA. Yet, because their revenues are not federal monies, sequestering their funds would have no impact on the Federal budget and would not reduce the deficit one dollar.

Sequestration of the PCAOB and FASB's accounting support fees would jeopardize the independence of the accounting standards-setting and auditing process, and provide the Federal government with unintended and unprecedented control over these institutions. That type of control is precisely what Congress sought to avoid when it made the PCAOB and FASB independent of the Federal budget process in Sarbanes-Oxley.

Absent correction, I fear that FASB's sister organization, the Government Accounting Standards Board-GASB will also be subject to sequester. Like the PCAOB and FASB, GASB had its independence firmly established with its own authorization to collect fees and its complete separation from the federal budget written into Dodd-Frank.

In order to implement Congressional intent and maintain the independence of the accounting and auditing community, we must exempt these private, non-profit organizations from the President's Budget and clarify that these and other similarly situated entities are not subject to current or future sequestration under the BCA.

I would like to insert into the RECORD a bipartisan letter signed by nine members of the Congressional Caucus on CPAs and Accountants. While the letter is focused on FASB and GASB, it is equally applicable to the PCAOB and shows the bipartisan concern that protecting the independence of these organizations has.

CONGRESS OF THE UNITED STATES,

Washington, DC, February 26, 2013.

Hon. BARBARA MIKULSKI,
Chairman, Committee on Appropriations, U.S.
Senate, Washington, DC.

Hon. PATTY MURRAY,
Chairman, Senate Budget Committee, U.S. Sen-
ate, Washington, DC.

Hon. HAROLD ROGERS,
Chairman, Committee on Appropriations, House
of Representatives, Washington, DC.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of
Representatives, Washington, DC.

DEAR CHAIRMEN MIKULSKI, ROGERS, MURRAY, AND RYAN: As Members of the Bi-Partisan Congressional Accountants Caucus, we are concerned about the Office of Management and Budget's ("OMB") unilateral determination that sequestration applies to the Financial Accounting Standards Board ("FASB") under the Budget Control Act of 2011 (P.L. 112-25) ("BCA").

OMB's decision to sequester funding for FASB, and the potential for a future sequestration of the Governmental Accounting Standards Board ("GASB"), undermines the independence required for the establishment of fair and reliable accounting standards. It also contradicts Congressional intent and the legal requirements of the BCA, the Sarbanes-Oxley Act of 2002 ("SOX"), and the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank"). Consequently, we ask that FASB and GASB be excluded from the list of entities subject to any current or future sequestration under the BCA.

High-quality accounting standards are critical to providing transparent, consistent, comparable, relevant, and reliable financial information to investors. Because of the complexity and the competing stakeholder interests associated with accounting standards, Congress has repeatedly determined that the establishment of these standards should be managed by an independent, private-sector body. Congress statutorily authorized the SEC to designate FASB as the entity responsible for developing financial accounting and reporting standards for all nongovernmental, private-sector entities that issue financial statements in accordance with generally accepted accounting principles. Similarly, GASB is recognized as the private-sector accounting standards-setter for state and local governments.

Congress has determined that independent, private-sector funding sources are necessary in order for those entities to remain objective and unbiased. Therefore, Congress authorized the collection of fees as dedicated sources of funding to insulate FASB and GASB from coercion and to protect their independence. It is important to note that those fees are explicitly not public monies of the United States; the fees never touch the Treasury or any other governmental entity, and are not subject to appropriation.

Despite this clear Congressional intent to keep FASB and GASB independent of the Federal budget process, OMB unilaterally decided to include FASB in the President's Budget, making it subject to sequestration under the BCA. Absent correction, we fear that OMB may also decide to include GASB in the President's Budget, thereby also making it subject to sequestration. Importantly, neither FASB nor GASB has budget authority, or the ability to obligate and expend funds on behalf of the Federal government. Therefore, sequestering their funds would have no impact on the Federal budget and would not reduce the deficit one dollar.

Sequestration of FASB accounting support fees would jeopardize the independence of the accounting standards-setting process and provide the Federal government with unintended and unprecedented control over FASB's budget. That type of control is precisely what Congress sought to avoid when it made FASB independent of the Federal budget process in SOX, and GASB in Dodd-Frank.

In order to implement Congressional intent and maintain the independence of the accounting standards-setting process, we request that the Appropriations and Budget Committees take such steps as might be necessary to exempt FASB and GASB from the President's Budget and to clarify that these entities are not subject to sequestration under the BCA. Thank you for your attention to this matter.

Best regards,

Rep. Mike Conaway, Co-Chair, Caucus on
CPAs and Accountants.

Sen. Mike Enzi, Co-Chair, Caucus on
CPAs and Accountants.

Rep. Brad Sherman, Co-Chair Caucus on
CPAs and Accountants.

Rep. John Campbell.

Rep. Bill Flores.

Rep. Steven Palazzo.

Rep. James Renacci.

Rep. Patrick Murphy.

Rep. Collin Peterson.

The SPEAKER pro tempore. All time for debate on the bill has expired.

Pursuant to House Resolution 99, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. PETERS of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PETERS of California. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Peters of California moves to recommit the bill H.R. 933 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 268, beginning on line 20, strike section 3002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of the motion.

Mr. PETERS of California. Mr. Speaker, this is the final amendment to the bill. It will not delay or kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage, as amended.

This past November, San Diegans and people across the country sent a strong message to Congress. They are tired of Washington putting politics before people, and I was honored to take my oath of office in January with a mission to be part of the solution. Like probably every member of this freshman class, Republican and Democrat, I ran for office because I was tired of the gridlock, and I believed I could make a difference. I still do.

When I was president of the San Diego City Council, it would never have occurred to me not to allow my colleagues to vote on a measure because I disagreed with it. I docketed items for votes because that's how we worked through issues and moved ahead. But the reality of Congress is that leadership has the ability to kill legislation before Members are even allowed to vote on it.

This Congress has been in session for 61 days. During that time, the majority has not offered or allowed even one vote on any proposal to repeal, amend, or replace the sequester, a measure that was designed to be so nonsensical that it was supposed never to have taken effect. That means that this Congress, 20 percent of whom are new Members, has not had even one chance to vote to avoid the loss of at least 750,000 jobs.

Until we're allowed to vote on the sequester, those of us who think it's bad policy—who prefer a regular budget process—can at least start by striking the sequestration language in this bill.

Since coming to Congress, I have used my time at home and here to emphasize how these budget decisions—

and nondecisions—affect our constituents, large and small businesses, and our national defense. People in San Diego and across the country are counting on us to find a solution to the sequester so that we can continue our recovery, our economic growth, and we can continue to stay safe.

I've explained that two of the main drivers of San Diego's economy are our scientific research community and our military. In fiscal year 2012, San Diego firms received more than \$130 million from the National Science Foundation and \$850 million from the National Institutes of Health. It's these types of investments that have created hundreds of thousands of jobs, boosted our economy, and allowed San Diego to become the second largest life science cluster in the United States.

A student pursuing a degree in the sciences recently wrote to me to express the hope that we will find a way to fund an NIH project that would map the active human brain. That project would do for neuroscience what the Human Genome Project did for genetics. But he worries that if the United States is unable to fund projects like these that we will lose our place as a leader in scientific discovery to countries like China, England, or Israel, who are making those investments today.

The immediate cuts to NIH from sequestration are 8.2 percent, which is equivalent to a cut of \$2.5 billion. This could result in the loss of 33,000 research-related jobs in 2013 and a \$4.5 billion decrease in economic activity.

I've also explained how devastating the sequester is to our military. Just yesterday, an admiral testified at the House Armed Services Committee about how our best and brightest, whom we need for cyberdefense and who are interested in cyberdefense, are worried about pursuing their careers here because they don't know if they can count on Congress to provide the support.

□ 1330

And in San Diego, where almost one in four jobs are defense-related and nearly 25 percent of defense contractors are small businesses, 10 shipbuilding and maintenance contracts have been canceled. Nationwide, manufacturing companies that rely on defense funding could lose 223,000 jobs. And as we have heard in Armed Services, neglecting ship repairs and other maintenance and not making these investments not only leads to job losses, but threatens our very readiness as a nation.

I know protecting these areas of investment and ensuring economic recovery and growth are ideas that both Democrats and Republicans can agree on. Now is the time to ignore party pressures and to do what is right for the American people. I urge my col-

leagues to vote "yes" to remove this language from the bill because we need to find solutions other than the sequester.

Let's turn the indiscriminate cuts of the sequester into targeted cuts that are part of a larger deficit reduction strategy, a strategy that cuts wasteful spending but doesn't cut critical infrastructure investments, stifle scientific innovation, or compromise our national defense.

With that, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I rise in opposition.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Speaker, the budgetary problems we face are unprecedented, and the American public demands that we address them. This continuing resolution is the first step in that process.

The measure before us does four important things: one, it takes threat of a government shutdown off the table; two, it fulfills the agreements made in the Budget Control Act; three, it protects our troops in harm's way; and, four, it binds up our veterans' wounds.

This is not the time, Mr. Speaker, to argue about sequestration. Today is the day to keep the government running and show the people back home we've not lost the ability to govern.

The House has passed two separate responsible sequestration replacement bills only to have both of them languish in the other body without action. We're still waiting, Mr. Speaker.

The President must come to the table with a real proposal to solve the sequestration crisis instead of sending us the same old talking points and doing campaign trips around the country.

The public is tired of government putting politics ahead of people. Now is the time to take a shutdown off the table. Now is the time to give our troops and our veterans the resources they need, deserve, and have earned. Now is the time, Mr. Speaker, to govern.

Vote "no" on this motion, and vote "yes" to keep the government operating.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. PETERS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 188, nays 231, not voting 12, as follows:

[Roll No. 61]

YEAS—188

Andrews	Grayson	Nolan
Barber	Green, Al	O'Rourke
Bass	Green, Gene	Owens
Beatty	Grijalva	Pallone
Becerra	Gutierrez	Pascarell
Bera (CA)	Hahn	Pastor (AZ)
Bishop (GA)	Hanabusa	Payne
Bishop (NY)	Hastings (FL)	Pelosi
Blumenauer	Heck (WA)	Perlmutter
Bonamici	Higgins	Peters (CA)
Brady (PA)	Himes	Peters (MI)
Braley (IA)	Hinojosa	Pingree (ME)
Brown (FL)	Holt	Pocan
Brownley (CA)	Honda	Price (NC)
Bustos	Horsford	Quigley
Butterfield	Hoyer	Rahall
Capps	Huffman	Rangel
Cárdenas	Israel	Richmond
Carney	Jackson Lee	Roybal-Allard
Carson (IN)	Jeffries	Ruiz
Cartwright	Johnson (GA)	Ruppersberger
Castor (FL)	Johnson, E. B.	Rush
Castro (TX)	Kaptur	Ryan (OH)
Chu	Keating	Sánchez, Linda
Cicilline	Kennedy	T.
Clarke	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	Kirkpatrick	Schneider
Cohen	Kuster	Schrader
Connolly	Langevin	Schwartz
Conyers	Larsen (WA)	Scott (VA)
Cooper	Larson (CT)	Scott, David
Costa	Lee (CA)	Serrano
Courtney	Levin	Sewell (AL)
Crowley	Lewis	Shea-Porter
Cuellar	Lipinski	Sherman
Cummings	Loebuck	Sinema
Davis (CA)	Lofgren	Slaughter
Davis, Danny	Lowenthal	Smith (WA)
DeFazio	Lowey	Speier
DeGette	Lujan Grisham	Stallwell (CA)
Delaney	(NM)	Takano
DeLauro	Luján, Ben Ray	Thompson (CA)
DelBene	(NM)	Thompson (MS)
Deutch	Maffei	Tierney
Dingell	Maloney,	Titus
Doggett	Carolyn	Tonko
Doyle	Maloney, Sean	Tsongas
Duckworth	Markey	Van Hollen
Edwards	Matsui	Vargas
Ellison	McCarthy (NY)	Veasey
Engel	McCollum	Vela
Enyart	McDermott	Velázquez
Eshoo	McGovern	Visclosky
Esty	McNerney	Walz
Farr	Meng	Wasserman
Fattah	Michaud	Schultz
Foster	Moore	Waters
Frankel (FL)	Moran	Watt
Fudge	Murphy (FL)	Waxman
Gabbard	Nadler	Welch
Galleo	Napolitano	Yarmuth
Garamendi	Neal	
Garcia	Negrete McLeod	

NAYS—231

Aderholt	Boustany	Chaffetz
Alexander	Brady (TX)	Coffman
Amash	Bridenstine	Cole
Amodei	Brooks (AL)	Collins (GA)
Bachmann	Brooks (IN)	Collins (NY)
Bachus	Broun (GA)	Conaway
Barletta	Buchanan	Cook
Barr	Bucshon	Cotton
Barrow (GA)	Burgess	Cramer
Barton	Calvert	Crawford
Benishek	Camp	Crenshaw
Bentivolio	Campbell	Culberson
Bilirakis	Cantor	Daines
Bishop (UT)	Capito	Davis, Rodney
Black	Carter	Denham
Blackburn	Cassidy	Dent
Bonner	Chabot	DeSantis

DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston

Kinzing (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petr
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell

NOT VOTING—12

Capuano
Coble
Lynch
McIntyre

□ 1354

Messrs. REICHERT, TURNER, SMITH of Texas, and BILIRAKIS changed their vote from “yea” to “nay.”

Ms. LOFGREN, Mr. BISHOP of New York, Ms. DEGETTE, Ms. MENG, and Mrs. NAPOLITANO changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 267, nays 151, not voting 13, as follows:

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishak
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis (CA)
Davis, Rodney
DeFazio
DeBene
Denham
Dent
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Enyart
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gosar
Gowdy

[Roll No. 62]

YEAS—267

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Himes
Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly
King (IA)
King (NY)
Kinzing (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larson (CT)
Latham
Latta
Lipinski
LoBiondo
Loeb sack
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson

Amash
Andrews
Bass
Beatty
Becerra
Bishop (NY)
Blumenauer
Bonamici
Brady (IA)
Braley (PA)
Bridenstine
Broun (GA)
Brown (FL)
Butterfield
Capps
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Crowley
Cuellar
Cummings
Davis, Danny
DeGette
Delaney
DeLauro
DeSantis
DesJarlais
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frankel (FL)
Fudge
Gingrey (GA)

Capuano
Coble
Lynch
McIntyre
Meeks

NAYS—151

Gohmert
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kennedy
Kildee
Kilmer
Kind
Kingston
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis
Lofgren
Lowey
Lujan, Ben Ray (NM)
Maloney, Carolyn
Markey
Massie
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meng
Michaud
Moore
Nadler
Napolitano

NOT VOTING—13

□ 1403

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PASCRELL. Mr. Speaker, today, March 6th, I missed a rollcall vote. Had I been present I would have voted: Rollcall vote 62—“nay”—Final Passage of H.R. 922—Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013

 HOUR OF MEETING ON TOMORROW

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the order of the House of January 3, 2013, regarding morning-hour debate not apply tomorrow, and when the House adjourns on Thursday, March 7, 2013, it adjourn to meet at 10 a.m. on Monday, March 11, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

APPOINTMENT OF MEMBERS TO BE AVAILABLE TO SERVE ON INVESTIGATIVE SUBCOMMITTEES OF THE COMMITTEE ON ETHICS

The SPEAKER pro tempore (Mr. WENSTRUP). The Chair announces the Speaker's appointment, pursuant to clause 5(a)(4)(A) of rule X, and the order of the House of January 3, 2013, of the following Members of the House to be available to serve on investigative subcommittees of the Committee on Ethics for the 113th Congress:

Mr. LATHAM, Iowa
Mr. THORNBERRY, Texas
Mr. FORBES, Virginia
Mr. BISHOP, Utah
Mrs. BLACKBURN, Tennessee
Mr. LATTA, Ohio
Mr. OLSON, Texas
Mr. GARDNER, Colorado
Mrs. ROBY, Alabama
Mr. MESSER, Indiana

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 313

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 313, a bill originally introduced by Mrs. Emerson of Missouri, for the purposes of adding cosponsors and requesting printings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HONORING THE LIVES OF SERGEANT LORAN "BUTCH" BAKER AND DETECTIVE ELIZABETH BUTLER

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, every day, police officers place themselves in harm's way to protect our communities. It's that unselfish act that separates them from ordinary citizens. Through their willingness to serve, our brave policemen and -women represent the best of our country.

Sadly, last week, in my district, two fine officers, Sergeant Loran "Butch" Baker and Detective Elizabeth Butler, were killed in the line of duty in the small town of Santa Cruz, California. Sergeant Baker and Detective Butler are the first officers to be killed in the line of duty in the city's 137-year history.

Our prayers and sympathies are with the families and loved ones of these of-

ficers. And I'd like the House to take a brief moment of silence in their memory.

Sergeant Baker leaves behind a wife, two daughters and a son, who is a Community Service Officer with the Santa Cruz Police Department. Detective Butler leaves behind her partner and two young sons.

This is a horrible tragedy, and I join with the residents of the Central Coast to mourn this loss and to pay our respects to these two fallen heroes.

□ 1410

SPREAD THE WORD TO END THE WORD

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, March 6 is the day we "Spread the Word to End the Word," an ongoing effort by Special Olympics, Best Buddies, and many others to raise the consciousness of society about the hurtful effects of the word "retard" and to encourage people to pledge to stop using the "R" word. Respectful and inclusive language is essential to the dignity and humanity of people with intellectual disabilities. Much of society does not realize the hurtful, dehumanizing, and exclusive effects of this word. This campaign is intended to engage schools, organizations, and communities to rally and pledge their support to promote the inclusion and acceptance of people with intellectual disabilities.

Today, I pledge my support to help end the derogatory use of the "R" word from everyday speech and promote the acceptance and inclusion of people with intellectual disabilities.

Mr. Speaker, I urge all of my colleagues to "Spread the Word to End the Word."

HONORING THE 225TH ANNIVERSARY OF THE TOWNS OF STILLWATER, SARATOGA, HALFMOON, AND BALLSTON, NEW YORK

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. I rise today to recognize four towns in the 20th District of New York that will celebrate their 225th anniversary tomorrow. They're the towns of Stillwater, Saratoga, Halfmoon and Ballston.

The place of the Still Waters had French settlers as early as the 1600s, and they were known to have a mill. Originally part of Albany County, the districts of Saraghtoga, and Halfmoon were divided on March 24 of 1772. In 1775, BallsTown was taken from Saraghtoga, making three districts

within Albany County. Eventually, in February of 1791, the New York State Legislature created the county of Saratoga. Early Ballston residents were deeply involved in the Revolutionary War. And in Halfmoon, some of the original minutes from the first town meeting in April of 1788 still exist.

Mr. Speaker, these towns are replete with history and rich in heritage. We do well to remember the foundation on which we are built and to continue to add to the mosaic that is the Capital Region, the State of New York, and indeed our Nation.

Congratulations on the celebration of the four towns' 225 years. May our future and theirs be even brighter than our rich past.

PASS THE SKILLS ACT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Today, the Federal Government spends \$18 billion a year to operate more than 50, often duplicative, workforce education programs. Even with that significant investment, roughly 20 million Americans remain un- or underemployed. Businesses, too, are also struggling, struggling to find workers with the right technical skill sets to fill vacant jobs on payroll.

Why the mismatch? Why aren't workforce education programs efficiently preparing capable job seekers for these careers? Job seekers and employers alike would be better served by a more responsive, individualized, and modern workforce development strategy. With my colleagues on the Education and Workforce Committee, I have introduced H.R. 803, the SKILLS Act, which will eliminate arbitrary roadblocks within existing workforce education programs, prioritize well-paying, in-demand industries, expand opportunities at community colleges, and most importantly, treat all job seekers as individuals.

Let's pass the SKILLS Act.

TAKE A BUDGET CUE FROM HARDWORKING AMERICANS

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, I rise today to urge the President to get serious about our getting our fiscal house in order. While imperfect, the continuing resolution passed today is an important step in the right direction. Today's legislation provides the Defense Department and VA some relief from President Obama's sequester by granting flexibility to prioritize spending, helping ensure the needs of our Armed Forces are met. It is time for the Senate to follow the House's lead and pass this legislation.

Instead of campaigning, President Obama should be devoting time and resources to finish his budget submission to Congress, which is already 4 weeks overdue. When mothers, fathers, and small business owners face budget problems, they sit down around the kitchen or office table with notepads, pencils, calculators, and get to work. They prioritize spending and make tough but necessary decisions.

It is time for the President and our friends across the aisle to adopt the same commonsense practices of budgeting and prioritization that hard-working women and men in the private sector use every single day.

LET'S GET THIS DONE RIGHT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. We passed the CR today. We've seen the sequester go through this week, unfortunately. So here we are.

We ask the President to not scare the country and put everybody on notice that he's going to make it as painless as possible, to do the positive things that are going to make this thing work. We have to rein in spending in the United States. It's going to be for our children and our future. So instead of threatening things such as guided tours that don't cost anything becoming part of the past, why don't we move forward with things that we can agree on and that are going to be helpful for balancing our budget and taking the small step towards a future. Yes, it's going to be painful. But it doesn't have to be as painful as when we hear directives to Federal agencies to make it as painful as possible. It's a very disingenuous process.

So let's stay here and get this thing done right and find real things that we can make in reductions to help our country and not threaten it.

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 7, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

606. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Change to Administrative Rules Regarding the Transfer and

Storage of Excess Spearmint Oil [Doc. No.: AMS-FV-12-0014; FV12-985-2 FR] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

607. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Disclosure and Delivery Requirements for Copies of Appraisals and Other Written Valuations Under the Equal Credit Opportunity Act (Regulation B) [Docket No.: CFPB-2012-0032] (RIN: 3170-AA26) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

608. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Disclosure of Records and Information [Docket No.: CFPB-2011-0003] (RIN: 3170-AA01) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

609. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Appraisals for Higher-Priced Mortgage Loans [Docket No.: CFPB-2012-0031] (RIN: 3170-AA11) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

610. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Bexar County, TX, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

611. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Designation of Low-Income Status; Acceptance of Secondary Capital Accounts by Low-Income Designated Credit Unions (RIN: 3133-AE09) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

612. A letter from the Secretary, Department of Health and Human Services, transmitting a certification regarding the Essential Health Benefits requirements of the Affordable Care Act; to the Committee on Energy and Commerce.

613. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period October 1, 2012 through November 30, 2012; to the Committee on Foreign Affairs.

614. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes To Implement the First Inventor To File Provisions of the Leahy-Smith America Invents Act [Docket No.: PTO-P-2012-0015] (RIN: 0651-AC77) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

615. A letter from the Acting Administrator, General Services Administration, transmitting a claim for equitable relief under the Meritorious Claims Act; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN (for himself, Mr. DeFAZIO, and Mrs. ROBY):

H.R. 978. A bill to deauthorize the Military Selective Service Act, including the registration requirement and the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System, except during a national emergency declared by the President, and for other purposes; to the Committee on Armed Services.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. SCHRADER, Mr. SOUTHERLAND, Ms. FOXX, Mr. HURT, Mr. WESTMORELAND, Mr. RIBBLE, Mr. CRAWFORD, Mr. HANNA, Mr. WALDEN, Mr. DeFAZIO, Mr. WELCH, Mr. JONES, Mr. BENISHEK, Ms. SEWELL of Alabama, Mr. NUNNELEE, Mrs. LUMMIS, Mr. ADERHOLT, Mr. YOUNG of Alaska, Ms. PINGREE of Maine, Mr. MICHAUD, Mr. TIPTON, Mr. OWENS, Mr. BONNER, Ms. HERRERA BEUTLER, Ms. SHEA-PORTER, Mr. BISHOP of Georgia, Mrs. NOEM, Mr. GOSAR, Mrs. ELLMERS, Mr. LABRADOR, Mr. COTTON, Mr. ROGERS of Alabama, Mr. WOMACK, Mr. GIBBS, Mr. KILMER, Mr. NOLAN, Mr. GOODLATTE, Mr. MCINTYRE, Mrs. ROBY, Mr. GRAVES of Georgia, Mr. COHEN, Ms. KUSTER, Ms. DELBENE, and Ms. BONAMICI):

H.R. 979. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product"; to the Committee on Agriculture.

By Mr. RAHALL:

H.R. 980. A bill to protect the health care and pension benefits of our nation's miners; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself and Mr. MARKEY):

H.R. 981. A bill to direct the Secretary of the Interior to conduct a global rare earth element assessment, and for other purposes; to the Committee on Natural Resources.

By Mr. FARENTHOLD (for himself and Mr. MATHESON):

H.R. 982. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes; to the Committee on the Judiciary.

By Ms. LOFGREN (for herself, Mr. POE of Texas, and Ms. DELBENE):

H.R. 983. A bill to amend title 18, United States Code, with respect to disclosures to governments by communications-related service providers of certain information consisting of or relating to communications, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTHRIE:

H.R. 984. A bill to direct the Secretary of Defense to establish a task force on urotrauma; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan (for himself, Mr. HUIZENGA of Michigan, Mr. WALBERG, Mrs. MILLER of Michigan, Mr. CONYERS, Mr. BENTIVOLIO, Mr. PETERS of Michigan, Mr. RIBBLE, Mr. UPTON, Mr. BENISHEK, and Mr. DUFFY):

H.R. 985. A bill to direct the Secretary of the Army to prevent the spread of Asian carp in the Great Lakes and the tributaries of the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCHOCK (for himself, Mr. BRALEY of Iowa, Mr. HUIZENGA of Michigan, Mrs. McMORRIS RODGERS, and Mr. WALDEN):

H.R. 986. A bill to amend title XVIII of the Social Security Act to ensure the eligibility of eligible professionals practicing in rural health clinics for electronic health records and quality improvement incentives under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT:

H.R. 987. A bill to extend the program of block grants to States for temporary assistance for needy families and related programs through December 31, 2013; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself and Mr. VISLOSKEY):

H.R. 988. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mr. FLORES:

H.R. 989. A bill to prohibit the use of funds for the Lifeline program, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself, Mr. CUMMINGS, Mr. BLUMENAUER, Mrs. DAVIS of California, Mr. SARBANES, Ms. NORTON, Ms. DELAUNO, Mr. CONYERS, Ms. LINDA T. SANCHEZ of California, Mr. GRIJALVA, Mr. ELLISON, Ms. WATERS, Mr. TAKANO, Mr. MCGOVERN, Mr. WELCH, Ms. LOFGREN, Ms. LEE of California, and Ms. CHU):

H.R. 990. A bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes; to the Committee on Financial Services.

By Mr. HALL (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 991. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULTGREN (for himself, Mr. HIMES, Mr. HUDSON, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 992. A bill to amend provisions in section 716 of the Dodd-Frank Wall Street Reform and Consumer Protection Act relating to Federal assistance for swaps entities; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself and Mr. STEWART):

H.R. 993. A bill to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah; to the Committee on Natural Resources.

By Mr. CALVERT (for himself, Mr. NUNES, Ms. JENKINS, Mr. HUNTER, Mr. ROYCE, Mr. MCCLINTOCK, Mr. ROHRABACHER, Mr. WESTMORELAND, Mr. VALADAO, Mr. COOK, Mr. LAMALFA, Mr. DENHAM, Mr. ISSA, and Mr. SIMPSON):

H.R. 994. A bill to amend the Americans with Disabilities Act of 1990 to impose notice and a compliance opportunity to be provided before commencement of a private civil action; to the Committee on the Judiciary.

By Mr. PEARCE:

H.R. 995. A bill to establish a monument in Dona Ana County, New Mexico, and for other purposes; to the Committee on Natural Resources.

By Ms. SLAUGHTER (for herself, Mr. RANGEL, Mr. LEVIN, Mr. HIGGINS, Mr. ELLISON, Mr. HASTINGS of Florida, Mr. BLUMENAUER, Mr. GRIJALVA, Ms. BORDALLO, Mr. MAFFEI, Ms. LEE of California, Mr. CONYERS, Mrs. CAPPS, Mr. MORAN, Ms. KAPTUR, Mr. WALZ, Mr. MURPHY of Florida, Mr. SABLON, Mr. FARR, Mrs. CAROLYN B. MALONEY of New York, Mr. PETERS of Michigan, Mr. RYAN of Ohio, Ms. PINGREE of Maine, and Mr. DINGELL):

H.R. 996. A bill to establish an improved regulatory process for injurious wildlife to prevent the introduction and establishment in the United States of nonnative wildlife and wild animal pathogens and parasites that are likely to cause harm; to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mr. WESTMORELAND, Mr. GINGREY of Georgia, Mr. PALAZZO, Mr. NUNNELEE, Mr. COBLE, Mr. HALL, Mr. SIMPSON, Mr. JONES, Mr. FRANKS of Arizona, Mr. BUCHANAN, Mr. MILLER of Florida, Mr. WOLF, Mr. ROHRABACHER, Mr. STIVERS, Mr. BROUN of Georgia, Mr. TURNER, Mr. ROGERS of Kentucky, Mr. MCCLINTOCK, Mr. GIBBS, Ms. FOXX, Mr. LATTI, Mr. BARLETTA, Mr. BOUSTANY, Mr. SALMON, Mr. KINGSTON, Mr. MCCAUL, Mr. MCINTYRE, Mr. GRAVES of Missouri, Mr. RAHALL, Mr. LUTKEMEYER, Mr. DUNCAN of Tennessee, Mr. SHUSTER, Mr. TIBERI, Mr. JORDAN, and Mr. GOHMERT):

H.R. 997. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the

laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR:

H.R. 998. A bill to amend the Internal Revenue Code of 1986 to reduce the holding period used to determine whether horses are section 1231 assets to 12 months; to the Committee on Ways and Means.

By Mrs. BLACK:

H.R. 999. A bill to amend title 49, United States Code, to require that individuals seeking training in the operation of certain aircraft be checked against immigration information in the possession of the Secretary of Homeland Security to ensure that such individuals are citizens or nationals of the United States, lawful permanent resident aliens, or nonimmigrants admitted for a limited period to obtain such training, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS:

H.R. 1000. A bill to establish the National Full Employment Trust Fund to create employment opportunities for the unemployed; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONNER (for himself, Mr. HASTINGS of Florida, and Mr. PAYNE):

H.R. 1001. A bill to amend the Fair Labor Standards Act of 1938 to provide a specific limited exemption from the overtime pay requirements of such Act for work related to disaster or catastrophe claims adjustment after a major disaster; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Ms. NORTON, Mr. SRES, Ms. KAPTUR, Mr. CONYERS, Mr. GRIJALVA, Mr. CLAY, and Ms. WILSON of Florida):

H.R. 1002. A bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes; to the Committee on Financial Services.

By Mr. CONAWAY (for himself, Mr. DAVID SCOTT of Georgia, Mr. JORDAN, Mr. MCHENRY, and Mr. GARRETT):

H.R. 1003. A bill to improve consideration by the Commodity Futures Trading Commission of the costs and benefits of its regulations and orders; to the Committee on Agriculture.

By Mr. GARAMENDI (for himself, Mr. GEORGE MILLER of California, Mr. THOMPSON of California, Ms. MATSUI, and Mr. MCNERNEY):

H.R. 1004. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Natural Resources.

By Mr. GRAVES of Georgia (for himself, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, and Mr. COLLINS of Georgia):

H.R. 1005. A bill to deauthorize appropriation of funds, and to rescind unobligated appropriations, to carry out the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH of Virginia (for himself and Mr. MICHAUD):

H.R. 1006. A bill to amend title 39, United States Code, to lower the maximum rate of compensation for United States Postal Service employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GRIMM (for himself and Mr. BISHOP of New York):

H.R. 1007. A bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants to schools for the development of asthma management plans and the purchase of asthma medications and devices for emergency use, as necessary; to the Committee on Education and the Workforce.

By Mr. HOYER (for himself, Mr. KING of New York, Mr. VAN HOLLEN, Ms. DELAULO, Mr. KENNEDY, Mr. SCOTT of Virginia, Ms. LEE of California, Mr. CARNEY, Ms. NORTON, Ms. BORDALLO, Mr. CICILLINE, Mr. LANGEVIN, Mr. LEWIS, Mr. CARSON of Indiana, Mr. LYNCH, Mr. CAPUANO, Mr. DANNY K. DAVIS of Illinois, Mr. LOEBSACK, Ms. SPEIER, Mr. ISRAEL, Mr. COHEN, Ms. HAHN, Ms. SCHWARTZ, Mr. LARSON of Connecticut, Mr. YOUNG of Alaska, Mrs. CAROLYN B. MALONEY of New York, Mr. CONYERS, Ms. SHEA-PORTER, Ms. EDWARDS, Mr. MARKEY, Mr. NADLER, Mr. KEATING, Mr. DOYLE, Mr. SCHNEIDER, Ms. WILSON of Florida, Mr. LOWENTHAL, Ms. CLARKE, Ms. BONAMICI, Mrs. KIRKPATRICK, Mr. RUSH, Ms. BROWNLEY of California, Ms. SLAUGHTER, Mr. POCAN, and Mr. WEBSTER of Florida):

H.R. 1008. A bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. PASCRELL, Mr. ANDREWS, Mr. BISHOP of New York, Mr. BRADY of Pennsylvania, Mr. COURTNEY, Mr. FITZPATRICK, Mr. GRIMM, Mr. HANNA, Mr. ISRAEL, Mr. MICHAUD, Mr. OWENS, and Ms. PINGREE of Maine):

H.R. 1009. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. ANDREWS, Mr. BARBER, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWNLEY of California, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Ms. CASTOR of Florida, Ms. CHU, Mrs. CHRISTENSEN, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONYERS, Mr. COURTNEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAULO, Mr. DEUTCH, Mr. DINGELL, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. ENYART, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FUDGE, Mr. GARAMENDI, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mrs. NEGRETTE MCLEOD, Mr. NOLAN, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POCAN, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SRES, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VISCLOSKEY, Mr. VEASEY, Mr. WALZ, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, and Ms. WILSON of Florida):

H.R. 1010. A bill to provide for an increase in the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. LOBIONDO (for himself, Mr. LANCE, Mr. SMITH of New Jersey, and Mr. FRELINGHUYSEN):

H.R. 1011. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Natural Resources.

By Mr. MARKEY (for himself, Mr. JONES, Mr. BONNER, Mrs. CAPPS, Mr. TIERNEY, and Mr. KEATING):

H.R. 1012. A bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes; to the Committee on Energy and Commerce, and in ad-

dition to the Committees on Agriculture, Natural Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MESSER (for himself and Mr. MULVANEY):

H.R. 1013. A bill to make 1 percent across-the-board rescissions in discretionary spending for each of fiscal years 2013 and 2014, and for other purposes; to the Committee on Appropriations.

By Mr. PALAZZO:

H.R. 1014. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that Act; to the Committee on the Budget.

By Mr. PASCRELL (for himself and Mr. KINZINGER of Illinois):

H.R. 1015. A bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease; to the Committee on Ways and Means.

By Mr. PETERS of California (for himself, Mrs. DAVIS of California, and Mr. VARGAS):

H.R. 1016. A bill to amend title 39, United States Code, to authorize the United States Postal Service to sell, at fair market value, any post office building subject to relocation, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. POE of Texas:

H.R. 1017. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to sell certain Federal land, to direct that the proceeds of such sales be applied to reduce the Federal budget deficit, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN (for himself, Mr. PIERLUISI, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, and Mr. RANGEL):

H.R. 1018. A bill to clarify the application of certain Federal laws relating to elections in the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. ELLISON, Mr. CONYERS, Mr. GRIJALVA, Ms. MOORE, Mr. RANGEL, Mr. GEORGE MILLER of California, Mr. PALLONE, Ms. SLAUGHTER, Mr. GARAMENDI, Mr. COURTNEY, Mr. MCDERMOTT, Ms. NORTON, Mr. WAXMAN, Mr. FARR, Ms. DELAULO, Ms. CHU, Mr. LEVIN, Mrs. CAPPS, and Mr. DOGGETT):

H.R. 1019. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. CROWLEY, and Mr. OWENS):

H.R. 1020. A bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 1021. A bill to provide that there shall be no net increase in the acres of certain Federal land under the jurisdiction of the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, or the Forest Service unless the Federal budget is balanced for the year in which the land would be purchased; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWALWELL of California:

H.R. 1022. A bill to develop an energy critical elements program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. BARROW of Georgia:

H.J. Res. 33. A joint resolution proposing an amendment to the Constitution of the United States to prohibit a law increasing the compensation for the services of the Senators and Representatives from taking effect until an election of Representatives has intervened, and to permit a law otherwise varying such compensation to take effect upon enactment; to the Committee on the Judiciary.

By Mr. HOLT:

H. Con. Res. 22. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Doctor Muhammad Yunus; to the Committee on House Administration.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. DENT, Mr. BARLETTA, Mr. BRADY of Pennsylvania, Mr. CARTWRIGHT, Mr. DOYLE, Mr. FATTAH, Mr. FITZPATRICK, Mr. GERLACH, Mr. KELLY, Mr. MARINO, Mr. MEEHAN, Mr. MURPHY of Pennsylvania, Mr. ROTHFUS, Ms. SCHWARTZ, Mr. SHUSTER, Mr. PERRY, and Mr. PITTS):

H. Res. 103. A resolution congratulating the Penn State IFC/Panhellenic Dance Marathon on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; to the Committee on Education and the Workforce.

By Ms. BROWNLEY of California (for herself and Mr. COOK):

H. Res. 104. A resolution expressing the sense of the House of Representatives regarding the importance of easing the transition of members of the Armed Forces and their families from military to civilian life; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California:

H. Res. 105. A resolution recognizing the 100th Anniversary of the establishment of the Department of Labor; to the Committee on Education and the Workforce.

3. The SPEAKER presented a memorial of the Senate of the State of Mississippi, relative to Senate Concurrent Resolution No. 547 ratifying the 13th Amendment to the United States Constitution; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. PELOSI introduced a bill (H.R. 1023) for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COFFMAN:

H.R. 978.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. THOMPSON of Pennsylvania:

H.R. 979.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power "to regulate Commerce with foreign Nations, and among the several states, and within the Indian Tribes."

By Mr. RAHALL:

H.R. 980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18 of the Constitution.

By Mr. JOHNSON of Georgia:

H.R. 981.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; and Article 1, Section 8, Clause 3

By Mr. FARENTHOLD:

H.R. 982.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8, clause 4 (to establish a uniform Rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States)

By Ms. LOFGREN:

H.R. 983.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. GUTHRIE:

H.R. 984.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12

The Congress shall have Power to raise and support Armies, but no Appropriation of Money to that Use shall be for a longer term than two Years;

By Mr. ROGERS of Michigan:

H.R. 985.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. SCHOCK:

H.R. 986.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. REICHERT:

H.R. 987.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. LOBIONDO:

H.R. 988.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution of the United States of America

By Mr. FLORES:

H.R. 989.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

"No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Ms. BONAMICI:

H.R. 990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HALL:

H.R. 991.

Congress has the power to enact this legislation pursuant to the following:

The reference to the Commerce Clause is applicable to this bill: "This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution"

By Mr. HULTGREN:

H.R. 992.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, as this legislation regulates commerce with foreign nations, between the states, and with Indian Tribes.

By Mr. BISHOP of Utah:

H.R. 993.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. CALVERT:

H.R. 994.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the

MEMORIALS

Under clause 3 of Rule XII,

power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. PEARCE:

H.R. 995.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Ms. SLAUGHTER:

H.R. 996.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. KING of Iowa:

H.R. 997.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under Article I, Section 8, of the United States Constitution.

By Mr. BARR:

H.R. 998.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is stated in Article I, Section 8 of the United States Constitution.

By Mrs. BLACK:

H.R. 999.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. CONYERS:

H.R. 1000.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BONNER:

H.R. 1001.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. COHEN:

H.R. 1002.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (relating to the power to regulate foreign and interstate commerce) of the United States Constitution.

By Mr. CONAWAY:

H.R. 1003.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article I, section 8, clause 3, that grants Congress the power to regulate commerce among the several states.

By Mr. GARAMENDI:

H.R. 1004.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States of America

By Mr. GRAVES of Georgia:

H.R. 1005.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law;"

By Mr. GRIFFITH of Virginia:

H.R. 1006.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GRIMM:

H.R. 1007.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. HOYER:

H.R. 1008.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Eunice Kennedy Shriver Act pursuant to Clause 1 of Section 8 of Article I of the Constitution of the United States.

By Mr. KING of New York:

H.R. 1009.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GEORGE MILLER of California:

H.R. 1010.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LOBIONDO:

H.R. 1011.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Section 8 of Article 1 of the United States Constitution.

By Mr. MARKEY:

H.R. 1012.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8

By Mr. MESSER:

H.R. 1013.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, which provides that, "The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States," and Article 1, Section 9, Clause 7, which provides that, "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. PALAZZO:

H.R. 1014.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 of the Constitution which gives Congress the power, To raise and support Armies, To provide and maintain a Navy, To make Rules for the Government and Regulation of the land and naval forces. To provide for organizing, arming, and disciplining, the Militia, and for governing such part of them as may be employed in the Service of the United States.

By Mr. PASCRELL:

H.R. 1015.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PETERS of California:

H.R. 1016.

Congress has the power to enact this legislation pursuant to the following:

Article I §8 as further clarified by the U.S. Supreme Court.

By Mr. POE of Texas:

H.R. 1017.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. SABLAN:

H.R. 1018.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

By Ms. SCHAKOWSKY:

H.R. 1019.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SCHOCK:

H.R. 1020.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. STIVERS:

H.R. 1021.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. SWALWELL of California:

H.R. 1022.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

Ms. PELOSI:

H.R. 1023.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution provides that Congress shall have power to "establish an uniform Rule of Naturalization". The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954), "that the formulation of policies [pertaining to the entry of aliens and their right to remain here] is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government." And, as the Court found in *Kleindienst v. Mandel*, 408 U.S. 753, 766 (1972) (quoting *Boutilier v. INS*, 387 U.S. 118, 123 (1967)), "[t]he Court without exception has sustained Congress' 'plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden.'"

By Mr. BARROW of Georgia:

H.J. Res. 33.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution provides for amendments to the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 102: Mr. ELLISON.
 H.R. 124: Mrs. ROBY.
 H.R. 146: Mr. HIMES.
 H.R. 164: Mr. PITTINGER, Mr. HIMES, and Mr. QUIGLEY.
 H.R. 184: Mr. QUIGLEY.
 H.R. 276: Mr. GOHMERT, Mr. FINCHER, Mr. YOHIO, Mr. NUGENT, Mr. POSEY, Mr. AUSTIN SCOTT of Georgia, Mr. LUETKEMEYER, and Mr. DUNCAN of Tennessee.
 H.R. 288: Mr. CICILLINE and Mr. O'ROURKE.
 H.R. 324: Mr. ALEXANDER, Mr. BROUN of Georgia, Mr. CARTER, Mr. DUNCAN of Tennessee, Mr. FORBES, Mr. GERLACH, Mr. HECK of Nevada, Mr. KLINE, Mr. MEADOWS, Mr. POSEY, Mr. ROGERS of Michigan, and Mr. SCALISE.
 H.R. 330: Mr. CAMPBELL, Mr. COOK, and Mrs. MILLER of Michigan.
 H.R. 331: Mr. COOK.
 H.R. 324: Mr. PEARCE, Mr. GENE GREEN of Texas, Mr. LUETKEMEYER, Mr. O'ROURKE, and Mr. RUIZ.
 H.R. 341: Mr. CONNOLLY.
 H.R. 347: Mr. HONDA.
 H.R. 351: Mr. RUIZ and Mr. NEUGEBAUER.
 H.R. 357: Mr. CICILLINE, Mr. COLE, and Mr. RUIZ.
 H.R. 360: Mr. KILDEE, Mr. SCHOCK, Mr. BARROW of Georgia, Mr. MCGOVERN, Mrs. CAPPS, Mrs. KIRKPATRICK, Mr. KENNEDY, Mr. WALZ, Mrs. BACHMANN, and Mr. FITZPATRICK.
 H.R. 382: Mr. COTTON.
 H.R. 383: Mr. WOODALL.
 H.R. 416: Mr. YOHIO.
 H.R. 485: Ms. LOFGREN and Mr. RUIZ.
 H.R. 490: Mr. ENYART.
 H.R. 497: Mr. RIBBLE and Mr. ANDREWS.
 H.R. 505: Ms. NORTON.
 H.R. 543: Mr. LARSEN of Washington, Mr. LATTA, and Mr. VEASEY.
 H.R. 557: Mr. RADEL.
 H.R. 569: Ms. DUCKWORTH and Mr. BRIDENSTINE.

H.R. 570: Mr. BRIDENSTINE.
 H.R. 578: Mr. MULLIN.
 H.R. 580: Mr. BRIDENSTINE.
 H.R. 582: Mr. WEBER of Texas.
 H.R. 594: Mr. GERLACH and Mr. POLIS.
 H.R. 612: Mr. GARDNER.
 H.R. 625: Mr. PASCRELL.
 H.R. 626: Mr. PASCRELL.
 H.R. 632: Mr. OLSON.
 H.R. 677: Mrs. BEATTY.
 H.R. 685: Mr. HALL and Mr. MARCHANT.
 H.R. 688: Mr. TAKANO.
 H.R. 693: Mr. WENSTRUP.
 H.R. 699: Ms. SHEA-PORTER.
 H.R. 729: Mr. PETERS of California.
 H.R. 749: Mr. HASTINGS of Washington, Mr. LARSON of Connecticut, Mr. ENYART, Ms. DUCKWORTH, Ms. WASSERMAN SCHULTZ, Mr. NUGENT, and Mr. FINCHER.
 H.R. 755: Mr. COLE, Ms. DUCKWORTH, Mrs. BACHMANN, Mr. CARNEY, and Mr. SWALWELL of California.
 H.R. 763: Mr. REED, Mr. TIBERI, Mr. MARCHANT, Mr. SENSENBRENNER, and Mr. LATTA.
 H.R. 785: Mr. ELLISON and Mr. CONYERS.
 H.R. 794: Mr. QUIGLEY.
 H.R. 806: Mr. LOWENTHAL.
 H.R. 826: Mrs. BLACKBURN.
 H.R. 828: Mr. OLSON.
 H.R. 831: Mr. CRENSHAW, Ms. ROYBAL-ALLARD, Ms. SHEA-PORTER, Mr. COLE, Ms. LEE of California, Mr. KING of New York, Ms. SLAUGHTER, and Mr. QUIGLEY.
 H.R. 833: Mr. MASSIE, Mr. WITTMAN, Mr. GENE GREEN of Texas, Mr. MATHESON, Mr. BRIDENSTINE, Mr. LATTA, and Mr. PAULSEN.
 H.R. 847: Mr. QUIGLEY, Mr. KING of New York, Mr. LOEBSACK, Ms. BROWNLEY of California, Mr. LYNCH, Mr. LOBIONDO, and Mr. GEORGE MILLER of California.
 H.R. 851: Mr. CICILLINE and Mr. LOEBSACK.
 H.R. 875: Mr. WALBERG and Mr. STOCKMAN.
 H.R. 890: Mr. PRICE of Georgia and Mr. JONES.
 H.R. 896: Ms. BROWN of Florida and Ms. MOORE.
 H.R. 900: Mr. MORAN, Ms. BONAMICI, Mr. TAKANO, Ms. WATERS, Ms. MCCOLLUM, and Mr. LEWIS.

H.R. 903: Mr. RENACCI.
 H.R. 920: Mr. GRIJALVA.
 H.R. 921: Mr. LOEBSACK.
 H.R. 924: Mr. MARKEY, Ms. NORTON, Ms. BORDALLO, and Mr. MORAN.
 H.R. 938: Mr. ROSKAM, Mr. BILIRAKIS, Mr. WAXMAN, Mr. DIAZ-BALART, Mr. HULTGREN, Mr. SIRES, Mr. SCHWEIKERT, Mr. STIVERS, Mr. WALDEN, Mr. WALBERG, Mr. MARKEY, Mrs. BACHMANN, Mr. CARTER, Mr. BRADY of Pennsylvania, Mr. FINCHER, Mr. AL GREEN of Texas, Mr. BACHUS, Mr. HIGGINS, Ms. HAHN, Ms. FRANKEL of Florida, Mr. SCHIFF, Mr. KEATING, Ms. VELÁZQUEZ, Mr. SHERMAN, Mr. ANDREWS, Ms. SCHWARTZ, Mr. BUCHANAN, Mr. MARCHANT, Mr. LUETKEMEYER, Mr. STOCKMAN, Mr. KING of New York, Mr. CAMPBELL, Mr. COSTA, Mr. HENSARLING, Mr. PEARCE, Mr. LONG, Mr. GENE GREEN of Texas, and Mr. FRANKS of Arizona.
 H.R. 940: Mr. GRIFFIN of Arkansas, Ms. ROS-LEHTINEN, Mrs. LUMMIS, Mr. LONG, Mr. CONAWAY, Mr. TERRY, Mr. MCHENRY, Mr. MCKINLEY, Mr. LAMBORN, Mr. HALL, Mr. RADEL, Mr. LANKFORD, Mr. OLSON, Mr. DUNCAN of Tennessee, Mr. CHABOT, and Mr. LATTA.
 H.R. 960: Mr. RANGEL.
 H.R. 976: Mr. KING of Iowa, Mr. CHABOT, Mr. GARDNER, Mr. DESANTIS, Mrs. LUMMIS, Mr. WALBERG, Mr. CAMPBELL, Mr. MILLER of Florida, Mr. LANKFORD, Mr. JORDAN, Mr. LAMALFA, and Mr. FORBES.
 H.J. Res. 5: Mr. LANCE.
 H.J. Res. 28: Mr. DUNCAN of South Carolina and Mr. AMODEI.
 H. Con. Res. 17: Mr. ELLISON.
 H. Res. 71: Ms. SHEA-PORTER.
 H. Res. 72: Mr. MILLER of Florida and Mr. ENYART.
 H. Res. 75: Mr. STIVERS and Mr. LATTA.
 H. Res. 94: Ms. MOORE and Ms. BROWN of Florida.
 H. Res. 98: Mr. WEBER of Texas, Mr. GRIMM, and Mr. COTTON.

EXTENSIONS OF REMARKS

HONORING THE RECIPIENTS OF
THE 2013 ILLINOIS HOLOCAUST
MUSEUM AND EDUCATION CENTER
HUMANITARIAN AWARDS

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to recognize William J. Brodsky, Linda Johnson Rice and J.B. Pritzker, this year's Illinois Holocaust Museum and Education Center Humanitarian Awards Dinner honorees. Mr. Brodsky, Ms. Rice and Mr. Pritzker embody what is best about the humanitarian spirit in our community.

The Illinois Holocaust Museum & Education Center has, for 32 years, worked to ensure that we will never forget the unspeakable evil of the Holocaust, and that the world works diligently to prevent such evil in the future. The Museum & Education Center has educated countless students, young and old, on the perils of hate and discrimination, and since its new building opened in 2009, the center has stepped to the forefront of global Holocaust studies.

Each year, the Museum and Education Center recognizes the civic leadership of a select few, and this year's honorees are an outstanding and impressive group, with deep roots in the community and long records of service.

William J. Brodsky is the Chairman and CEO of the Chicago Board Options Exchange, and in more than 15 years in his position, he has successfully guided the company through turbulent economic times and done much on behalf of the Chicagoland community. He is being honored this year for his outstanding commitment to the ideals of promoting human rights and defeating hate through education. His support for the Illinois Holocaust Museum and Education Center has furthered its greater mission and helped elevate the center on a global stage.

Linda Johnson Rice has served as the Chairman of Johnson Publishing since 2010 and before that as CEO beginning in 1987. Throughout her tremendous career, she has maintained a dedication to the causes of women, minorities and, especially, children. Her parents instilled in her beliefs in education and improving society, and she has applied those beliefs to the Holocaust Museum and Education Center. Her continued support of the Museum and Education Center's goal of combating hate, prejudice and indifference is a true inspiration. The side of equal, global human rights is stronger with her as an ally.

My friend J.B. Pritzker, whom I've known for more than 20 years, is a titan not only of industry, but philanthropy. Through the Pritzker Family Foundation and his work as Chairman of the Illinois Holocaust Museum and Edu-

cation Center, J.B. has led international efforts to empower the world's children. He spearheaded the efforts to fund and build the Illinois Holocaust Museum and Education Center. His tireless work on behalf of survivors and in the cause of ending genocide has accomplished remarkable good. The Illinois Holocaust Museum and Education Center would not be what it is today without J.B. Pritzker's efforts. I can think of no one more deserving of the inaugural Survivors Legacy Award. I'm proud to call J.B. a friend, and I'm pleased to see his commitment recognized.

At a time when Congressional gridlock has prevented critical work from being accomplished, seeing people like these three, with deep senses of civic duty, step up and take the lead on important issues is something we can all be thankful for. I congratulate Mr. Brodsky, Ms. Rice and Mr. Pritzker on their awards and wish them continued success. I look forward to following their future philanthropic endeavors.

TEXAS HIGHWAYS OASIS—
BUC-EE'S

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. POE of Texas. Mr. Speaker, proud Texans naturally believe everything is bigger and better in Texas—because it is. Texas has the nation's biggest and longest highway system with nearly 80,000 miles of Texas highways. It is 880 miles from the Louisiana border to the New Mexico border and 500 miles from the Oklahoma border to the Mexican border. As Texas travelers are packing up and headed out across the great Lone Star State, odds are, they will make a pit stop at a Texas phenomenon—a convenience store called Buc-ee's.

In 1982, Arch "Beaver" Aplin, founder and CEO of Buc-ee's, along with his business partner, Don Wasek, opened their first store in Lake Jackson, Texas. Super size dreams, determination and hard work proved successful for this duo; they now own 27 stores and employee over 1,000 Texans.

At a Buc-ee's, you can always spot an Aggie, either from their personalized license plate, their maroon pick-ups adorned with A&M stickers, or the ring—don't forget the ring! Aplin himself is a proud Aggie. He graduated from Texas A&M in 1980 with a degree in construction science. At the age of 22, newly graduated Aplin began working for the family-owned construction business. Two months later, he got the idea to open the Lake Jackson convenience store. The rich heritage of tradition that sets Texas A&M apart from all the rest is evident in Aplin's approach to owning a convenience store.

Like camels in a caravan, motorists follow the famous billboards to find their own road trip oasis. Buc-ee's are well known for their large and very clean restroom facilities, which earned them the "2012 Cleanest Restroom in America" Award—no wonder the women folk fancy stopping at Buc-ee's. There is something for the entire brood to enjoy from Beaver Nuggets, breakfast tacos, Bar-B-Que, beef jerky and fudge to T-shirts and Texas proud merchandise—even deer feeders and deer stands for sportsmen.

Nowhere else on earth, but Texas, can you find a gas station bigger than a football field! I am not making this up. They have 5 flagship stores open 24 hours a day located in New Braunfels, Luling, Madisonville, Bastrop and Wharton. These stores are bigger than the average Buc-ee's—maybe we should nickname them the 8th Wonder of the World.

It is truly an honor to recognize this Texas-owned business; not only for its standing as one of the top convenience stores in the State of Texas, but for the great services that it provides to the citizens of our great State. The employees are happy, Texas friendly, and helpful. On behalf of the Second Congressional District of Texas, I commend all Buc-ee's employees on a job well done, not only in our community, but throughout Texas.

And that's just the way it is.

FEDERAL ELECTION LAWS
SHOULD APPLY TO ALL FED-
ERAL ELECTIONSHON. GREGORIO KILILI CAMACHO
SABLANOF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES*Wednesday, March 6, 2013*

Mr. SABLAN. Mr. Speaker, today I am introducing legislation that provides the full protection of federal election law to the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands. The people of these areas deserve to have their elections protected by the same laws that safeguard elections and voters everywhere else in our Nation.

Because of various anomalies federal election laws do not always apply in the territories as in the states. There are gaps in application from one territory to the next. My legislation simply closes those gaps, so that the laws that govern federal elections apply in the same way throughout our country.

The result will be that voters in the territories will be protected from intimidation, threats, and coercion, when they cast their ballots in federal elections—just as voters are protected in the rest of America.

The result will be that the manipulation of elections for federal office by public officials will be illegal—just as in the rest of America.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

By extending federal election law, as it does, my bill makes clear that aliens are prohibited from voting and extends the penalties of fine and imprisonment that apply in the rest of our country.

By extending federal election law, as it does, my bill makes sure that persons employed in federal or territorial government offices are barred from using their official authority to interfere with the nomination or election process for any federal office and penalizes those who do.

By extending federal election law, as it does, my bill gives voters assurance that their votes will not be diluted with votes cast by persons using false information to register or identify themselves at the polling place, just as federal law assures voters in the rest of America.

My bill simply adds the Northern Mariana Islands and other U.S. territories to those parts of the law where we are not included, in the Voting Rights Act of 1965, for example, and in the Federal Election Campaign Act of 1971.

Each and every Member of Congress from each and every State abides by and is protected by these same laws. I believe that Members of Congress from the non-State areas and their constituents must abide by the same standards and deserve these same safeguards in their elections for federal office.

I urge my colleagues to support this measure.

HONORING FORMER MONROE
COUNTY COMMISSIONER JERRY
STEELE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. BONNER. Mr. Speaker, it is with sadness that I rise to note the recent passing of a longtime community leader and public servant, former Monroe County Commissioner Jerry Steele. Commissioner Steele was 85.

A lifelong resident of Beatrice, Alabama, Commissioner Steele graduated from Beatrice High School in 1946. He only left for a few years to attend Auburn University from which he graduated in 1951. Jerry loved Beatrice so much that he often told his friends, "If you need me, you can always find me in Beatrice. I never intended to move until I move to the cemetery."

Jerry's love for Monroe County was demonstrated in his many contributions to the community. A supporter of local education, he founded Monroe Academy in 1970, and served as Board Chairman for eight years.

He was a dedicated member of the business community as well. He organized F. S. Steele Timber Company and later Hines, Steele and Steele, Inc. in 1969. He was Vice-President of Peoples Exchange Bank and a former member of the Alabama Cattleman's Association.

He was first elected to public office in the 1950's when he served on the Beatrice City Council. In 1964, he was elected to the Monroe County Commission, a position he held for 24 years. While a commissioner, he earned a

reputation as an honest and dependable leader and a devoted shepherd of the people's business. He also had a well-known sense of humor. According to the Monroe Journal, Jerry possessed a wit that seems particularly appropriate in today's political climate. He once said, "I'm telling you the sorriest administrator of money is a government office, and that includes us."

Jerry was a Charter member of the Beatrice Community Church and a member of the Beatrice Baptist Church. He taught Sunday School, served as a Deacon, and held many other offices in each church throughout the years.

An avid sportsman, Jerry loved hunting and fishing with his children and grandchildren, who were the joys of his life.

On behalf of the people of south Alabama, I wish to extend my heartfelt condolences to his wife, Patricia; their two sons, David and Harvel; their seven grandchildren, two great-grandchildren and their many relatives. You are all in our thoughts and prayers.

INTRODUCING THE INVASIVE FISH AND WILDLIFE PREVENTION ACT OF 2013

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Ms. SLAUGHTER. Mr. Speaker, I am proud to rise today to introduce the Invasive Fish and Wildlife Prevention Act. This legislation significantly strengthens the ability of federal regulators to make rapid, science-based decisions on whether non-native fish or wildlife species pose a risk to ecosystems within the United States and cause economic damage or threaten public health.

Invasive species are a persistent and costly thorn in the side of the American taxpayer. In Fiscal Years 2010 and 2011, the federal budget allocated approximately \$120 million to control the Asian carp. Meanwhile the U.S. is spending tens of millions more dollars to control other invaders, such as wetland-destroying nutria and two python species established in south Florida.

Yet, federal regulators are frequently slow to respond to emerging threats. Invasive species are currently regulated by the Lacey Act, a 112-year-old law that gives the U.S. Fish and Wildlife Service (FWS) only limited power to declare non-native animals as "injurious" and prohibit their importation and interstate sales. In fact, it takes the FWS an average of four years to officially list a species as injurious and take appropriate action. Experts and interested parties repeatedly describe this regulatory approach as reactive and ineffective.

Alternatively, the Invasive Fish and Wildlife Prevention Act would give the FWS streamlined authority to prevent invasions using modern scientific approaches. The bill also creates a category of "Injurious II" species, which are not suited as private pets or aquarium species, but can be held safely by qualified zoos, aquaria, research facilities and other institutions without any need for a Federal permit. This exemption is broader than current law,

which requires a Federal permit for transactions in all listed species, a requirement that is becoming unworkable as more animals are listed.

We must take critical steps now to prevent the next Asian carp, Burmese python, or red lionfish crisis. These destructive invaders will continue to come into our country via globalized trade until Congress steps in to make a difference.

Mr. Speaker, I urge my colleagues to join me in supporting this important legislation.

DEFENDERS OF THE ALAMO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. POE of Texas. Mr. Speaker, the following are the names of the Defenders of the Alamo.

Buchanan, James, Alabama; Fishbaugh, William, Alabama; Fuqua, Galba, Alabama; White, Isaac, Alabama; Baker, Isaac G., Arkansas; Thompson, Jesse G., Arkansas; Warnell, Henry, Arkansas; Jennings, Gordon C., Connecticut; Grimes, Albert (Alfred) Calvin, Georgia; Melton, Eliel, Georgia; Shied, Manson, Georgia; Wells, William, Georgia; Wills, William, Georgia; Lindley, Jonathan L., Illinois.

Bailey, Peter James III, Kentucky; Bowie, James, Kentucky; Cloud, Daniel William, Kentucky; Darst, Jacob C., Kentucky; Davis, John, Kentucky; Fauntleroy, William H., Kentucky; Gaston, John E., Kentucky; Harris, John, Kentucky; Jackson, William Daniel, Kentucky; Jameson, Green B., Kentucky; Kellogg, John Benjamin, Kentucky; Kent, Andrew, Kentucky; Rutherford, Joseph, Kentucky; Thomas, B. Archer M., Kentucky; Washington, Joseph G., Kentucky; Despalier, Charles, Louisiana; Kerr, Joseph, Louisiana; Ryan, Isaac, Louisiana; Garrand, James W., Louisiana; Smith, Charles S., Maryland.

Flanders, John, Massachusetts; Howell, William D., Massachusetts; Linn, William, Massachusetts; Pollard, Amos, Massachusetts; Clark, M.B., Mississippi; Millsaps, Isaac, Mississippi; Moore, Willis A., Mississippi; Pagan, George, Mississippi; Parker, Christopher Adams, Mississippi; Baker, William Charles M., Missouri; Butler, George D., Missouri; Clark, Charles Henry, Missouri; Cottle, George Washington, Missouri; Day, Jerry C., Missouri; Tumlinson, George W., Missouri; Cochran, Robert E., New Hampshire; Stockton, Richard Lucius, New Jersey; Cunningham, Robert W., New York; Dewall, Lewis, New York; Evans, Samuel B., New York; Forsyth, John Hubbard, New York; Jones, John, New York; Tylee, James, New York.

Autry, Micajah, North Carolina; Floyd, Dolphin Ward, North Carolina; Parks, William, North Carolina; Scurlock, Mial, North Carolina; Smith, Joshua G., North Carolina; Thomson, John W., North Carolina; Wright, Claiborne, North Carolina; Harrison, William B., Ohio; Holland, Tapely, Ohio; Musselman, Robert, Ohio; Rose, James M., Ohio; Ballentine, John J., Pennsylvania; Brown, James Murry, Pennsylvania; Cain (Cane), John, Pennsylvania; Crossman, Robert, Pennsylvania; Cummings, David P., Pennsylvania; Hannum, James, Pennsylvania; Holloway, Samuel, Pennsylvania; Johnson, William, Pennsylvania; Kimble (Kimbell),

George C., Pennsylvania; McDowell, William, Pennsylvania; Reynolds, John Purdy, Pennsylvania; Thurston, John M., Pennsylvania; Williamson, Hiram James, Pennsylvania; Wilson, John, Pennsylvania.

Martin, Albert, Rhode Island; Bonham, James Butler, South Carolina; Crawford, Lemuel, South Carolina; Neggan, George, South Carolina; Nelson, Edward, South Carolina; Nelson, George, South Carolina; Simmons, Cleveland Kinloch, South Carolina; Travis, William Barret, South Carolina; Bayliss, Joseph, Tennessee; Blair, John, Tennessee; Blair, Samuel C., Tennessee; Bowman, Jesse B., Tennessee; Campbell, James (Robert), Tennessee; Crockett, David, Tennessee; Daymon, Squire, Tennessee; Dearduff, William, Tennessee; Dickinson, Almeron, Tennessee; Dillard, John Henry, Tennessee; Ewing, James L., Tennessee; Garrett, James Girard, Tennessee; Harrison, Andrew Jackson, Tennessee; Haskell, Charles, M., Tennessee; Hays, John M., Tennessee; Marshall, William, Tennessee; McCoy, Jesse, Tennessee; McKinney, Robert, Tennessee; Miller, Thomas R., Tennessee; Mills, William, Tennessee; Nelson, Andrew M., Tennessee; Robertson, James Waters, Tennessee; Smith, Andrew H., Tennessee; Summerlin, A. Spain, Tennessee; Summers, William E., Tennessee; Taylor, Edward, Tennessee; Taylor, George, Tennessee; Taylor, James, Tennessee; Taylor, William, Tennessee; Walker, Asa, Tennessee; Walker, Jacob, Tennessee.

Abamillo, Juan, Texas; Badillo, Juan Antonio, Texas; Espalier, Carlos, Texas; Esparza, Gregorio (Jose Maria), Texas; Fuentes, Antonio, Texas; Jimenez, Damacio, Texas; King, William Phillip, Texas; Lewis, William Irvine, Texas; Lightfoot, William J., Texas; Losoya, Jose Toribio, Texas; Nava, Andres, Texas; Perry, Richardson, Texas; Andross, Miles Deforest, Vermont; Allen, Robert, Virginia; Baugh, John J., Virginia; Carey, William R., Virginia; Garnett, William, Virginia; Goodrich, John Camp, Virginia; Herndon, Patrick Henry, Virginia; Kenny, James, Virginia; Main, George Washington, Virginia; Malone, William T., Virginia; Mitchasson, Edward F., Virginia; Moore, Robert B., Virginia; Northcross, James, Virginia.

Zanco, Charles, Denmark; Blazeby, William, England; Bourne, Daniel, England; Brown, George, England; Dennison, Stephen (or Ireland), England; Dimpkins, James R., England; Gwynne, James C., England; Hersee, William Daniel, England; Nowlan, James, England; Sewell, Marcus L., England; Starr, Richard, England; Stewart, James E., England; Waters, Thomas, England; Wolfe, Anthony (Avram), England; Wolfe, son age 12, England; Wolfe, son age 11, England; Burns, Samuel E., Ireland; Duvalt, Andrew, Ireland; Evans, Robert, Ireland; Hawkins, Joseph M., Ireland; Jackson, Thomas, Ireland; McGee, James, Ireland; Rusk, Jackson J., Ireland; Rusk, Jackson J., Ireland; Ward, William B., Ireland; Courtman, Henry, Germany; Thomas, Henry, Germany; Ballentine, Richard W., Scotland; McGregor, John, Scotland; Robinson, Isaac, Scotland; Wilson, David L., Scotland; Johnson, Lewis, Wales.

Brown, Robert, Unknown; Day, Freeman H.K., Unknown; Garvin, John E., Unknown; George, James, Unknown; McCafferty, Edward, Unknown; Mitchell, William T., Unknown; Mitchell, Napoleon B., Unknown; Roberts, Thomas H., Unknown; Smith, William H., Unknown; Sutherland, William Depriest, Unknown; White, Robert, Unknown; John (Free Black), Unknown; Joe, Travis' slave.

NATIONAL SLEEP AWARENESS WEEK

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. FOSTER. Mr. Speaker, I rise today on behalf of the millions of Americans affected by sleep disorders and insufficient sleep in observance of National Sleep Awareness Week, March 3rd–10th. National Sleep Awareness Week is a week-long campaign to celebrate and bring awareness to the health benefits of sleep.

I am proud to represent the nation's foremost organization on sleep research, the Sleep Research Society (SRS), which is based in Darien, Illinois. The Sleep Research Society, established in 1961, is composed of scientists whose research contributions extend to all areas of sleep. The SRS promotes continued research and plays an important role in the National Center on Sleep Disorders Research within the National Institutes of Health's National Heart, Lung, and Blood Institute.

Sleep disorders affect every age group, from infants to the elderly, and are often an indicator of, or a precursor to, other major diseases and disorders. 50–70 million Americans suffer from chronic sleep disorders, while 5% of the population suffers from sleep apnea. Sleep apnea results in excessive daytime fatigue, increased frequency of road traffic accidents, and arterial hypertension. Prior to diagnosis, patients with sleep apnea also tend to incur higher costs in their overall health care.

I urge my colleagues to reflect on the work that needs to be done to ensure that Americans with sleep disorders or suffering from insufficient sleep can expect to see sustained and meaningful improvements in their health and healthcare. I urge my colleagues to stand with me and recognize National Sleep Awareness Week.

HONORING REVEREND HECTOR VILLEGAS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved leader in the Newman Community, Reverend Hector Villegas, and to recognize his tireless work as the Pastor of St. Joachim's Catholic Church. Ministering to thousands, Reverend Villegas earned the respect of fellow clergy and civic leaders alike.

The Rev. Hector Villegas of Newman passed away March 1 at the age of 48, only days from his 49th birthday. The Rev. Villegas was known for serving the parish with compassion and devotion, a spiritual leader whose own life was guided by his deep faith.

He was born and raised in Tijuana, where he was surrounded by many friends and enjoyed childhood adventures with his older sister Patricia. He had a lifelong passion for exer-

cise, and through adulthood could often be found working out at a gym. His participation in a youth ministry camp inspired him to become a priest.

After graduating from the Tijuana Diocese Seminary with a degree in philosophy, the Rev. Villegas came to California in 1998 as a seminarian at St. Jude's parish in Ceres. He attended St. John's Seminary in Camarillo and St. Patrick's Seminary in Menlo Park before being ordained June 29, 2002, by Bishop Stephen Blaire at the Cathedral of the Annunciation.

The Rev. Villegas served at St. Stanislaus in Modesto from 2002 to 2007, serving as a parochial vicar and later administrator pro tem.

He is survived by his mother, Evangelina Villegas of San Diego; and two sisters, Patricia Hernandez of Chula Vista and Adriana Quiroz Villegas of San Diego.

Mr. Speaker, please join me in honoring Reverend Villegas for his unwavering leadership, and recognizing his accomplishments and contributions as Pastor of St. Joachim's Catholic Church. The life of Reverend Hector Villegas serves as an example of excellence to those in our community, and his legacy will not be soon forgotten.

CANCEL THE SEQUESTER ACT OF 2013

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. CONYERS. Mr. Speaker, I rise today to raise my voice against the set of across-the-board cuts—known as “the sequester”—currently taking effect across the country.

These devastating cuts are unique among American public policies for a simple reason: they were purposefully designed to be a bad idea.

During the debt ceiling standoff of 2011, the “sequester” was designed as a default option so revolting to both Democrats and Republicans that it would force the bipartisan “Super Committee” to adopt a workable budget plan. While that Committee failed at this objective, the American people have been left to pay the price.

The sequester, if fully implemented, will put more than 2 million jobs at risk—more than half of which are associated with small businesses:

The sequester will also create tremendous uncertainty in financial markets and among consumers, ultimately contributing to an estimated one-half of one percent drag on economic growth this year;

These cuts will also undermine military readiness, educational quality, and research output while leaving us with longer airport security lines, more untreated mental illnesses, more hunger, more homelessness, and fewer federal criminal prosecutions.

It should come as no surprise that, according to a Wall Street Journal/NBC News Poll, Americans oppose the sequester by a more than 2-to-1 margin.

If Congress is unable to craft a bipartisan agreement that takes sequestration off the

table, this body has a duty to avert these catastrophic cuts by any means necessary. This is why I introduced the "Cancel the Sequester Act," a one-sentence bill that would repeal the section of the Budget Control Act of 2011 that created these senseless, job-destroying cuts.

Please consider cosponsoring the "Cancel the Sequester Act," so that we can prevent Washington's dysfunction from inflicting further harm on the American people.

TRIBUTE TO GENERAL WILLIAM
LYON

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. CALVERT. Mr. Speaker, I rise today with my colleagues Congressman DARRELL ISSA, Congressman JOHN CAMPBELL and Congressman DANA ROHRBACHER, and on behalf of the entire California Republican Congressional Delegation, to honor and pay tribute to an individual whose dedication and contributions to our country and state are exceptional. We have been fortunate to have dynamic and dedicated leaders who willingly and unselfishly give their time and talent to make their communities, and country, a better place to live and work. General William Lyon is one of these individuals. General Lyon's many accomplishments are wide ranging, as he has made his mark as a successful businessman, a decorated member of the military and an active supporter of the community. On March 9, 2013, General Lyon will be celebrating his 90th birthday.

General Lyon was born in 1923 in Los Angeles, California. Prior to entering the United States Army Air Corps in 1943, he attended the University of Southern California and the Dallas Aviation School and Air College. He completed the Air War College in 1971 and the Air National Guard and Air Force Reserve Senior Officers Orientation Course in 1972 and 1974. Additionally, he attended the Industrial College of the Armed Forces National Seminar in 1973. In 1943, General Lyon enlisted in the U.S. Army Air Corps as a reservist and continued serving as a civilian flight instructor until he received a direct appointment as a flight officer in June 1944. During World War II, he was assigned to the 6th Ferrying Group and ferried aircraft to the Pacific and European theaters. In 1945 he was assigned to the North African Division of the Air Transport Command and returned to the United States in 1946.

In 1947, General Lyon was commissioned as a Second Lieutenant and participated in various Reserve assignments until his voluntary recall to active duty in 1951. He was then assigned to Headquarters Air Training Command as a staff pilot and was later transferred to the Military Air Transport Service, flying air evacuation and ferrying missions. In 1953 he volunteered for a tour of duty in Korea and flew 75 combat missions in the C-46 and C-47. From 1954 to 1963, General Lyon was assigned to various positions in the Reserve and served as a flight commander and operations officer. In 1963 he was named

Commander of the 929th Tactical Airlift Squadron, March Air Force Base, California, and subsequently served as Commander of the parent unit, the 943d Tactical Airlift Group.

In June 1970, General Lyon was assigned as mobilization assistant to the commander, Sacramento Air Materiel Area, McClellan Air Force Base, California, and in February 1972, he became mobilization assistant to the Commander, Fifteenth Air Force at March Air Force Base. He was promoted to the grade of Major General on April 24, 1974, with date of rank May 24, 1972. In March 1974 he was appointed mobilization assistant to the commander in chief, Strategic Air Command, Offutt Air Force Base, Nebraska, where he was involved in the planning of the transfer of designated KC-135 units to the Reserve Forces. In 1975, General Lyon was appointed by President Gerald R. Ford to serve as Chief of Air Force Reserve Headquarters at the Pentagon, where he was responsible for managing a \$700 million budget as well as the activities of some 53,000 Air Force Reservists. Four years later, on April 16, 1979, he retired from military service.

General Lyon's many military decorations and awards include the Legion of Merit, Distinguished Flying Cross, Air Medal with three oak leaf clusters, Presidential Unit Citation, Air Force Outstanding Unit Award, Combat Readiness Medal, Armed Forces Reserve Medal with hour glass device, and the Republic of Korea Presidential Unit Citation.

More than 50 years ago, General Lyon started building homes for returning military personnel and others who wanted to make a life in California. This modest effort evolved to become William Lyon Homes, which is now one of the nation's largest private homebuilders. Headquartered in Newport Beach, California, William Lyon Homes has constructed more than 100,000 new residences in Arizona, California and Nevada.

General Lyon's business success isn't limited to homebuilding. In 1981 he and a partner purchased AirCal, a regional air carrier based in Newport Beach, California. General Lyon served as the Chairman and Chief Executive Officer until 1987 when AirCal was purchased by American Airlines. His love of flying then led him to acquire Martin Aviation, a fixed based operator, at John Wayne Airport in Orange County, California and in 2009 he established the Lyon Air Museum to preserve and promote the memory of WWII and "The Greatest Generation."

It is hard to imagine that General Lyon would have any free time on his hands yet he always found time for his community. He currently serves as a Director on the Segerstrom Center for the Arts Board, having been a former Chairman of that Board. General Lyon is the founding Chairman of the Orangewood Children's Foundation, and past Chairman of Boy Scouts of America, Orange County Council. Additionally, he has served as Board Chairman of the Alexis de Tocqueville Society of The United Way.

Throughout General Lyon's incredible life he has been loved and supported by his wonderful family including his wife Willa Dean Lyon, and children, Christine Lyon Rhoades, Mary Susan Lyon Isola, William H. Lyon, Marcia Stone and Byron Russell.

We have come to know General Lyon well through many years working together on a variety of projects in California. We can all personally attest to General Lyon's incredible work-ethic, professionalism, and positive attitude. In light of all General Lyon has done for southern California and our country, it is only fitting that he be honored as he celebrates his 90th birthday. General Lyon's honorable service to our country and tireless passion for public service has contributed immensely to the betterment of our country, state and community. We are proud to call him a fellow community member, American and friend. I know that many people are grateful for his service and salute him on this great milestone.

SUPPORTING PUBLIC SCHOOL
WEEK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Public School Week. This weeklong series of events is designed to inform and transform the civic conversation around public education. In order for America to lead in the 21st century, our foremost social and economic imperative should be to provide a quality education to all of our students.

In my city of Dallas, four magnet schools were identified as Blue Ribbon schools. These four Dallas Independent School District (ISD) schools are the Environmental Science Academy, the Townview School of Science and Engineering Magnet High School, the Rosie M. Collins Sorrells School of Education and the Social Services Magnet High School and Irma Lerma Rangel Young Women's Leadership School. Being identified as a Blue Ribbon school means they are among the finest schools in the country, and I am proud of these four stellar institutions and others like them.

Townview Magnet is one of the most diverse schools in Texas, with minorities representing over half of the student population. Townview is a gem in my Congressional district and home to some of the Nation's best and brightest students. Newsweek Magazine has consistently rated Townview's Science and Engineering Magnet as one of the top high schools in the Nation. Townview serves as a model for other institutions of learning across the country.

Mr. Speaker, many of our best and our brightest students attend public schools and with encouragement and support from their principals and teachers they are capable of achieving remarkable success. We cannot allow our schools to lose the critical funding they need to operate simply because we as a Congress cannot work together to solve sequestration. Texas is poised to lose approximately \$67.8 million for primary and secondary education, putting around 930 teacher and aide jobs at risk. In addition about 172,000 fewer students would be served and approximately 280 fewer schools would receive funding.

Mr. Speaker, supporting our Nation's public schools will help us out-educate, out-innovate, and out-build the rest of the world. We must identify ways to help improve schools like these that provide educational excellence to our communities. We must not waver in our commitment to our children and the future of this country.

HARROWISM! IN HONOR OF TEAM
LEADER CAPTAIN BENJAMIN
CONRAD HARROW 7TH SPECIAL
FORCES GROUP THE UNITED
STATES ARMY

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2013

Mr. GIBSON. Mr. Speaker, I rise today in honor of Team Leader Captain Benjamin Harrow of The United States Army, 7th Special Forces Group, Green Berets. On May 15, 2012 while out on patrol, an IED explosion almost left Benjamin mortally wounded. Losing both of his legs and sustaining numerous other life threatening injuries he has come back from the dead. Already in such a short time his recovery is at full speed ahead. With the help of his and her family and his lovely wife Gina and son Peyton, he has found the strength and inspiration to heal. Spend a little time with Ben, and you will understand why he became Team Leader of one of our Nation's elite members of The Special Forces Group 7. Ben is a graduate of The United States Military Academy at West Point. He was a star lacrosse player for Army. I submit this poem penned in his honor by Albert Caswell.

HARROWISM!

A hero!
And from where do they all so come?
Men of honor,
who so walk upon battlefields of death . . .
as Thy Kingdom Come!
And all of those who from out of the ashes,
rebuild their lives with not much left who
have begun . . .
As when they come back home all in this
most magnificent quests!
Indeed, these are but America's most heroic
of all sons who so bless!
Who so go off to war where angels so fear to
tread . . .
Who for all of us heroically have so died,
and bled!
And come back home so very close to death!
To somehow lift up their fine heads!
All in what their most magnificent hearts
have so said!
Armed, with but only their Harrowism which
so beats within their chests!
As from out of all of this darkness,
they must now so pass that test!
To so summon up,
all of the courage and the strength To But
Be The Best!
Oh what A Special Force this is no less!
As they come back home so cheating death!
As we so watch all in such awe as we lose our
breath!
As they rise up to so teach us all about
Harrowism no less!
As high above all others they now stand so
yes!
Heroes!

Because, Heroes come in all shapes and sizes!
But, it's what's within their great hearts
that which so comprises!

But who they are!
Moving all out into that darkness of death
all at light speeds,
as their fine hearts so crest!

As out across a nation,
a mother now so weeps in her sorrow . . .
All because for us,
her most precious son gave up his tomor-
row's yes!

For they lead!
And we will follow!
And ah yes,
for these are but such a special breed who in
pity will not so wallow!

And then there is a special breed,
The Special Forces!
A SPECIAL FORCE of nature so complete!
As all throughout their veins their most he-
roic blood beats!

The ones who the enemy so fears,
and so heed's!

Who upon battlefields of honor bright,
come all at them fast breaking all at such
speeds!

The ones who can not so be checked,
by any enemy!

Whose most selfless souls,
now so make the angels weep!
As we so pray to our Lord,
to watch over them to keep!

And for all of those ones,
who must now come back home on this night
. . .

Who must now begin their new most gallant
of all fights . . .

All on that hard road to recovery,
as we watch their brave hearts so ignite!
Men without arms and legs,
who so teach us all about faith!

Whose families,
so give to them the strength to meet each
new coming day!

Who now so stand with tears in eyes!

As before them all in pieces their loved ones
lie!

As these Heroes so touch our hearts and
souls,
with but all of their most amazing grace as
we behold!

To so show to this our world how Angels are
made!

For these are men of such courage and con-
viction!

And of such undying faith we are so wit-
nessing!

Rising up from the ashes,
Who All In The Game of Life so lead the way
. . .

All in what their most precious lives have to
say!

And, from out of all our Nation's Academes
. . .

But, have come our Nation's very best!

Magnificent men and women,
who all so live and die to so make a dif-
ference no less!

Fast breaking on battlefields of honor and in
hospital beds,

all at light speeds with their fine hearts and
heads which can not so be checked!

Whose Harrowism, our hearts so bless!
And whose fine families must bare the great-
est of all burdens so yes!

Because, The Special Forces . . .
are but everything that Superman so wishes
he could be!

Who come back home without arms and legs,
to so teach us how men of honor behave!
As we so watch them rebuild their lives,

when they but lie just moments away from
the grave!

As ever onward they so stride,
with but tears in their eyes!
As their gaits have gotten stronger, as their
days have gotten longer!
Reaching for the highest of all heights, as do
they!

Benjamin, an American Harrow!
And as a Captain and a Team Leader of Spe-
cial Forces,
whose heart and soul runs so very deep as
through him so course's!
A man who is Army Strong!
Whose fine life is but like a song!
A song of God and Family,
and all about his beloved Country Tis of
Thee . . .

To a place where valor and faith all so meet!
As West Point,
would so anoint such a hero who lives on!
The kind of man that General Mahollen,
would so love to march along!
Whether, on fields of green . . .
or as a lacrosse player you were seen!

Or on battlefields of honor bright,
Big Ben would always lead!
For he was built for honor,
and he was built for speed!

As a winner In the Game of Life,
and in all of his deeds!
The kind of man that even General Mac-
Arthur,
as a hero would so concede!

As Big Ben,
America's son you live by such a fine heroes
creed!

A Real American Harrow,
who upon all of us your light we so see . . .
As it was on that fateful day,
when IED Ben almost took your most heroic
life away . . .

As when you awoke,
as what to your most heroic heart spoke!
As upon your face,
your most heroic tears were invoked to fight
on that day . . .

All for the love of your life . . .
your lovely devoted wife Gina,
and that future lacrosse player son Peyton
you chose to stay!
Rising up from the ashes as would you so
Green Beret!

As once again,
your strong heart is leading out in front the
way!

All out on that rocky road to recovery!
All in what your Harrowism has so to say!
To So Teach Us!
To So Beseech Us!
To So Reach Us,
and Grab Our Hearts in every way!

Because, Real Heroes Hearts Never Fade!
Oh, what a Special Force Ben you are in so
every way!

And if ever I had a son,
I wish he could be as half as courageous as
this one . . .

Who so stands more than a man in today!
Because Big Ben you've got the ball,
and you are fast breaking to recovery . . .
So we better clear out,
and get out of your way!

As we so watch this Special Force called
Harrowism,
and so see of what you are made!
Showing us all,
that arms and legs we all need!
But, we can get by!
But,
without a most heroic heart we will so sure-
ly die!

Better To Die For Something,
or lose your strong arms and legs . . .
Then, live for nothing in regret in your last
days!

Better To Be An American Harrow In Life,
and Lead The Way!
Because in Heaven,
you need not arms or legs . . .
And that's where Big Ben you are going one
day!

In these, the moments of our lives . . .
what have we've so done and so strived?
Will we be the ones to courage find?
Will we have the right stuff to go so very
deep down inside?

To walk through the valley of death,
or come back home with but not much left
. . .

And somehow new mountains so climb!

Could we be a Hero's Hero?

And be the ones to such Harrowism find?

As Big Ben,

an American Hero who so shines!

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 7, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 12

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the U.S. Strategic Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection, and Mary Jo White, of New York, to be a Member of the Securities and Exchange Commission.

SD-538

Select Committee on Intelligence

To hold hearings to examine certain intelligence matters.

SH-216

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SR-253

Committee on Health, Education, Labor, and Pensions

Subcommittee on Employment and Workplace Safety

To hold hearings to examine Job Corps budget shortfall, focusing on safeguarding workforce training for America's disconnected youth.

SD-430

MARCH 13

10 a.m.

Committee on Armed Services

Subcommittee on Personnel

To hold hearings to examine sexual assaults in the military.

SH-216

Committee on Foreign Relations

To hold closed hearings to examine strategic counterterrorism, focusing on meeting current and emerging challenges.

TBA

Committee on the Judiciary

To hold hearings to examine fulfilling the promise of open government five years after the "OPEN Government Act".

SD-226

Committee on Veterans' Affairs

To hold hearings to examine Veterans' Affairs (VA) claims process, focusing on a review of Veterans' Affairs transformation efforts.

SR-418

2 p.m.

Special Committee on Aging

To hold hearings to examine Jamaican phone fraud targeting seniors.

SD-562

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the costs and impacts of crisis budgeting.

SD-342

MARCH 14

10:30 a.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine helping small businesses weather economic challenges and natural disasters, focusing on a review of legislative proposals on access to capital and disaster recovery.

SR-428A

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MARCH 19

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. European Command, U.S. Northern Command, and U.S. Southern Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SH-216

10 a.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine the American Airlines/US Airways merger, focusing on consolidation, competition, and consumers.

SD-226

APRIL 9

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

APRIL 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

APRIL 23

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Army in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SD-106

APRIL 25

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

MAY 8

9:30 a.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.

SR-222

HOUSE OF REPRESENTATIVES—Thursday, March 7, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. FARENTHOLD).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 7, 2013.

I hereby appoint the Honorable BLAKE FARENTHOLD to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Gene Hemrick, Catholic University of America, Washington, D.C., offered the following prayer:

The philosopher Martin Buber states, "The primary aspiration of all history is a genuine community of human beings."

Lord, we know that You desire the best for us and that this consists in our being the genuine human beings You meant us to be. This is, and always has been, the heart of our Nation.

May You bless this Congress with the wisdom, prudence, and understanding needed for generating the laws, ideals, and creativity to fulfill Your heartfelt desires for us.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 4(d) of House Resolution 5, One Hundred Thirteenth Congress, and section 1(k)(2) of House Resolution 895, One Hundred Tenth Congress, I transmit to you notification that Porter J. Goss, David Skaggs, Yvonne Burke, Jay Eagen, Karan English, Bill Frenzel, Allison Hayward, Mike Barnes, Omar Ashmawy, Kelly Brewington, William Cable, Mary K. Flanagan, Scott Gast, Kedric L. Payne, Paul Solis, and Nate Wright, each have signed an agreement not to be a candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress for purpose of the Federal Election Campaign Act of 1971 until at least 3 years after he or she is no longer a member of the board or staff of the Office of Congressional Ethics.

Copies of the signed agreements shall be retained by the Office of the Clerk as part of the records of the House.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

CORRECTING THE ENGROSSMENT OF HOUSE CONCURRENT RESOLUTION 20

The SPEAKER pro tempore. Without objection, the Clerk is directed to make the change in the engrossment of House Concurrent Resolution 20 that has been placed at the desk.

The Clerk read as follows:

Strike "Muhamad" each place it appears and insert (in each instance) "Muhammad".

There was no objection.

PUBLICATION OF BUDGETARY MATERIAL

Mr. RYAN of Wisconsin. Mr. Speaker, at the beginning of this Congress, two additional requirements for the consideration of a concurrent resolution on the budget resolution were set forth in Section 3(e) of House Resolution 5 (113th Congress).

The first requires the concurrent resolution on the budget include a section related to means-tested and nonmeans-tested direct spending programs. The second requires a statement from the Chair of the Committee on the Budget defining those terms to be included in the Congressional Record prior to the consideration of such concurrent resolution on the budget. Amendments to, and conference reports on, the concurrent resolution must also fulfill these provisions.

Enclosed please find two tables prepared in order to fulfill the terms of section 3(e) referred to above. I have also included a communica-

tion and associated tables from the Director of the Congressional Budget Office, with whom I have consulted in the preparation of this material.

Attached is a description of programs considered to be means-tested direct spending and nonmeans-tested direct spending. While the nonmeans-tested list is not exhaustive, all programs not considered means-tested can be considered nonmeans-tested direct spending.

Attachment.

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, March 5, 2013.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of Representatives, Washington DC.

DEAR MR. CHAIRMAN: As you requested, enclosed are two tables that show federal spending and average annual growth rates for the federal government's major mandatory spending programs that are primarily means-tested (that is, programs and tax credits that provide cash payments or assistance in obtaining health care, food, or education to people with relatively low income or few assets). Table 1 shows CBO's baseline projections for the 2013–2023 period; Table 2 shows historical spending data from 2003 through 2012, along with CBO's estimates for 2013.

Those means-tested programs include all of the mandatory programs that were highlighted in CBO's recent report on means-tested spending, Growth in Means-Tested Programs and Tax Credits for Low-Income Households (February 2013). In addition we have included some smaller mandatory means-tested programs that were not discussed in that report: the Children's Health Insurance Program (CHIP), veterans' pensions, foster care payments, and additional programs in the family support category.

The tables do not include data on mandatory programs that are mostly not means-tested, but that have components that are means-tested (for example, student loans and some portions of Medicare, other than low-income subsidies for Part D.) They also do not include means-tested programs that are discretionary (for example, the Section 8 housing assistance programs and the Low Income Home Energy Assistance Program).

In CBO's latest baseline projections, published in The Budget and Economic Outlook: Fiscal Years 2013 to 2023 (February 2013), total mandatory spending (excluding offsetting receipts) is projected to grow at an average annual rate of 5.6 percent over the 2014–2023 period. In those projections, the means-tested programs identified in the enclosed tables grow more rapidly than the programs that are not means-tested—by 6.2 percent, as compared with 5.3 percent (see Table 1).

Overall, the growth rates projected for the coming decade are slower than those experienced in the past 10 years—by about one-half percent per year, on average. Over the 2004–2013 period, CBO estimates that total mandatory outlays will have increased at an average annual rate of 6.1 percent—means-tested programs by an average of 6.7 percent per year and non-means-tested programs by 5.9 percent per year (see Table 2).

A number of programs shown in Tables 1 and 2 have been or are scheduled to be significantly affected by changes in law, the recent recession, and the continuing recovery. As a result, important aspects of the programs in the future may differ significantly from historical experience, and those differences may be the source of some of the variation between the growth rates in the past 10 years and those in the coming decade. For example, spending for Medicaid, CHIP, health insurance subsidies, the Supplemental Nutrition Assistance Program (SNAP), and the refundable portions of the earned income and child tax credits has been or will be significantly affected by program changes that unfold over time:

The difference in growth rates for Medicaid in the two periods stems in part from policy changes that reduced those rates for the past decade (when they averaged 5.1 percent) but will increase them in the coming decade (when they are projected to average 8.0 percent). For example, in 2006, Medicaid spending contracted when spending for prescription drugs for certain people was shifted to the new Medicare Part D program. Projected rates of growth in Medicaid spending over the coming decade are elevated, reflecting the expansion of Medicaid coverage under the Affordable Care Act. CBO expects growth to average about 11 percent per year over the 2014–2017 period, as the expansion is phased in, and then to level off at a steady-state rate of about 6 percent per year from 2018 through 2023.

The difference in growth rates between the two periods for CHIP (8.1 percent over the

2004–2013 period vs. –5.0 percent over the 2014–2023 period) reflects the sunset of CHIP's existing authority at the end of fiscal year 2015. Consistent with statutory guidelines, CBO assumes in its baseline spending projections that funding for the program after 2015 will continue at \$5.7 billion, which is a significant reduction from the amount available at the start of the 2014–2023 period.

Payments of health insurance subsidies under the Affordable Care Act are scheduled to begin in 2014, and the high rates of growth beginning in that year reflect a startup period for the new program. In the current projection, the number of people gaining coverage through the exchanges rises from 7 million in 2014 to 24 million in 2016. CBO projects that, after the initial startup, annual growth will average about 5 percent from 2018 through 2023.

SNAP spending increased markedly during the recent recession—particularly in 2009 and 2010—as more people became eligible for those benefits. In addition, provisions in the American Recovery and Reinvestment Act of 2009 (ARRA) raised the maximum benefit under that program; those provisions expire in October 2013. In addition, CBO expects that SNAP caseloads will eventually fall as the economy continues to improve.

The outlay portions of the earned income and child tax credits are expected to dip after 2018 because provisions expanding the refundability of those credits (which were originally enacted in ARRA and were recently extended) are scheduled to expire on December 31, 2017.

Finally, because of the unique budgetary treatment of the Pell Grant program—which has both mandatory and discretionary components—the growth rates for the mandatory portions of that program give incomplete information. The bulk of the funding for Pell grants is discretionary and is provided annually in appropriation acts. In recent years, spending for Pell grants also has included two mandatory components that have allowed the discretionary budget authority provided by the regular appropriation acts to remain well below the full cost of the program.

In keeping with procedures that govern CBO's baseline projections, the projection for the discretionary portion of the Pell Grant program is based on the budget authority appropriated for fiscal year 2013, adjusted for inflation. (Discretionary spending for the program is shown as a memorandum item in both tables.) Thus, the baseline projection for both discretionary and mandatory spending for Pell grants does not represent an estimate of the expected future costs of the program; such a projection also would take into account such factors as changes in eligibility and enrollment.

I hope that you find this information helpful. If you have any further questions, please contact me or my staff. The primary staff contact is Barry Blom, who can be reached at 226–2880.

Sincerely,
DOUGLAS W. ELMENDORF,
Director.

Enclosure.

TABLE 1—MANDATORY OUTLAYS IN CBO'S FEBRUARY 2013 BASELINE

[Outlays by fiscal year, in billions of dollars]

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Average Annual Growth 2014–2023
Means-Tested Outlays:												
Health Care Programs:												
Medicaid	265	297	331	372	399	422	449	476	505	536	572	8.0%
Medicare Part D Low-Income Subsidies	23	25	28	33	34	34	41	45	49	58	60	10.0%
Health insurance subsidies, exchanges, and related spending	1	21	42	74	95	106	111	115	122	128	134	22.9% ^a
Children's Health Insurance Program	9	13	14	8	6	6	6	6	6	6	6	–5.0%
Subtotal	299	356	416	487	533	569	606	642	683	727	772	9.9%
Income Security:												
SNAP	82	80	79	79	78	76	75	74	73	73	73	–1.2%
Supplemental Security Income	53	55	56	63	59	56	63	64	66	74	70	2.8%
Earned income and child tax credits	80	83	84	83	83	84	73	74	75	77	78	–0.3%
Family support ^b	25	25	25	25	25	25	25	25	25	25	25	0.2%
Child nutrition	21	22	22	23	24	25	26	27	28	29	30	4.0%
Foster care	7	7	7	7	7	7	8	8	8	8	8	2.0%
Subtotal	268	271	273	280	277	273	269	272	276	286	285	0.6%
Veterans' Pensions:	5	6	6	7	7	7	7	7	8	8	8	3.9%
Pell Grants:^c	18	12	7	7	9	11	11	11	11	11	11	–4.9%
Subtotal, Means-Tested Programs	590	644	701	781	826	859	893	932	977	1,032	1,075	6.2%
Non-Means-Tested Programs^d	1,730	1,770	1,859	1,984	2,071	2,163	2,304	2,437	2,584	2,779	2,911	5.3%
Total Mandatory Outlays	2,321	2,414	2,560	2,765	2,897	3,022	3,197	3,369	3,561	3,812	3,986	5.6%
Memorandum												
Pell Grants (Discretionary)^e	15	23	30	24	24	25	25	26	26	27	27	6.2%

Source: Congressional Budget Office.

Notes: The projections shown here are the same as those reported in Congressional Budget Office, The Budget and Economic Outlook: Fiscal Years 2013 to 2023 (February 2013). Some of the projections differ from those reported in Congressional Budget Office, Growth in Means-Tested Programs and Tax Credits for Low-Income Households (February 2013). For an explanation of those differences, see the footnotes in Table A–2 of that report.

The average annual growth rate over the 2014–2023 period encompasses growth in outlays from the amount projected for 2013 to the amount projected for 2023.

Projections on spending for benefit programs in this table exclude administrative costs that are classified as discretionary but generally include administrative costs classified as mandatory.

SNAP = Supplemental Nutrition Assistance Program.

^a Because payments of the health insurance subsidies do not begin until 2014, the average growth rate reported here reflects the average increase from the amount projected for 2014 to the amount projected for 2023.

^b Includes Temporary Assistance for Needy Families and various programs that involve payments to states for child support enforcement and family support, child care entitlements, and research to benefit children.

^c Includes mandatory spending designed to reduce the discretionary budget authority needed to support the maximum award level set in the appropriation act plus mandatory spending that, by formula, increases the total maximum award above the amount set in the appropriation act.

^d Does not include offsetting receipts.

^e The discretionary baseline does not represent projection of expected costs for the discretionary portion of the Pell Grant program. As with all other discretionary programs, the budget authority is calculated by inflating the budget authority appropriated for fiscal year 2013. Outlays for future years are based on those amounts of budget authority and also reflect a temporary surplus of budget authority provided in 2013.

TABLE 2—MANDATORY OUTLAYS SINCE 2003

[Outlays by fiscal year, in billions of dollars]

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Projected, 2013	Average Annual Growth 2004–2013
Means-Tested Programs:												
Health Care Programs:												
Medicaid	161	176	182	181	191	201	251	273	275	251	265	5.1%
Medicare Part D Low-Income Subsidies	0	0	0	11	17	17	19	21	26	20	23	10.9% ^a

TABLE 2—MANDATORY OUTLAYS SINCE 2003—Continued
[Outlays by fiscal year, in billions of dollars]

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Projected, 2013	Average Annual Growth 2004–2013
Health insurance subsidies, exchanges, and related spending	0	0	0	0	0	0	0	*	*	*	1	n.a.
Children's Health Insurance Program	4	5	5	5	6	7	8	8	9	9	9	8.1%
Subtotal	165	181	187	197	213	225	277	302	310	280	299	6.1%
Income Security:												
SNAP	25	29	33	35	35	39	56	70	77	80	82	12.5%
Supplemental Security Income	33	34	38	37	36	41	45	47	53	47	53	5.0%
Earned income and child tax credits	38	42	49	52	54	75	67	77	78	77	80	7.7%
Family support ^b	26	24	24	24	24	25	26	28	26	24	25	–0.8%
Child nutrition	12	12	13	14	14	15	16	17	18	19	21	5.4%
Foster care	6	6	6	6	7	7	7	7	7	7	7	1.3%
Subtotal	141	147	164	168	170	202	217	247	260	254	268	6.6%
Veterans' Pensions:	3	3	4	4	3	4	4	4	5	5	5	5.1%
Pell Grants: ^c	0	0	0	0	0	1	2	4	14	12	18	n.a.
Subtotal, Means-Tested Programs	309	331	354	369	386	431	501	558	589	550	590	6.7%
Non-Means-Tested Programs ^d	974	1,015	1,095	1,187	1,242	1,349	1,783	1,539	1,631	1,690	1,730	5.9%
Total Mandatory Outlays	1,283	1,347	1,449	1,556	1,628	1,780	2,284	2,097	2,220	2,240	2,321	6.1%
Memorandum:												
Pell Grants (Discretionary)	12	13	13	13	13	15	13	20	21	21	15	2.2%

Source: Congressional Budget Office.

Notes: The average annual growth rate over the 2004–2013 period encompasses growth in outlays from the amount recorded in 2003 through the amount projected for 2013.

Data on spending for benefit programs in this table exclude administrative costs that are classified as discretionary but generally include administrative costs classified as mandatory.

SNAP = Supplemental Nutrition Assistance Program; n.a. = not applicable.

* = between zero and \$500 million.

^a The average annual growth rate reflects the program's growth from its inception in 2006 through 2013.^b Includes Temporary Assistance for Needy Families and various programs that involve payments to states for child support enforcement and family support, child care entitlements, and research to benefit children.^c Includes mandatory spending designed to reduce the discretionary budget authority needed to support the maximum award level set in the appropriation act plus mandatory spending that, by formula, increases the total maximum award above the amount set in the appropriation act.^d Does not include offsetting receipts.

TABLE 1—MANDATORY OUTLAYS IN CBO'S FEBRUARY 2013 BASELINE

[Outlays by fiscal year, in billions of dollars]

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Average Annual Growth 2014–2023
Means-Tested Outlays:												
Health Care Programs:												
Medicaid	265	297	331	372	399	422	449	476	505	536	572	8.0%
Medicare Part D Low-Income Subsidies	23	25	28	33	34	34	41	45	49	58	60	10.0%
Health insurance subsidies, exchanges, and related spending	1	21	42	74	95	106	111	115	122	128	134	22.9% ^a
Children's Health Insurance Program	9	13	14	8	6	6	6	6	6	6	6	–5.0%
Subtotal	299	356	416	487	533	569	606	642	683	727	772	9.9%
Income Security:												
SNAP	82	80	79	79	78	76	75	74	73	73	73	–1.2%
Supplemental Security Income	53	55	56	63	59	56	63	64	66	74	70	2.8%
Earned income and child tax credits	80	83	84	83	83	84	73	74	75	77	78	–0.3%
Family support ^b	17	25	25	25	25	25	25	25	25	25	25	0.2%
Child nutrition	21	22	22	23	24	25	26	27	28	29	30	4.0%
Foster care	7	7	7	7	7	7	8	8	8	8	8	2.0%
Subtotal	268	271	273	280	277	273	269	272	276	286	285	0.6%
Veterans' Pensions:	5	6	6	7	7	7	7	7	8	8	8	3.9%
Pell Grants ^c	18	12	7	7	9	11	11	11	11	11	11	–4.9%
Subtotal, Means-Tested Programs	590	644	701	781	826	859	893	932	977	1,032	1,075	6.2%
Non-Means-Tested Programs ^d	1,730	1,770	1,859	1,984	2,071	2,163	2,304	2,437	2,584	2,779	2,911	5.3%
Social Security												
Medicare Eligible Retiree Health Care Fund												
Medicare (excluding Medicare Part D Subsidy)												
Federal Civilian and Military Retirement Programs												
Veterans Programs (excluding Veterans' pensions)												
Agriculture programs												
Troubled Asset Relief Program												
Deposit Insurance												
All other mandatory programs not included in the means-tested list above.												
Total Mandatory Outlays	2,321	2,414	2,560	2,765	2,897	3,022	3,197	3,369	3,561	3,812	3,986	5.6%
Memorandum												
Pell Grants (Discretionary) ^e	15	23	30	24	24	25	25	26	26	27	27	6.2%

Source: Congressional Budget Office.

Notes: The projections shown here are the same as those reported in Congressional Budget Office, The Budget and Economic Outlook Fiscal Years 2013 to 2023 (February 2013). Some of the projections differ from those reported in Congressional Budget Office, Growth in Means-Tested Programs and Tax Credits for Low-Income Households (February 2013). For an explanation of those differences, see the footnotes in Table A–2 of that report.

The average annual growth rate over the 2014–2023 period encompasses growth in outlays from the amount projected for 2013 to the amount projected for 2023.

Projections on spending for benefit programs in this table exclude administrative costs that are classified as discretionary but generally include administrative costs classified as mandatory.

SNAP = Supplemental Nutrition Assistance Program.

^a Because payments of the health insurance subsidies do not begin until 2014, the average growth rate reported here reflects the average increase from the amount projected for 2014 to the amount projected for 2023.^b Includes Temporary Assistance for Needy Families and various programs that involve payments to states for child support enforcement and family support, child care entitlements, and research to benefit children.^c Includes mandatory spending designed to reduce the discretionary budget authority needed to support the maximum award level set in the appropriation act plus mandatory spending that, by formula, increases the total maximum award above the amount set in the appropriation act.^d Does not include offsetting receipts. List provided by House Budget Committee based on CBO's most recent Budget and Economic Outlook.^e The discretionary baseline does not represent a projection of expected costs for the discretionary portion of the Pell Grant program. As with all other discretionary programs, the budget authority is calculated by inflating the budget authority appropriated for fiscal year 2013. Outlays for future years are based on those amounts of budget authority and also reflect a temporary surplus of budget authority provided in 2013.

TABLE 2—MANDATORY OUTLAYS SINCE 2003
[Outlays by fiscal year, in billions of dollars]

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Projected, 2013	Average An- nual Growth 2004–2013
Means-Tested Programs:												
Health Care Programs:												
Medicaid	161	176	182	181	191	201	251	273	275	251	265	5.1%
Medicare Part D Low-Income Subsidies	0	0	0	11	17	17	19	21	26	20	23	10.9% ^a
Health insurance subsidies, exchanges, and related spending	0	0	0	0	0	0	0	*	*	*	1	n.a.
Children's Health Insurance Program	4	5	5	5	6	7	8	8	9	9	9	8.1%
Subtotal	165	181	187	197	213	225	277	302	310	280	299	6.1%
Income Security:												
SNAP	25	29	33	35	35	39	56	70	77	80	82	12.5%
Supplemental Security Income	33	34	38	37	36	41	45	47	53	47	53	5.0%
Earned income and child tax credits	38	42	49	52	54	75	67	77	78	77	80	7.7%
Family support ^b	26	24	24	24	24	25	26	28	26	24	25	–0.8%
Child nutrition	12	12	13	14	14	15	16	17	18	19	21	5.4%
Foster care	6	6	6	6	7	7	7	7	7	7	7	1.3%
Subtotal	141	147	164	168	170	202	217	247	260	254	268	6.6%
Veterans' Pensions	3	3	4	4	3	4	4	4	5	5	5	5.1%
Pell Grants ^c	0	0	0	0	0	1	2	4	14	12	18	n.a.
Subtotal, Means-Tested Programs	309	331	354	369	386	431	501	558	589	550	590	6.7%
Non-Means-Tested Programs^d	974	1,015	1,095	1,187	1,242	1,349	1,783	1,539	1,631	1,690	1,730	5.9%
Social Security												
Medicare Eligible Retiree Health Care Fund												
Medicare (excluding Medicare Part D Subsidy)												
Federal Civilian and Military Retirement Pro- grams												
Veterans Programs (excluding Veterans' pen- sions)												
Agriculture programs												
Troubled Asset Relief Program												
Deposit Insurance												
All other mandatory programs not included in the means-tested list above												
Total Mandatory Outlays	1,283	1,347	1,449	1,556	1,628	1,780	2,284	2,097	2,220	2,240	2,321	6.1%
Memorandum												
Pell Grants (Discretionary)	12	13	13	13	13	15	13	20	21	21	15	2.2%

Source: Congressional Budget Office.

Notes: The average annual growth rate over the 2004–2013 period encompasses growth in outlays from the amount recorded in 2003 through the amount projected for 2013.

Data on spending for benefit programs in this table exclude administrative costs that are classified as discretionary but generally include administrative costs classified as mandatory.

SNAP = Supplemental Nutrition Assistance Program; n.a. = not applicable.

** = between zero and \$500 million.

^a The average annual growth rate reflects the program's growth from its inception in 2006 through 2013.

^b Includes Temporary Assistance for Needy Families and various programs that involve payments to states for child support enforcement and family support, child care entitlements, and research to benefit children.

^c Includes mandatory spending designed to reduce the discretionary budget authority needed to support the maximum award level set in the appropriation act plus mandatory spending that, by formula, increases the total maximum award above the amount set in the appropriation act.

^d Does not include offsetting receipts. List provided by House Budget Committee based on CBO's most recent Budget and Economic Outlook

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 5, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 307. To reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 10 a.m. on Monday, March 11, 2013.

There was no objection.

Thereupon (at 12 o'clock and 4 minutes p.m.), the House adjourned until Monday, March 11, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

616. A letter from the Director, Defense Procurement and Acquisition Policy, De-

partment of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Electronic Subcontracting Reporting System (DFARS Case 2009-D002) (RIN: 0750-AG40) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

617. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Alleged Crimes By or Against Contractor Personnel (DFARS Case 2012-D006) (RIN: 0750-AH57) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

618. A letter from the Director, Defense Procurement and Acquisition Policy, General Services Administration, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Acquisition of Tents and Other Temporary Structures (DFARS Case 2012-D015) (RIN: 0750-AH73) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

619. A letter from the Director, Occupational Safety and Health Administration, transmitting the Administration's final rule — Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Seaman's Protection Act (SPA), as Amended [Docket Number: OSHA-2011-0841] (RIN: 1218-AC58) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to

the Committee on Education and the Workforce.

620. A letter from the Program Manager, Centers for Disease Control and Prevention, transmitting the Centers' final rule — Control of Communicable Diseases: Foreign; Scope and Definitions [Docket No.: CDC-2012-0017] (RIN: 0920-AA12) received February 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

621. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-673, "Portable Electronics Insurance Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

622. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-672, "Benefit Corporation Act of 2012"; to the Committee on Oversight and Government Reform.

623. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-670, "Pharmacy Technician Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

624. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-680, "Retirement of Public-School Teachers Omnibus Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

625. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-679, "Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of

2012"; to the Committee on Oversight and Government Reform.

626. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-669, "Uniform Commercial Code Article 9 Amendments Act of 2012"; to the Committee on Oversight and Government Reform.

627. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-676, "Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

628. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-650, "Equity in Survivor Benefits Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

629. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-671, "Interstate Compact on Educational Opportunity for Military Children Establishment Act of 2012"; to the Committee on Oversight and Government Reform.

630. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-678, "Omnibus Alcoholic Beverage Regulation Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

631. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-674, "Safety-Based Traffic Enforcement Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

632. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-675, "Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Act of 1998 Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

633. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-677, "Omnibus Criminal Code Amendments Act of 2012"; to the Committee on Oversight and Government Reform.

634. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-681, "Retirement of Public-School Teachers Omnibus Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

635. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-682, "Police and Firefighter's Retirement and Disability Omnibus Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

636. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-13, "Medical Marijuana Cultivation Center Temporary Amendment Act of 2013"; to the Committee on Oversight and Government Reform.

637. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Lost River Sucker and Shortnose Sucker [Docket No.: FWS-R8-ES-2011-0097] (RIN: 1018-AX41) received February 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

638. A letter from the Director of Regulation Policy and Management, Office of the

General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Grants for the Rural Veterans Coordination Pilot (RVCP) (RIN: 2900-AO35) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

639. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — VA Homeless Providers Grant and Per Diem Program (RIN: 2900-AN81) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

640. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Optional Safe Harbor Method for Deducting Expenses Attributable to Business Use of a Home (Rev. Proc. 2013-13) received February 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

641. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — March 2013 (corrected) (Rev. Rul. 2013-7) received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. MCMORRIS RODGERS:

H.R. 1024. A bill to amend title XVIII of the Social Security Act to provide part D eligible individuals with single chronic diseases access to services under medication therapy management programs under the Medicare part D prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of California (for himself, Mr. GARAMENDI, Mr. HUFFMAN, Ms. ESHOO, and Mr. BERA of California):

H.R. 1025. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. NEUGEBAUER (for himself and Mr. PETERSON):

H.R. 1026. A bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel; to the Committee on Transportation and Infrastructure.

By Mr. PETERS of Michigan:

H.R. 1027. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy; to the Committee on Science, Space, and Technology.

By Mr. CAPUANO:

H.R. 1028. A bill to ensure that any authority of the Mutual Mortgage Insurance Fund to borrow amounts from the Treasury is used only to pay mortgage insurance claims; to the Committee on Financial Services.

By Mr. DEFAZIO (for himself, Ms. BROWN of Florida, Ms. SLAUGHTER, Ms. MOORE, and Mr. CONYERS):

H.R. 1029. A bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H.R. 1030. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 1031. A bill to amend title II of the Social Security Act to ensure that the receipts and disbursements of the Social Security trust funds are not included in a unified Federal budget and to provide that Social Security contributions are used to protect Social Security solvency by mandating that Trust Fund monies cannot be diverted to create private accounts; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARDNER (for himself, Mr. POLIS, Mr. LOWENTHAL, Mr. MEADOWS, Mr. JONES, and Mr. GIBSON):

H.R. 1032. A bill to amend the Internal Revenue Code of 1986 to expand access to Coverdell education savings accounts; to the Committee on Ways and Means.

By Mr. HOLT (for himself and Mr. WITTMAN):

H.R. 1033. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Natural Resources.

By Mr. LARSEN of Washington (for himself and Ms. DELBENE):

H.R. 1034. A bill to establish the San Juan Islands National Conservation Area in the San Juan Islands, Washington, and for other purposes; to the Committee on Natural Resources.

By Ms. MOORE (for herself and Mr. BACHUS):

H.R. 1035. A bill to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes; to the Committee on Financial Services.

By Mr. REICHERT (for himself, Ms. HERRERA BEUTLER, Ms. DELBENE, Mr. HASTINGS of Washington, Mr. HECK of Washington, Mr. KILMER, Mr. LARSEN of Washington, Mr. McDERMOTT, Mrs. MCMORRIS RODGERS, and Mr. SMITH of Washington):

H.R. 1036. A bill to designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the "National Park Ranger Margaret Anderson Post Office"; to the Committee on Oversight and Government Reform.

By Mr. TONKO (for himself, Ms. BROWN of Florida, and Ms. SLAUGHTER):

H.R. 1037. A bill to amend the Public Health Service Act to include occupational therapists as behavioral and mental health professionals for purposes of the National Health Service Corps; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. MCMORRIS RODGERS:

H.R. 1024.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. THOMPSON of California:

H.R. 1025.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. NEUGEBAUER:

H.R. 1026.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. PETERS of Michigan:

H.R. 1027.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution of the United States

By Mr. CAPUANO:

H.R. 1028.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. DEFAZIO:

H.R. 1029.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DEFAZIO:

H.R. 1030.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DEFAZIO:

H.R. 1031.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GARDNER:

H.R. 1032.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HOLT:

H.R. 1033.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the United States Constitution.

By Mr. LARSEN of Washington:

H.R. 1034.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress. . ."

By Ms. MOORE:

H.R. 1035.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. REICHERT:

H.R. 1036.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7: "The Congress shall have Power to establish Post Offices and postroads"

By Mr. TONKO:

H.R. 1037.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

NATIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 147: Mr. STOCKMAN and Mr. GARDNER.

H.R. 236: Mr. ELLISON.

H.R. 239: Mr. OLSON.

H.R. 258: Mr. DAINES, Mr. DESANTIS, Mr. SALMON, and Mr. PETERS of Michigan.

H.R. 309: Mr. BROUN of Georgia.

H.R. 416: Mr. GRIMM.

H.R. 421: Mr. LOBIONDO.

H.R. 427: Mr. MCGOVERN.

H.R. 445: Mr. MCGOVERN.

H.R. 483: Mr. CARTER, Mr. SALMON, Mr. MCINTYRE, Mr. GALLEG0, and Mr. STUTZMAN.

H.R. 630: Mr. SCHIFF, Ms. LORETTA SANCHEZ of California, Mr. CLEAVER, Mr. KENNEDY, Mr. PAYNE, Mr. SCHRADER, Mr. RUIZ, Mr. MICHAUD, and Mr. TAKANO.

H.R. 637: Mr. SENSENBRENNER.

H.R. 662: Mrs. CAPITO, Mr. OLSON, Mr. SENSENBRENNER, and Mr. JOHNSON of Ohio.

H.R. 664: Ms. JACKSON LEE.

H.R. 681: Mr. MORAN.

H.R. 708: Mr. POLIS.

H.R. 710: Mr. SWALWELL of California.

H.R. 718: Mr. WILSON of South Carolina and Mrs. NOEM.

H.R. 731: Mr. PERRY, Mr. JOHNSON of Ohio, Ms. MENG, Mr. YOHO, Mr. SALMON, Mr. CHABOT, and Mr. BURGESS.

H.R. 749: Mr. BILIRAKIS, Mr. LATTI, Mrs. NAPOLITANO, and Ms. MOORE.

H.R. 803: Mr. HUDSON and Mr. HUELSKAMP.

H.R. 807: Mr. WESTMORELAND, Mr. LUETKEMEYER, Mr. DUFFY, Mr. HULTGREEN, and Mr. CRAMER.

H.R. 825: Mr. WEBSTER of Florida.

H.R. 836: Mr. ROHRBACHER and Mrs. NAPOLITANO.

H.R. 850: Mr. CAMPBELL, Mr. HENSARLING, Mr. SWALWELL of California, Mr. RYAN of Ohio, Mr. ROE of Tennessee, Mr. HECK of Nevada, Mr. WILLIAMS, Mr. RODNEY DAVIS of Illinois, Mr. RIBBLE, Ms. SPEIER, Mr. YOUNG of Florida, Mrs. HARTZLER, Mr. SENSENBRENNER, Mr. MEEHAN, Mr. MILLER of Florida, Mr. LATTI, Mr. BUCHANAN, Mr. YODER, Mr. NUGENT, Mr. BRIDENSTINE, Mr. GENE GREEN of Texas, and Mr. AL GREEN of Texas.

H.R. 880: Ms. LOFGREN and Mr. CICILLINE.

H.R. 890: Mr. JORDAN, Mr. ROE of Tennessee, and Mr. GARRETT.

H.R. 894: Mr. COURTNEY.

H.R. 895: Ms. BASS and Mr. HIMES.

H.R. 904: Mr. YOUNG of Indiana and Mr. MORAN.

H.R. 938: Mr. GRIMM, Mr. RODNEY DAVIS of Illinois, Mr. WILLIAMS, Mr. KINZINGER of Illinois, Mr. HECK of Nevada, Mr. GOHMERT, Mr. SWALWELL of California, Mr. SCHOCK, Mr. SARBANES, and Mr. LOBIONDO.

H.R. 946: Mr. MULLIN.

H.R. 961: Mr. GRIJALVA and Ms. MOORE.

H.R. 1005: Mr. FRANKS of Arizona, Mr. JONES, Mr. GIBBS, Mr. CASSIDY, Mr. FARENTHOLD, and Mr. HUELSKAMP.

H.R. 1008: Mr. TERRY, Mr. MEEKS, Mr. MCGOVERN, Mr. GARAMENDI, Mr. MAFFEI, Ms. MOORE, Ms. SCHAKOWSKY, Ms. KUSTER, Mr. MATHESON, Mr. KIND, Mr. MORAN, Mr. HONDA, Ms. LINDA T. SANCHEZ of California, and Mr. JOHNSON of Georgia.

H. Res. 98: Mr. DUNCAN of South Carolina, Mr. MEADOWS, Mr. SOUTHERLAND, Mr. GRAVES of Georgia, Mrs. LUMMIS, Mr. KING of Iowa, Mr. LUETKEMEYER, Mr. SCHWEIKERT, Mr. MULLIN, and Mr. BURGESS.

SENATE—Thursday, March 7, 2013

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, our fortress, we live under Your protection. Keep America safe from the forces of evil that come against it. Lead our Senators away from the trap of trusting only in their resources so that they will never forget that nothing truly succeeds without You. You do great things, O Lord. Your thoughts are too deep for us to comprehend without the gift of Your discernment. Give Your spirit's discernment to our lawmakers. Show them Your ways and teach them Your paths. Be their strength and shield this day and always.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 7, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume

executive session to consider the nomination of John Brennan to be the Director of the Central Intelligence Agency. I ask unanimous consent that the time until 12:30 and the time from 2:00 until 3:00 be equally divided in the usual form, and that I be recognized at 3 p.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, the Senate will recess from 12:30 until 2 p.m. today. Both the majority and minority have caucus meetings. Cloture was filed on the nomination this morning. If no agreement is reached, we are going to vote Saturday morning. I hope we can arrive at an earlier vote, but everyone should note we have sent directives to all of the Senators on this side indicating we may need a vote on Saturday. We need to do this because we have to be on the continuing resolution on Monday, and we have to finish that next week because the next week is the budget and we have to do that before the break we take for Easter.

REGULAR ORDER

Mr. REID. Mr. President, my Republican colleagues love to extol the virtues of regular order. If only we could get back to regular order, they say, we could function again. Yesterday, we saw both sides of that.

On the one hand, my Republican colleagues did practice regular order. On the other, they didn't. Let's take the one they didn't.

They demanded a 60-vote threshold for confirmation of a very qualified nominee, Caitlin Halligan, to be United States Court of Appeals Judge for the DC Circuit. Republicans once again hid behind a cloture vote—filibuster, by another term—to prevent a simple up-or-down vote on this important nomination. They took the easy way out.

On the other hand, one Republican Senator did return to regular order. As is his right, he spoke for as long as he was able to speak. And that is a filibuster. After 12 hours standing and talking, this is how Senator PAUL ended his filibuster:

I would go for another 12 hours to try to break Strom Thurmond's record, but I've discovered there are some limits to filibustering and I'm going to have to take care of one of those in a few minutes here.

Well, I have been involved in a few filibusters, as RAND PAUL was yesterday, and what I have learned from my experiences with talking filibusters is this: To succeed, you need strong convictions but also a strong bladder. It is obvious Senator PAUL has both.

We should all reflect on what happened yesterday as we proceed with other nominations, including a lot of judicial nominations. This can be a Senate where ideas are debated in full public view and obstruction happens in full public view as well or it can be a Senate where a couple Senators obstruct from behind closed doors without ever coming to the Senate floor.

BLOODY SUNDAY

Mr. REID. Mr. President, forty-eight years ago today, a young man by the name of JOHN LEWIS set out on a march across Alabama, from Selma to Montgomery. By his side were a few hundred freedom-loving men and women calling for an end to discrimination violence against African Americans.

Today, JOHN LEWIS is a distinguished Member of the U.S. House of Representatives, but back then when he was a young civil rights leader, he was determined to fight injustice and force the United States to live up to its founding principle that all people are created equal.

I had the good fortune to go—not this year but a year or two ago—down to Selma and participate in this reenactment. JOHN LEWIS was there, as I saw on TV a few days ago. It was a cold day when I went there, and you saw them all bundled a few days ago. And on the day of the march, you see the TV pictures of JOHN LEWIS with a long coat, and he had a backpack. I asked him what was in the backpack. He said, I thought I would be arrested and I would be put in jail. I had in that backpack an apple and a book I was reading.

After being viciously beaten, JOHN LEWIS doesn't know what happened to his apple, his book, or his backpack. But what a legend he has become. He wasn't arrested that day. Instead, JOHN and the peaceful protesters by his side were met a few blocks into their march by State troopers with dogs, fire hoses, and clubs, and they used every one of them against these marchers. Many of the marchers, including JOHN LEWIS, were viciously beaten.

The terrible violence of that day, known as Bloody Sunday, was broadcast across the country. For the first time the bloody reality of the struggle for equal rights was beamed into America's living rooms. Bloody Sunday marked the turning point in the civil rights movement as Americans cried out against the injustice and bloodshed they saw on the television screens.

Later that month protesters finally completed that march from Selma to

Montgomery, and more than 25,000 patriots converged on the Alabama State Capitol Building. From the steps of the Alabama capitol, Dr. Martin Luther King spoke of the power of peaceful resistance. This is what he said:

Selma, Alabama, became a shining moment in the conscience of man. If the worst in American life lurked in its dark street, the best of American instincts arose passionately from across the nation to overcome it.

Six months later President Johnson signed the Voting Rights Act of 1965, and that is where Senator Thurmond, whom I had the good fortune of serving with here, took to the floor and gave that speech for 24 hours.

I may disagree with Strom Thurmond, but he had a right to talk. RAND PAUL had a right to talk.

The Supreme Court last week considered striking sections of the law barring areas with a history of discrimination from changing voting practices without Federal approval. That is what the Voting Rights Act was all about. Critics say those protections are no longer necessary. But anyone who waited hours to cast a ballot in 2012 knows that is not true. A 102-year-old woman waited 8 hours to vote. And anyone who has watched the State legislature pass laws designed to intimidate eligible voters and keep the poor, minorities, and the elderly from the polls knows the fight for freedom is not over.

America has made great strides to eradicate racism, thanks to legends such as JOHN LEWIS. But, together, we must guard that progress with vigilance, keeping in mind the sacrifices made by so many 48 years ago today.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BRENNAN NOMINATION

Mr. MCCONNELL. Mr. President, yesterday the junior Senator from Kentucky took to the Senate floor to exercise his rights as an individual Senator in pursuit of an answer from the Attorney General concerning the rights of U.S. citizens.

The filibuster was extended, heartfelt, and important, and I wish to say a few words in reaction to that effort and, as well, on the nomination of John Brennan to be Director of the Central Intelligence Agency.

The question he raised was entirely appropriate and should have already been answered by the Obama administration.

First, I wish to state for the RECORD and to correct any misimpression that yesterday's long debate was a criticism of the Senate's oversight of our Nation's intelligence activities. In fact,

the Senate Select Committee on Intelligence is responsible for conducting vigorous oversight of our Nation's intelligence activities, and I want to make clear that they were not the subject of last night's debate. The members of that committee conduct that oversight in a professional, responsible manner, and selflessly serve the rest of the Senate in that capacity.

Let me assure the Senate, the activities of the intelligence community are closely monitored and overseen by the Intelligence Committee, to include all counterterrorism activities.

Most recently, the committee has conducted a serious and much-needed inquiry into the terrorist attack on the temporary mission facility in Benghazi, Libya, and has conducted a thorough review of John Brennan's nomination to be Director of the Central Intelligence Agency. Thanks to the leadership of Chairman FEINSTEIN and Vice Chairman CHAMBLISS, the committee has made significant progress in reviewing Mr. Brennan's record, the intelligence related to the terrorist threat in Libya, and in reviewing the administration's legal opinions concerning some overseas activities.

Second, in reviewing Mr. Brennan's nomination, Senator PAUL has asked a series of questions of the executive branch. Senator PAUL has a right to ask questions of the administration, and the administration has a responsibility to answer in keeping with the rules established for oversight of intelligence activities and for protecting sensitive information.

The specific question, however, is not an intelligence-related question but a straightforward legal question: Does the President have the authority to order the use of lethal force against a U.S. citizen who is not a combatant on U.S. soil without due process of law?

To his credit, John Brennan directly answered the question motivating Senator PAUL's filibuster: The Central Intelligence Agency does not conduct lethal operations inside the United States, nor does it have the authority to do so. What is befuddling is why the Attorney General has not directly and clearly answered the question.

The U.S. military no more has the right to kill a U.S. citizen on U.S. soil who is not a combatant with an armed unmanned aerial vehicle than it does with an M-16. The technology is beside the point. It simply doesn't have that right, and the administration should simply answer the question. There is no reason we cannot get this question answered today. And we should get the question answered today. Frankly, it should have been answered a long time ago.

Last, during Senator PAUL's filibuster, I noted that I cannot support John Brennan's confirmation. During January of 2009, the President issued a

series of Executive orders which, in my judgment, weakened the ability of our intelligence community to find, capture, detain, and interrogate terrorists. As President Obama's senior adviser on counterterrorism, Mr. Brennan has been a fierce defender of the administration's approach to counterterrorism as articulated by the Executive orders I just referred to. He has been a loyal, dogged defender of the administration's policies, policies with which I seriously disagree. My greatest concern is that the Director of Central Intelligence must be entirely independent of partisan politics in developing objective analysis and advice that he gives to the President. After 4 years of working within the White House, confronting difficult policy matters on a daily basis, and having attempted to defend the administration's policies—sometimes publicly, sometimes to the media, and occasionally to the Senate—I question whether Mr. Brennan can detach himself from those experiences.

For that reason I will oppose his nomination.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF JOHN OWEN BRENNAN TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC GROWTH

Mr. THUNE. Mr. President, I come to the floor to speak about spending and

its impact on economic growth. I think it is important Washington closely considers the true impact Federal spending and our soaring national debt are having on economic growth.

Over the past few weeks, the White House and the President have been out campaigning across the country and making statements aimed at causing fear and anxiety about the sequester. The White House has painted the sequester—which, keep in mind, amounts to just 2.4 percent of all Federal spending—as something which would lead to an economic disaster in this country.

The White House attempts to cause fear and anxiety have fallen flat. What is more, many of the claims which were made were simply false. In fact, the critics agree.

Bill Keller wrote in the *New York Times*: “The White House spent last week in full campaign hysteria.”

The *Washington Post* issued four Pinocchios with regard to false claims made by Education Secretary Arne Duncan about the sequester's impact on teachers' jobs.

The *National Journal* states: “The White House's strategy to exaggerate the immediate impact of the cuts has backfired.”

In *Politico*: “For all the hype, spin and blame exchanged over the across-the-board cuts, the reality is they don't mean the sudden economic collapse of America.”

It is important to see the sequester in its overall context. All the hype associated with this could be analogous, I suppose, to all the hype we had yesterday about the weather. Everybody expected we were going to have the blizzard of 2013, and it never materialized. All of the predictions with regard to doom and gloom relating to sequester have also not amounted to very much.

The American people have picked up on that. I think most of them agree, if you look at public opinion polls, that Washington does need to tighten its belt. Washington does need to reduce its spending. Washington needs to lessen the appetite it has to take more of the American taxpayers' money and spend it on what most taxpayers view to be not really necessary.

When you talk about a 2.4-percent reduction in overall Federal spending, most Americans, when they evaluate their own financial situations, come to the conclusion most of them probably could absorb, if they had to, a 2.4-percent reduction in their own spending. They would look at their budgets in very realistic ways. They would scrutinize and examine where they could find spending which is low priority, things they could live without. What we have seen here in Washington from the administration is various heads of agencies and departments going out and trying to identify the biggest, most high-profile thing for dramatic effect in an attempt to scare and frighten the American people.

The American people recognize, and hopefully the administration has come to the conclusion as well, a 2.4-percent reduction in overall Federal spending is something we need to absorb here in Washington, DC, and demonstrate to the American people we are serious about getting Washington's fiscal house in order.

I have long maintained the sequester is not the best way to rein in Federal spending. There is a better way to do so. The reductions called for in the sequester disproportionately impact certain areas of the budget. We all know about the impact on the national security budget, which represents only 20 percent of Federal spending but gets 50 percent of the cuts in the sequester.

I would have preferred a different approach. Given the refusal of President Obama and Senate Democrats to come to the table and find alternative savings, the sequester has gone into effect. The President and most Senate Democrats wanted to see an increase in taxes, something many of us believe would be very harmful to the economy. If you look at what the President has already received in terms of tax increases since he has been in office, it amounts to about \$1.7 trillion.

If you look at the last 4 years and all the promises which were made about additional spending, stimulus spending, \$1 trillion in additional stimulus spending back when the President first took office, how that would impact the economy, we were told it would take unemployment down below 6 percent. We all know what has happened. We continue to experience sluggish, slow, anemic growth with chronic high unemployment, and we continue to pile massive amounts of debt on the backs of our children and grandchildren.

While the President has been seeking to cause alarm and cast blame with regard to the sequester, one must question the economic arguments he is making. The President and his allies in Congress claim he inherited a bad economy and increased spending is necessary to stimulate economic growth. President Obama's agenda, since he has been in office, has been to spend more, tax more, and regulate more.

As I mentioned earlier, over \$1.7 trillion in new taxes has been imposed to be signed into law since he took office. The most recent of that, the fiscal cliff, was \$620 billion on January 1. If you add up the tax increases in ObamaCare, there is over \$1 trillion there. If you look at the \$518 billion in new regulations which have been approved since the President took office, you may see we put an enormous amount of cost, burden, new requirements, mandates, and harm to the economy and the small businesses which create jobs: \$1.7 trillion in new taxes, the \$518 billion in new regulations.

What has been the impact of those policies? It is pretty clear average eco-

nomics growth under this President has averaged eight-tenths of 1 percent, .8 percent of the overall share of the economy, GDP. This is less than 1 percent economic growth, on average, in the 4 years this President has been in office.

To put it in perspective, if you look at past Presidents when we have had economic downturns and recessions, President Reagan inherited a bad economy too. When he came to office, we were faced with a series of real economic circumstances: high inflation, high interest rates, and weak growth.

President Reagan put in place policies which were progrowth. He enacted progrowth tax reform, fewer regulations. The economy grew nearly three times as fast as it has under President Obama's watch.

The point, very simply, is if you put the right policies in place, if you make it less difficult and less expensive for our small businesses and our job creators to create more jobs, there are more jobs and economic growth. If you make it more difficult, more expensive, and harder for our small businesses and our job creators to create jobs, there are fewer jobs, less economic growth, and lower take-home pay for American families and workers.

If the Obama recovery was as strong as Reagan's, our economy would be \$1.5 trillion larger today, meaning more jobs and more opportunity for Americans. This is assuming if you were getting a comparable level of growth in the economy. The fact is President Obama's spending, tax, and regulatory policies are hamstringing economic recovery, jobs, and opportunity.

Yesterday the Federal Reserve released the latest edition of its so-called beige book or more formally known as the *Summary of Commentary on Current Economic Conditions*. The beige book stated the 2010 health care law is being cited as a reason for layoffs and a slowdown in hiring.

This report, which examines economic conditions across various Federal Reserve districts throughout the country, stated: “Employers in several districts cited the unknown effects of the Affordable Care Act as reasons for planned layoffs and reluctance to hire more staff.”

It is clear President Obama's policies are the real threat to our economy, not the sequester. A 2.4-percent across-the-board reduction in Federal spending here in Washington, DC, clearly—if you look at the rate of growth we have seen in spending since the President took office of over 20 percent in 2009, in the overall scheme of things, is something which is very reasonable. The American people see this as reasonable overall.

On the contrary, if you look at policies the President has put in place, whether this is more stimulus spending, growing government, higher taxes,

more regulations, we are getting a very different picture of what those policies look like in terms of the impact on our economy. We have seen negative impacts, high-level spending, and high annual deficits during the President's first term. As a consequence of these statistics, there is slower economic growth.

I ask unanimous consent to have printed in the RECORD an opinion piece by Michael Boskin, which he wrote earlier in the week. In this article Mr. Boskin makes the case that spending cuts will actually help the economy: "Standard Keynesian models that claim a quick boost from higher government spending showed the effect quickly turns negative. So the spending needs to be repeated over and over, like a drug, to keep the hypothetical positive effect going."

Mr. Boskin points to an academic study which found returning spending to pre-crisis, pre-Obama levels—about a 3-percent reduction in spending as a percentage of our entire GDP—would increase short-term economic growth because expectations of lower future taxes and debt lead to higher incomes, more private spending, and investment.

[From the Wall Street Journal, Mar. 4, 2013]

LARGER SPENDING CUTS WOULD HELP THE ECONOMY

(By Michael J. Boskin)

President Obama's most recent prescription for economic growth—more government stimulus spending, new social programs, higher taxes on upper-income earners, subsidies for some industries and increased regulation for all of them—is likely to have the same anemic results as in his first administration.

Recall: The \$825 billion stimulus program did little economic good at a cost of hundreds of thousands of dollars per job, even based on the administration's own inflated job estimates. Cash for Clunkers cost \$3 billion merely to shift car sales forward a few months. The PPIP (Public-Private Investment Program for Legacy Assets) to buy toxic assets from the banks to speed lending generated just 3% of the \$1 trillion that the program planners anticipated.

And now? Mr. Obama proposes universal preschool (\$25 billion per year), "Fix it First" repairs to roads and bridges, plus an infrastructure bank (\$50 billion), "Project Rebuild," refurbishing private properties in cities (\$15 billion), endless green-energy subsidies, and a big hike in the minimum wage. The president and Senate Democrats also demand that half the spending cuts under sequestration be replaced with higher taxes.

These proposals are ill-considered. The evidence sadly suggests the initial improvement in children's cognitive skills from "Head Start" quickly evaporates. Higher minimum wages increase unemployment among low-skilled workers. A dozen recent studies in peer-reviewed journals, including one by the president's former chief economic adviser Christina Romer, document the negative effects of higher taxes on the economy.

As for adventures in industrial policy, former Obama economic adviser Larry Summers wrote a memo in 2009 about the impending \$527 million loan guarantee to Solyndra and other recipients of government

largess. "The government is a crappy v.c. [venture capitalist]," he wrote, in what is also the best postmortem. In 2010, Harvard economist Edward Glaeser concluded in the New York Times that infrastructure is poor stimulus because "It is impossible to spend quickly and wisely." Federal infrastructure spending should be dealt with in regular appropriations.

Will more spending today stimulate the economy? Standard Keynesian models that claim a quick boost from higher government spending show the effect quickly turns negative. So the spending needs to be repeated over and over, like a drug, to keep this hypothetical positive effect going. Japan tried that to little effect, starting in the 1990s. It now has the highest debt-to-GDP ratio among the countries of the Organization for Economic Cooperation and Development—and that debt is a prime cause, as well as effect, of Japan's enduring stagnation.

The United States is heading in this wrong direction. Even if the \$110 billion in annual sequestration cuts are allowed to take place, the Congressional Budget Office projects that annual federal spending will increase by \$2.4 trillion to \$5.9 trillion in a decade. The higher debt implied by this spending will eventually crowd out investment, as holdings of government debt replace capital in private portfolios. Lower tangible capital formation means lower real wages in the future.

Since World War II, OECD countries that stabilized their budgets without recession averaged \$5-\$6 of actual spending cuts per dollar of tax hikes. Examples include the Netherlands in the mid-1990s and Sweden in the mid-2000s. In a paper last year for the Stanford Institute for Economic Policy Research, Stanford's John Cogan and John Taylor, with Volker Wieland and Maik Wolters of Frankfurt, Germany's Goethe University, show that a reduction in federal spending over several years amounting to 3% of GDP—bringing noninterest spending down to pre-financial-crisis levels—will increase short-term GDP.

Why? Because expectations of lower future taxes and debt, and therefore higher incomes, increase private spending. The U.S. reduced spending as a share of GDP by 5% from the mid-1980s to mid-1990s. Canada reduced its spending as share of GDP by 8% in the mid-'90s and 2000s. In both cases, the reductions reinforced a period of strong growth.

An economically "balanced" deficit-reduction program today would mean \$5 of actual, not hypothetical, spending cuts per dollar of tax hikes. The fiscal-cliff deal reached on Jan. 1 instead was scored at \$1 of spending cuts for every \$40 of tax hikes.

Keynesian economists urge a delay on spending cuts on the grounds that they will hurt the struggling economy. Yet at just one-quarter of 1% of GDP this year, \$43 billion of this year's sequester cuts in an economy with a GDP of more than \$16 trillion is unlikely to be a major macroeconomic event.

Continued delay now leaves a long boom as the only time to control spending. There was some success in doing this in the mid-1990s under President Clinton and a Republican Congress. More commonly the opposite occurs: A boom brings a surge in tax revenues and politicians are anxious to spread the spending far and wide.

In any case, the demand by Mr. Obama and Senate Democrats that any dollar of spending cuts in budget agreements this spring (to fund the government for the rest of the fiscal

year and when the debt limit again approaches) be matched by an additional dollar of tax hikes is economically unbalanced in the extreme. Those who are attempting to gradually slow the growth of federal spending while minimizing tax hikes have sound economics on their side.

Mr. THUNE. To wrap up and put this into perspective, Federal spending has increased nearly 20 percent since 2009. Sequestration, the across-the-board spending reductions which will occur under the sequester, amount to a reduction of 2.4 percent out of a \$3.5 trillion budget. Even with the sequester, the government will spend more this year than it did last year.

I would hope the President would begin to be honest with the American people about the impact of his tax hikes, his spending, and new regulations are having on our Nation's economic growth and recovery; more important, coming to the conclusion and being honest with the American people about that, change his policies; actually come to a conclusion based on what we have seen, 4 years of his policies, which is slow growth, and a .8 percent economic growth on average for the past 4 years. There is also, as I said before, high unemployment, chronic unemployment—which is still around that 8-percent level—and massive amounts of new debt we are piling on the backs of future generations.

Not only do we need the President, in terms of his rhetoric, to be honest with the American people, we need him to change his policies and take an honest look at the relationship between spending and economic growth. This shows the sequester will not have long-term negative impacts on the economy. We need to put the Federal Government on a stable fiscal path in order to create the kind of economic certainty needed in this country to grow the economy and create jobs.

Less spending by Washington, DC, actually will lead to greater economic growth, a private economy, more jobs for the American people, and higher take-home pay.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as if in morning business and ask to be joined in colloquy with the Senator from South Carolina, Senator GRAHAM.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE DRONE PROGRAM

Mr. MCCAIN. Mr. President, I wish to quote from this morning's editorial in the Wall Street Journal entitled "Rand Paul's Drone Rant." I wish to read for the edification of my colleagues the editorial which was in the Wall Street Journal, a credible media outlet, this morning.

The Wall Street Journal reads:

Give Rand Paul credit for theatrical timing. As the storm descended on Washington, the Kentucky Republican's old-fashioned filibuster Wednesday filled the attention void on Twitter and cable TV. If only his reasoning matched the showmanship.

Shortly before noon, Senator Paul began talking filibuster against John Brennan's nomination to lead the CIA. The tactic is rarely used in the Senate and was last seen in 2010. But Senator Paul said an "alarm" had to be sounded about the threat to Americans from their own government. He promised to speak "until the President says, no, he will not kill you at a cafe." He meant by a military drone. He's apparently serious, though his argument isn't.

Senator Paul had written the White House to inquire about the possibility of a drone strike against a U.S. citizen on American soil. Attorney General Eric Holder replied that the U.S. hasn't and "has no intention" to bomb any specific territory. Drones are limited to the remotest area of conflict zones like Pakistan and Yemen. But as a hypothetical constitutional matter, Mr. Holder acknowledged the President can authorize the use of lethal military force within U.S. territory.

This shocked Senator Paul, who invoked the Constitution and Miranda rights. Under current U.S. policy, Mr. Paul mused on the floor, Jane Fonda could have been legally killed by a Hellfire missile during her tour of Communist Hanoi in 1972. A group of non-combatants sitting in public view in Houston may soon be pulverized, he declared.

Calm down, Senator. Mr. Holder is right, even if he doesn't explain the law very well. The U.S. Government cannot randomly target American citizens on U.S. soil or anywhere else.

I repeat that: The U.S. Government cannot randomly target American citizens on U.S. soil or anywhere else.

What it can do under the laws of war is target an "enemy combatant" anywhere at any time, including on U.S. soil. This includes a U.S. citizen who is also an enemy combatant. The President can designate such a combatant if he belongs to an entity—a government, say, or a terrorist network like al-Qaida—that has taken up arms against the United States as part of an internationally recognized armed conflict. That does not include Hanoi Jane.

Such a conflict exists between the U.S. and al-Qaida, so Mr. Holder is right that the U.S. could have targeted (say) U.S. citizen Anwar al-Awlaki had he continued to live in Virginia. The U.S. killed him in Yemen before he could kill more Americans. But under the law al-Awlaki was no different than the Nazis who came ashore on Long Island in World War II, were captured and executed.

The country needs more Senators who care about liberty, but if Mr. Paul wants to be taken seriously, he needs to do more than pull political stunts that fire up impressionable libertarian kids in their college dorms. He needs to know what he's talking about.

I watched some of that "debate" yesterday. I saw colleagues of mine who know better come to the floor and voice this same concern, which is totally unfounded. I must say that the use of Jane Fonda's name does evoke certain memories with me, and I must say she is not my favorite American, but I also believe that as odious as it was, Ms. Fonda acted within her con-

stitutional rights. To somehow say that someone who disagrees with American policy, and even may demonstrate against it, is somehow a member of an organization which makes that individual an enemy combatant is simply false. It is simply false.

I believe we need to visit this whole issue of the use of drones—who uses them, whether the CIA should become their own Air Force, what the oversight is. The legal and political foundation for this kind of conflict needs to be reviewed.

Relating to this, let me quote from an article by Jack Goldsmith that was in the Washington Post on February 5, 2013, entitled: "U.S. needs a rulebook for secret warfare."

The legal foundation rests mostly on laws designed for another task that government lawyers have interpreted, without public scrutiny, to meet new challenges. Outside the surveillance context, Congress as a body has not debated or approved the means or ends of secret warfare. Because secret surveillance and targeted strikes, rather than U.S. military detention, are central to the new warfare, there are no viable plaintiffs to test the government's authorities in court. In short, executive-branch decisions since 2001 have led the Nation to a new type of war against new enemies on a new battlefield without enough focused national debate, deliberate congressional approval or real judicial review.

What the government needs is a new framework statute—akin to the National Security Act of 1947, or the series of intelligence reforms made after Watergate, or even the 2001 authorization of force—to define the scope of the new war, the authorities and limitations on presidential power, and forms of review of the President's actions.

I don't think we should have any doubt there are people both within the United States of America and outside it who are members of terrorist organizations and who want to repeat 9/11. All of us thank God there has not been a repeat of 9/11. Most of the experts I know will say there has been a certain element of luck—a small element but still an element of luck, such as the Underwear Bomber and others—that has prevented a devastating attack on the United States. But to somehow allege or infer the President of the United States is going to kill somebody such as Jane Fonda or someone who disagrees with the government's policies is a stretch of imagination which is, frankly, ridiculous—ridiculous.

I don't disagree that we need more debate, more discussion, and, frankly, probably more legislation to make sure America does protect the rights of all our citizens and to make sure, at the same time, if someone is an enemy combatant, that enemy combatant has nowhere to hide—not in a cafe, not anywhere. But to say that somehow, even though we try to take that person, that we would hit them in a cafe with a Hellfire missile—well, first of all, there are no drones with Hellfire missiles anywhere near. They are over

in places such as Yemen and Afghanistan and other places around the world.

We have done a disservice to a lot of Americans by making them believe that somehow they are in danger from their government. They are not. But we are in danger—we are in danger—from a dedicated, longstanding, easily replaceable leadership enemy that is hellbent on our destruction, and this leads us to having to do things perhaps we haven't had to do in other more conventional wars.

I don't believe Anwar al-Awlaki should have been protected anywhere in the world, but that doesn't mean they are going to take him out with a Hellfire missile. It means we are going to use our best intelligence to apprehend and debrief these people so we can gain the necessary intelligence to bring them all to justice.

All I can say is, I don't think what happened yesterday is helpful for the American people. We need a discussion, as I said, about exactly how we are going to address this new form of almost interminable warfare, which is very different from anything we have ever faced in the past, but somehow to allege the United States of America, our government, would drop a drone Hellfire missile on Jane Fonda, that brings the conversation from a serious discussion about U.S. policy to the realm of the ridiculous.

I would also like to add an additional note. About 42 percent, as I am told, of the Members of this Senate are here for 6 years or less. Every time a majority party is in power, they become frustrated with the exercise of the minority and their rights in the Senate. Back some years ago, when the Republicans—this side of aisle—were in the majority, we were going to eliminate the ability to call for 60 votes on the confirmation of judges. We were able to put that aside. There was another effort at the beginning of this Senate to do away with 60 votes and go back down to 51, which, in my view, would have destroyed the Senate.

A lot of us worked very hard—a group of us—for a long time to come up with some compromises that would allow the Senate to move more rapidly and efficiently but at the same time preserving the 60-vote majority requirement on some pieces of legislation. What we saw yesterday is going to give ammunition to those critics who say the rules of the Senate are being abused. I hope my colleagues on this side of the aisle will take that into consideration.

I note the presence of the Senator from South Carolina. The Senator from South Carolina, as many of our colleagues know, is a lawyer. He has been a military lawyer in the Air Force Reserve for over 20 years. If there is anyone in the Senate who knows about this issue from a legal and technical standpoint, it is my colleague from South Carolina.

I ask my colleague from South Carolina, is there any way the President of the United States could just randomly attack someone, with a drone or a Hellfire missile, without that person being designated an enemy combatant?

And I don't think, as much as I hate to say it, that applies to Jane Fonda.

Mr. GRAHAM. I thank my colleague. That is a very good question.

This has been a very lively debate. Senator PAUL has a lot of passion, and that is a great thing. This is an important issue. We should be talking about it, and I welcome a reasoned discussion. But to my Republican colleagues, I don't remember any of you coming down here suggesting that President Bush was going to kill anybody with a drone—I don't even remember the harshest critics of President Bush from the Democratic side. They had a drone program back then, so what is it all of a sudden about this drone program that has gotten every Republican so spun up? What are we up to here?

I think President Obama has, in many ways, been a very failed President. I think his executive orders overstep. I think he has intruded into the congressional arena by Executive order, I think ObamaCare is a nightmare, and there are 1,000 examples of a failed Presidency, but there is also some agreement. People are astonished, I say to the Senator, that President Obama is doing many of the things President Bush did. I am not astonished. I congratulate him for having the good judgment to understand we are at war.

To my party, I am a bit disappointed that you no longer apparently think we are at war. Senator PAUL, he is a man unto himself. He has a view I don't think is a Republican view. I think it is a legitimately held libertarian view.

Remember, Senator PAUL was the one Senator who voted against a resolution that said the policy of the United States will not be to contain a nuclear-capable Iran. It was 90 to 1. To his credit, he felt that would be provocative and it may lead to a military conflict. He would rather have a nuclear-capable Iran than use military force, and he said so—to his credit. Ninety of us thought, well, we would like not to have a military conflict with Iran, but we are not going to contain a nuclear-capable Iran because it is impossible.

What would happen is that if Iran got a nuclear weapon, the Sunni Arab States would want a nuclear weapon, and most of us believe they would share the technology with the terrorists, who would wind up attacking Israel and the United States. It is not so much that I fear a missile coming from Iran; I fear, if they got a nuclear weapon or nuclear technology, they would give it to some terrorist organization—like they gave IEDs to the Shia militia in Iraq to kill Americans—and they would wreak havoc on the world.

So we don't believe in letting them have it and trying to contain them because we believe their association with terrorism is too long and too deep, that it is too dangerous for Israel and too dangerous for us. But Senator PAUL, to his credit, was OK with that; I just disagree with him.

As to what he is saying about the drone program, he has come our way some, and I appreciate that. Before, he had some doubt in his mind as to whether we should have killed Anwar al-Awlaki in Yemen—an American citizen who had collaborated with al-Qaida and was actually one of the military leaders of al-Qaida in Yemen, who had radicalized Major Hasan, and who had been involved in planning terrorist attacks against U.S. forces throughout the region.

President Obama was informed through the military intelligence community channels of Anwar al-Awlaki's existence, all the videos he made supporting Jihad and killing Americans, and he, as Commander in Chief, designated this person as an enemy combatant.

Mr. President, you did what you had the authority to do, and I congratulate you in making that informed decision.

And the process to get on this target list is very rigorous—I think sometimes almost too rigorous.

But now, apparently, Senator PAUL says it is OK to kill him because we have a photo of him with an RPG on his shoulder. He has moved the ball. He is saying now that he wants this President to tell him he will not use a drone to kill an American citizen sitting in a cafe having a cup of coffee who is not a combatant. I find the question offensive.

As much as I disagree with President Obama, as much as I support past Presidents, I do not believe that question deserves an answer because, as Senator MCCAIN said, this President is not going to use a drone against a non-combatant sitting in a cafe anywhere in the United States, nor will future Presidents because if they do, they will have committed an act of murder. Non-combatants, under the law of war, are protected, not subject to being killed randomly.

So to suggest that the President won't answer that question somehow legitimizes that the drone program is going to result in being used against anybody in this room having a cup of coffee cheapens the debate and is something not worthy of the time it takes to answer.

Mr. MCCAIN. May I ask my colleague a question especially on that subject.

A lot of our friends—particularly Senator PAUL and others—pride themselves on their strict adherence to the Constitution and the decisions of the U.S. Supreme Court.

Isn't it true that as a result of an attack on Long Island during World War

II, an American citizen—among others—was captured and hung on American soil, and the U.S. Supreme Court upheld that execution because that individual was an enemy combatant? Does that establish without a doubt the fact that these are enemy combatants, and no matter where they are, they are subject to the same form of justice as the terrorists in World War II were?

Mr. GRAHAM. It has been a long-held concept in American jurisprudence that when an American citizen sides with the enemies of our Nation, they can be captured, held, and treated as an enemy combatant; they have committed an act of war against our country, not a common crime.

In World War II, German saboteurs landed on Long Island. They had been planning and training in Germany to blow up a lot of infrastructure—and some of it was in Chicago. So they had this fairly elaborate plan to attack us. They came out of a submarine. They landed on Long Island. And the plan was to have American citizens sympathetic to the Nazi cause—of German origin, most of them—meet them and provide them shelter and comfort. Well, the FBI back then broke up that plot, and they were arrested. The American citizens were tried by military commission, they were found guilty, and a couple of them were executed.

Now, there has been a case in the war on terror where an American citizen was captured in Afghanistan. Our Supreme Court reaffirmed the proposition that we can hold one of our own as an enemy combatant when they align themselves with the forces against this country.

This Congress, right after the September 11 attacks, designated authorization to use military force against al-Qaida and affiliated groups. So the Congress has given every President since 9/11 the authority to use military force against al-Qaida and affiliated groups. And American citizens such as Anwar al-Awlaki and that guy Hamdi who was captured in Afghanistan have been treated as enemy combatants, and if President Obama does that, he is doing nothing new or novel.

What would be novel is for us to say that if a terrorist cell came to the United States, if an al-Qaida cell was operating in the United States, that is a common crime and the law of war doesn't apply. It would be the most perverse situation in the world for the Congress to say that the United States itself is a terrorist safe haven when it comes to legal rights; that we can blow you up with a drone overseas, we can capture you in Afghanistan and hold you under the law of war, but if there is a terrorist cell operating in the United States, somehow you are a common criminal and we will read you your Miranda Rights.

I just have this one question to get Senator MCCAIN's thoughts. I hope we realize that, hypothetically, there are patriot missile batteries all over Washington that could interdict an airplane coming to attack this Capitol or the White House or other vital government facilities.

I hope the Senator understands—Senator MCCAIN is a fighter pilot—that there are F-15s and F-16s on 3-minute to 5-minute alert all up and down the east coast. If there is a vessel coming into the United States or a plane has been hijacked or a ship has been hijacked that is loaded with munitions or the threat is real and they have taken over a craft and are about to attack us, I hope all of us would agree that using military force in that situation is not only lawful under the authorization to use military force, it is within the inherent authority of the Commander in Chief to protect us all.

Mr. MCCAIN. And should not be construed as an authority to kill somebody in a cafe.

Mr. GRAHAM. It should be construed as a reasonable ability to defend the homeland against a real threat. And the question is, Do you feel threatened anymore? I do. I think al-Qaida is alive and well.

And to all those who have been fighting this war for a very long time, multiple tours in Iraq and Afghanistan, who have tried to keep the war over there so it doesn't come here, to the failed plots that have been broken up by the CIA and the FBI, God bless you. We have to be right every time; they only have to be right once.

If you think the homeland is not a desire of al-Qaida, it is absolutely on the top of their list. They are recruiting American citizens to their cause, and unfortunately a few will probably go over to their side. Thank God it will be just a few.

But to take this debate into the absurd is what I object to. We can have reasonable disagreements about, the regulatory nature of the drone program should be under the Department of Defense and what kind of oversight Congress should have. I think that is a really good discussion, and I would like to work with Senator DURBIN and others to craft—the Detainee Treatment Act was where Congress got involved with the executive branch to come up with a way to better handle the detainee issue.

But the one thing I have been consistent about is I believe there is 1 Commander in Chief, not 535, and I believe this Commander in Chief and all future Commanders in Chief are unique in our Constitution and have an indispensable role to play when it comes to protecting the homeland. If we have 535 commanders in chief, then we are going to be less safe. And if you turn over military decisions to courts, then I think you have done the ultimate harm

to our Nation—you have criminalized the war. And I don't think our judiciary wants that.

So as much as I disagree with President Obama, I think you have been responsible in the use of the drone program overseas. I think you have been thorough in your analysis. I would like to make it more transparent. I would like to have more oversight.

As to the accusation being leveled against you that if you don't somehow answer this question, we are to assume you are going to use a drone—or the administration or future administrations would—to kill somebody who is a noncombatant—no intelligence to suggest there are enemy combatants sitting in a cafe hit by a Hellfire missile—I think it is really off base.

I have this one final thought. If there is an al-Qaida operative U.S. citizen who is helping the al-Qaida cause in a cafe in the United States, we don't want to blow up the cafe. We want to go in there and grab the person for intelligence purposes.

The reason we are using drones in Afghanistan and Pakistan is we don't have any military presence along the tribal border. The reason we are having to use drones is we can't capture people. The preference is to capture them, not to kill them. But there are certain areas where they operate that the only way we can get to them is through a drone strike.

Mr. MCCAIN. And may I say to my friend that there are scenarios where there could be an extreme situation where there is a direct threat. We could draw many scenarios—a bomb-laden, explosive-laden vehicle headed for a nuclear powerplant—where the President of the United States may have to use any asset the President has in order to prevent an impending catastrophic attack on the United States of America. And that is within the realm of possible scenarios.

So to somehow say that we would kill people in cafes and therefore drone strikes should never be used under any circumstances I believe is a distortion of the realities of the threats we face.

As we are speaking, there are people who are plotting to attack the United States of America. We know that. At the same time, we are ready, as the Senator said, to discuss, debate, and frame legislation that brings us up to date with the new kind of war we are in. But to somehow have a debate and a discussion that we would have killed Jane Fonda does, in my view, a disservice to the debate and discussion that needs to be conducted.

Mr. GRAHAM. That is a very good point.

I look forward to a discussion about how to deal with a drone program. It is just a tactical weapon. It is an air platform without a pilot.

Now, if there is a truck going toward a military base or nuclear powerplant,

we have a lot of assets to interdict that truck. Maybe you don't need the F-16. But I guarantee you, if there was a hijacked aircraft coming to the Capitol, the President of the United States would be well within his rights to order the Patriot missile battery to shoot that plane down or have an F-16 shoot it down. And we are ready for that, by the way.

I would just suggest one thing. The number of Americans killed in the United States by drones is zero. The number of Americans killed in the United States by al-Qaida is 2,958. The reason it is not 2 million, 20 million, or 200 million is because they can't get the weapons to kill that many of us. The only reason it is 2,958 is because their weapons of choice couldn't kill more. Their next weapon of choice is not going to be a hijacked airplane up there; it is going to be some nuclear technology or a chemical weapon, a weapon of mass destruction. That is why we have to be on our guard.

When you capture someone who is associated with al-Qaida, the best thing is to hold them for interrogation purposes. We found bin Laden not through torture, we found bin Laden through a decade of putting the puzzle together.

Senator DURBIN and Senator MCCAIN, both are very effective advocates that we have to live within our values and that when we capture somebody, we are going to hold them under the law of war. We are going to explore the intelligence, but we are going to do it within the laws that we signed up to, such as the Geneva Conventions, the Convention Against Torture.

Mr. DURBIN. Will the Senator yield for a question?

Mr. GRAHAM. Absolutely.

Mr. DURBIN. I very briefly thank my colleagues on the other side of the aisle. It was 12 hours ago when I was standing right here, a lonely voice among others who were discussing this issue, bringing up the points the Senator raises. The first is the drone is a weapon. There are many weapons that can deliver lethal force. We should view this as an issue of lethal force, not an issue of drones per se—although it may raise some particular questions in application. It is largely a question of lethal force.

The second question has been raised by both Senators. What if the fourth airplane had not been brought down by the passengers? What if that plane were headed for this Capitol Building and all other planes had been landed across America under orders of our government and we knew this plane was the fourth plane in control of the terrorists, what authority did President Bush have as Commander in Chief at that moment?

I don't think anyone would question he had the authority to use lethal force to stop the terrorists from using that plane as a fourth weapon against the United States.

There was no debate last night about that particular point. This notion—and I am glad this point has been raised—that we are somehow going to use drones to kill people sipping coffee in cafes is ludicrous. It is absurd. It goes beyond the obvious. We need those people. Bringing those people into our control gives us more information.

Second, for goodness' sake, the collateral damage of something that brutalish would be awful. So I thank the Senator for putting it in perspective.

I think Attorney General Holder could have been more artful in his language yesterday, but at the end of the day, even Senator CRUZ acknowledged he said it would be unconstitutional to use this kind of lethal force if there weren't an imminent threat pending against the United States.

Mr. MCCAIN. If I may say real quickly, an imminent threat.

MR. DURBIN. Yes.

Mr. MCCAIN. We may have to do a little better job of defining that, but to say imminent threat would then translate into killing somebody in a cafe is not a mature debate or discussion.

Mr. GRAHAM. If I can add, let me tell the Senator about imminent threat and military law. In Iraq we had disabled terrorist insurgents. There was a big debate in the Marine Corps because under military law when a lawful combatant, a person in uniform, has been disabled and it does not present an imminent threat, we don't have the ability to shoot them. OK.

The terrorists in Iraq put IEDs on wounded belligerents, unlawful enemy combatants. So the Marine Corps wrestled very long and hard with the rules of engagement. If you come upon somebody who is wounded, apparently was disabled, under what circumstances could you use lethal force because they may be booby-trapped.

To the Marine Corps' credit, they came up with a balance between who we are—we just don't shoot even our enemies who are helpless and wounded—and the ability for force protection.

Here is what I would say about the circumstance in question. The process of determining who an enemy combatant is has always been a military process. It is not a congressional debate. Our committees don't get a list of names and we vote on whether we think they are enemy combatants. Courts don't have trials over who is an enemy combatant. If there is a question about enemy combatant status under the Geneva Conventions, you are entitled to a single hearing officer and that is all. In World War II, there were a lot of people captured in German uniform who claimed they were made to wear the uniform by the Germans. All of them had a hearing on the battlefield by a single officer. It has been long held by military law it is a military decision, not judicial decision or

legislative decision, to determine the enemy of the nation.

So President Obama has taken this far beyond what was envisioned. This administration has a very elaborate process to determine who should be determined to be an enemy combatant. I think it is thorough. I think it has many checks and balances. As much as I disagree with this President on many issues, I would never dream of taking that right away from him because he is the same person, the Commander in Chief, whoever he or she may be in the future, that we give the authority to order American citizens in battle where they may die. He has the authority to pick up a phone, Senator MCCAIN, and say you will launch today, and you may not come back.

I cannot imagine a Congress who is OK with the authority to order an American citizen in battle—we don't want to take that away from him, I hope—that is uncomfortable with the same American determining who the enemy we face may be.

As to American citizens, here is the law. If you collaborate with al-Qaida or their affiliates and you are engaged in helping the enemy, you are subject to being captured or killed under the law of war. What is an imminent threat? The day that you associate yourself with al-Qaida and become part of their team, everywhere you go and everything you do presents a threat to the country. So why do we shoot people walking down the road in Pakistan? They don't have a weapon. There is no military person in front of them who is threatened. The logic is that once you join al-Qaida, you are a de facto imminent threat because the organization you are supporting is a threat.

For someone to suggest we have to let them walk down the road, go pick up a gun and head toward our soldiers before you can shoot them is not very healthy for the soldier they are trying to kill and it would be a total distortion of law as it exists. Back here at home, and I will conclude—

Mr. DURBIN. If the Senator will allow just one last comment and I thank him for the statement on the floor—from both my colleagues. The Judiciary Committee's Subcommittee on the Constitution is going to have a hearing, it is already scheduled, on this issue of drones. There are legitimate questions to be raised and answered.

Mr. GRAHAM. There are.

MR. DURBIN. I might add that in my conversations with the President he welcomes this. He has invited us to come up with a legal architecture to make certain it is consistent with existing precedent and military law and other court cases as well as our Constitution. I think that is a healthy environment for us to have this hearing and invite all points of view and try to come up with a reasonable conclusion.

Mr. GRAHAM. I could not welcome that more. It worked with the Detainee

Treatment Act, it worked with the Military Commissions Act. I think it is the right way to go.

Mr. MCCAIN. Madam President, I think that concludes our discussion. I would agree with the Senator from Illinois and my colleague from South Carolina that we need hearings. We need to discuss how we conduct this—the United States, in what appears to be, for all intents and purposes, an ineliminable conflict that we are in and we have to adjust to it. But that conversation should not be talking about drones killing Jane Fonda and people in cafes. It should be all about what authority and what checks and balances should exist in order to make it a most effective ability to combat an enemy that we know will be with us for a long time.

Mr. GRAHAM. If I could just have 2 minutes of wrapup, I will. To my fellow citizens, the chance of you being killed by a drone—because you go to a tea party rally or a moveon.org rally or any other political rally or you are just chatting on the Internet quietly at home—by your government through the use of a drone is zero, under this administration and future administrations. If that day ever happened, the President of the United States or whomever ordered such an attack would have committed murder and would be tried. I don't worry about that.

Here is what I worry about; that al-Qaida, who has killed 2,958 of us, is going to add to the total if we let our guard down. I will do everything in my power to protect this President, whom I disagree with a lot, and future Presidents from having an ill-informed Congress take over the legitimate authority under the Constitution and the laws of this land to be the Commander in Chief on behalf of all of us.

As to any American citizen thinking about joining with al-Qaida at home or abroad: You better think twice because here is what is going to come your way. If we can capture you, we will. You will be interrogated. You will go before a Federal judge and one day you will go before a court and you will have a lot of legal rights, but if you are found guilty, woe be unto you.

Here is another possibility. If you join with these thugs and these nuts to attack your homeland and if we have no ability to capture you, we will kill you and we will do it because you made us. The process of determining whether you have joined al-Qaida is not going to be some Federal court trial. It is not going to be a committee meeting in the Congress. Because if we put those conditions on our ability to defend ourselves, we cannot act in real time.

Bottom line: I think we are at war. I think we are at war with an enemy who would kill us all if he could, and every war America has been in we have recognized the difference between fighting

crime and fighting a war. If you believe, as I do, we are at war, those who aid our enemies are not going to be treated as if they robbed a liquor store. They are going to be treated as the military threat they are.

Mr. MCCAIN. Madam President, I thank my colleague and also thank the Senator from Illinois for his engagement. In closing, I would like to congratulate my friend from South Carolina for his best behavior last night at dinner. He was on his best manners and everyone was very impressed.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Colorado.

Mr. UDALL of Colorado. Madam President, I rise in support of the nomination of John Brennan to be the next director of the Central Intelligence Agency. Mr. Brennan earned a bipartisan vote of 12-3 in the Senate Intelligence Committee, on which I serve. He is clearly qualified to lead the CIA and deserved that bipartisan vote in committee. And he deserves confirmation by the full Senate today.

I say that in spite of the difficulties my colleagues and I encountered in extracting information and commitments throughout the confirmation process. Our concerns were less about John Brennan himself and more about the role that the next CIA director needs to play. And we believe that the information and commitments we finally secured from him and from the White House are extraordinarily relevant to the role of any CIA director.

Alongside several of my colleagues, I fought to enhance transparency and preserve our system of checks and balances. The American people have the expectation that their government is upholding the principles of oversight and accountability.

Consistent with our national security, the presumption of transparency should be the rule, not the exception. The government should make as much information available to the American public as possible, while protecting national security.

We have seen during previous administrations the problems that can arise when even the intelligence committees are left out of the loop: warrantless wiretapping, extraordinary detention and torture. Ben Franklin put it well when he said: "Those who would sacrifice liberty for security deserve neither."

Congressional oversight is critical to ensure that we sacrifice neither, as we pursue a smart, but tough, national security strategy, especially in this age of new forms of warfare.

This was true over the past several months, as I joined Senator WYDEN and others in pushing hard for access to the legal justification used by the executive branch to lethally target Americans using drones. The fact that we had to push so hard, I am sorry to say, no

doubt erodes the government's credibility with the American people. But it also gives us an opportunity—and a good reason—to maintain and strengthen our system of checks and balances.

I am glad the Administration met our requests and is giving members of the Intelligence Committee access to legal opinions on targeting American citizens. This is an important first step. But there is more to be done for Congress to understand the limits on the drone program.

Madam President, our government has an obligation to the American people to face its mistakes transparently, help the public understand the nature of those mistakes, and then correct them. In this regard, the next Director of the CIA has an important task.

The specific mistakes I am referring to are outlined in the Intelligence Committee's 6,000-page report on the CIA's deeply flawed detention and interrogation program. Acknowledging the flaws of this program is essential for the CIA's long-term institutional integrity as well as the legitimacy of ongoing sensitive programs.

I know the Presiding Officer will take a keen interest in this as she is a strong supporter of civil liberties and protecting our freedoms. That is why I will hold Mr. Brennan to the promise he made to me at his confirmation hearing; that is, to correct inaccurate information in the public record on the CIA's detention and interrogation program. That is why I will continue to urge him to ensure that the Senate Intelligence Committee's report on this flawed program is declassified and made public.

In the committee's confirmation hearing, Mr. Brennan promised to be an advocate of ensuring the committee has what it needs to do its functions. I believe Mr. Brennan is that advocate.

I look forward to working with him and the administration with my goal of protecting our national security while also safeguarding America's constitutional freedoms and determining the limits of executive branch powers in this new age of warfare.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DEAMONTE DRIVER

Mr. CARDIN. Mr. President, I come to the floor to note a sad anniversary. Friday, March 1, marked 6 years since the tragic death of a 12-year-old Maryland child named Deamonte Driver. I have spoken about him many times since his passing, which happened just weeks after I came to the Senate.

The death of any child is tragic; Deamonte's was even more so because

it was entirely preventable. He died from untreated tooth decay. It started with an infected tooth. Deamonte began to complain about headaches in early January 2007. By the time he was evaluated at Children's Hospital's emergency room, the infection had spread to his brain, and after multiple surgeries and a lengthy hospital stay, he passed away.

The principal at Deamonte's school, Gina James, remarked, "Everyone here was shocked. They couldn't understand how he could have a toothache and then die. We sometimes give the little kids candy as a reward; well, for a while they stopped taking it because they would say, 'if I get a cavity, will I die?'"

Because Deamonte did not get a tooth extraction that would have cost about \$80, he was subjected to extensive brain surgery that eventually cost more than \$250,000. That is more than 3,000 times the cost of an extraction.

After Deamonte's death, more Americans began to recognize the link between dental care and overall health that medical researchers have known for years.

Former Surgeon General C. Everett Koop once said that "there is no health without oral health." The story of the Driver family has brought Dr. Koop's lesson home in a painful way.

Children living in poverty have twice as much tooth decay as middle- and upper-income children, and nearly 40 percent of black children have untreated tooth decay in their permanent teeth.

This has serious implications for their overall health. Untreated oral health problems in children can result in attention deficits, poor school performance, and problems sleeping and eating. And these problems carry over to adulthood. Improper oral hygiene can increase an adult's risk of having low birth-weight babies, developing heart disease, or suffering a stroke.

Employed adults lose more than 164 million hours of work each year due to dental disease and dental visits, and in 2009 over 830,000 emergency room visits were the result of preventable dental conditions. Poor oral health is also associated with a number of other diseases, including diabetes, stroke and respiratory disease. In older adults, poor oral health is significantly associated with disability and reduction in mobility.

Medical researchers have discovered the important linkage between plaque and heart disease, that chewing stimulates brain cell growth, and that gum disease can signal diabetes, liver ailments and hormone imbalances. Further, oral research has led to advanced treatments like gene therapy, which can help patients who have chronic renal failure.

They have also discovered that oral disease is far more prevalent than you

might imagine. In fact, dental decay is the most common chronic childhood disease in the United States. Dental disease affects 1 in 5 children aged 2 to 4, and more than half of all children have dental disease by the time they reach second grade. By the age of 17, approximately 80 percent of young people have had a dental cavity.

The average 50-year-old in the United States has lost 12 teeth, and by age 65 over one-quarter of Americans have lost all their teeth. More than 10 percent of the nation's rural population have never visited a dentist.

These are sobering statistics. But here is the good news: Dental decay is a dynamic disease process, and not a static problem. Before a cavity is formed in the tooth, the caries infection can actually be reversed. That means that we can prevent tooth decay, as long as dental care is made available and good oral hygiene practices are used.

Deamonte's story was told around the world. But nowhere did it hit harder than in his home State of Maryland. I am proud of how the Maryland Congressional Delegation, Governor Martin O'Malley, and the Maryland General Assembly have responded to the need for better access to oral health care.

In 2010 and 2011, the Pew Center on the States named Maryland a national leader in improving dental access for low-income Marylanders. We were the only State to meet seven of Pew's eight dental policy benchmarks, and we ranked first in the nation for oral health. CMS also invited our State officials to share their story at its national quality conference in August 2011 and placed Maryland's achievements in its Best Practices Guide.

I will mention just some of what Maryland has accomplished: In 2010, our State secured \$1.2 million in Federal funding to develop a statewide Oral Health Literacy Campaign, called "Healthy Teeth, Healthy Kids." More than 368,000 children and adults in Medicaid received dental care in 2011; 82,000 more than in 2010. The percentage of pregnant women receiving dental care in 2011 was 28.4 percent, compared to 26.6 percent in 2010.

Created by the Robert T. Freeman Dental Society and funded in part by the State, the Deamonte Driver Mobile Dental Van Project provided diagnostic and preventive services for over 1,000 Prince George's County children who live in neighborhoods where otherwise care would be unavailable to them.

The Kaiser Family Foundation awarded a \$200,000 grant to the Maryland Dental Action Coalition that funded a pilot dental screening program at a school-based health center in Prince George's County.

The Dental Action Coalition also began granting and reimbursing primary care providers to apply fluoride

varnish for children up to 3 years of age. By June 2012, 385 primary care providers had administered over 58,000 treatments.

The Maryland Community Health Resources Commission continues to expand oral health capacity for underserved communities. Since 2008, the Commission has awarded 20 dental grants totaling \$4.6 million. These grants have funded services to more than 35,000 low-income children and adults in our State.

I am also very proud of what Congress has done. In the CHIP Reauthorization Act passed a few months after Deamonte died, we established a guaranteed oral health benefit for children. With the leadership of Senators BAUCUS, GRASSLEY, ROCKEFELLER, COLLINS, and former Senator Bingaman, we created grants to the States to improve oral health education and treatment programs. We also addressed one of the problems that Deamonte's mother faced in trying to get care for him—a lack of readily available information about accessible providers.

For a variety of reasons, it is difficult for Medicaid and CHIP enrollees to find dental care, and working parents whose children qualify for those programs are likely to be employed at jobs where they can't spend 2 hours a day on the phone to find a provider. So HHS must include on its Insure Kids Now Web site a list of participating dentists and benefit information for all 50 States and the District of Columbia.

Also, in 2009, Congress passed the Edward M. Kennedy Serve America Act. That law created the Healthy Futures Corps, which provides grants to the States and nonprofit organizations so they can fund national service in low-income communities. It will allow us to put into action tools that can help us close the gap in health status—prevention and health promotion. For too long we have acknowledged health disparities, studied them, and written reports about them. With the help of the senior Senator from Maryland, my colleague, Senator BARBARA MIKULSKI, we added language to that law specifying oral health as an area of focus.

Now the Healthy Futures Corps can help recruit young people to work in the dental profession, where they can serve in areas that we have shortages of providers in urban and rural areas. It will fund the work of individuals who can help parents find available oral health services for themselves and their children. It will make a difference in the lives of the Healthy Futures Corps members who will work in underserved communities and in the lives and health of those who get improved access to care. Then in the 2010 Affordable Care Act, we enacted several landmark provisions designed to improve oral health.

The ACA funds and encourages a number of oral health prevention ac-

tivities. First, it directs the CDC to establish a 5-year national oral health education campaign. This campaign is required to use science-based strategies and to target children, pregnant women, parents, the elderly, individuals with disabilities and ethnic and racial minority populations, including Native Americans.

The ACA also created demonstration grants to study the effectiveness of research-based oral health programs, which will be used to inform the public education campaign.

The health care law expands an existing school-based dental sealant program to each of the 50 States and territories and to Indians, Indian tribes, tribal organizations and urban Indian organizations. It directs the CDC to enter into cooperative agreements with State, territorial and Indian organizations to establish guidance, conduct data collection and implement science-based programs to improve oral health.

ACA also authorizes HHS to make grants to dental schools, hospitals, and nonprofits to participate in dental training programs. This funding can be used to provide financial assistance to program participants, including dental and dental hygiene students as well as practicing dentists, and for loan repayment for faculty in dental programs. The ACA also provides grants for up to 15 demonstration programs to train alternative dental health providers in underserved communities.

The law authorizes and requires a number of public health initiatives that should improve access to oral health care, including an \$11 billion, 5-year initiative that funds construction, capital improvements and service expansions at community health centers, where so many oral health services are provided.

It also establishes a National Health Care Workforce Commission to serve as a resource to evaluate education and training to determine whether demand for health care workers is being met, and identify barriers to improvement. We need that information. That was Senator Bingaman's provision and it should be funded as soon as possible.

But perhaps the most important provision is a requirement that health plans cover a set of essential health benefits, EHBs, that includes pediatric dental care. Beginning January 1, 2014, the law says that oral health care for children must be part of the essential health benefits package that must be offered in the new health insurance exchanges and in the small group and individual insurance markets that exist outside the exchanges.

When the ACA was passed nearly 3 years ago, I had great hopes that in a few years, I could stand here on the Senate floor and celebrate all the progress we had made in bringing affordable dental care to every child in this nation. I had hoped this would be

a day to talk about what a difference Congress has made in the oral health of America's children. We celebrated that section of the law, because it meant that once and for all, oral health would be available to America's children. It gave many of us hope that we would be able to get every child basic dental care and begin to erase the epidemic of dental disease that still affects millions of American children. Now, however, the affordability of that benefit is at risk.

The ACA includes a Finance Committee provision that allows stand-alone dental plans to exist in the market. In a colloquy on September 26, 2011, Senators BAUCUS, STABENOW, and Bingaman engaged in a colloquy.

They clarified that the intent of the law in allowing stand-alone dental plans was not to create separate standards but to ensure competition in the insurance exchanges and allow choice in the marketplace.

Later, I joined 10 of my colleagues in writing to HHS Secretary Sebelius, urging her to ensure that all children who receive their dental coverage through a stand-alone dental plan should have the same level of consumer protections and cost-sharing as those who get coverage through a plan that offers integrated benefits.

Last week, HHS published a final rule on the benefits that creates a separate out-of-pocket limit for stand-alone dental plans, but only specifies that the limit be "reasonable." There are two huge problems with this approach. First, an additional out-of-pocket limit will make the benefit far less affordable for many families. It was not what Congress intended. The whole point of adding pediatric dental benefits to the essential health benefits package was to make certain that oral health not be considered separate from overall health.

We have been here before. This approach is similar to policies that were set decades ago for mental health services—separate policies to cover mental health treatment, separate limits on coverage, and separate copays. Mental health was treated as second-class health care. We know now that this was an injustice. It was wrong to treat those services, and the patients who used them, as second-class. Many of my colleagues were here in Congress when we fought the battles for mental health parity. It was a difficult battle, but we won. It seems to me that this is what we are doing now with dental care, rather than treating it as part of the Essential Benefits Package, which was our intent in the Affordable Care Act.

Section 1402(b) of the law also establishes an out-of-pocket limit for all families and lowers that limit for families with incomes under 400% of the Federal poverty level. By creating a separate limit, HHS is reducing the number of families who will be able to

afford dental coverage for their children.

Second, the rule has left the determination of what is a "reasonable" out-of-pocket limit to each State. With pressure from insurance companies, a State could decide to provide an out-of-pocket limit of \$1,000 or more per child, which could more than double out-of-pocket costs for a family with five children.

In the Federally run exchanges, HHS has the authority to set a "reasonable" out-of-pocket limit. Last Thursday, in a Finance Committee hearing, I asked Jon Blum, the CMS Deputy Administrator, about the idea of segregating dental benefits from health benefits and increasing cost-sharing. This is what he said: "Well I think one of the lessons that we learned within the Medicare program is that when the care is siloed, our benefits aren't fully integrated. That can often lead to worse total health care consequences. I can pledge to get back to you with direct answers to your questions. But I do agree with your general principle that when benefit design is broken up and care is not coordinated, that it can often lead to bad quality of care."

Later that day, I spoke with CMS acting administrator Marilyn Tavenner. I asked her to take into account the affordability of a plan that had separate, high cost-sharing, and she agreed to consider my views. Less than 24 hours later, CMS released a proposed "guidance" to insurers, setting a maximum out-of-pocket limit of \$1,000. When I contacted HHS to ask whether this was a per-family or per-child limit, the expert in charge of the rule was unable to tell me. They did not know whether this meant extra costs per year of \$1,000 or \$5,000 for a family with five children. This tells me that the affordability of care was a secondary consideration when this final rule was written.

There are still millions of American children without coverage for dental care. If we are to make real progress in improving the health of Americans, we cannot afford to continue giving oral health care second-class treatment.

The question now is whether the guidance to plans will go forward. It is contrary to Congressional intent and contrary to the best interests of American families to allow it to stand. On this sixth anniversary of the death of Deamonte Driver, let's pledge to do better for our children.

Madam President, I call to the attention of my colleagues a colloquy between Senators Bingaman, STABENOW, and BAUCUS in the RECORD of September 26, 2011, at page 14371.

With that, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

EXECUTIVE SESSION

NOMINATION OF JOHN OWEN BRENNAN TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY—Continued

The PRESIDING OFFICER. The time until 3 p.m. is equally divided.

The Senator from California.

Mrs. FEINSTEIN. Madam President, it is my understanding that this is an appropriate time for me, as chairman of the Intelligence Committee, to speak on the nomination of John Brennan for Director of the CIA.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. FEINSTEIN. Madam President, as a kind of predicate to this nomination, we have heard a 13-hour filibuster from Senators who desire an answer to the question that was proffered by Senator PAUL. I have that answer. It is dated March 7. It is a letter from the Attorney General Eric Holder. It is to Senator RAND PAUL. This is what it says:

It has come to my attention that you have asked an additional question. "Does the President have the authority to use a weaponized drone to kill an American not engaged in combat on American soil?"

The answer to that question is no.

I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL,
Washington, DC, March 7, 2013.

Hon. RAND PAUL,
U.S. Senate,
Washington, DC.

DEAR SENATOR PAUL: It has come to my attention that you have now asked an additional question: "Does the President have the authority to use a weaponized drone to kill an American not engaged in combat on American soil?" The answer to that question is no.

Sincerely,

ERIC H. HOLDER, Jr.

Mrs. FEINSTEIN. So, hopefully, the need to continue any of this will be viated, and we will be able to proceed with a vote. It is my understanding that I have a half hour on behalf of the majority of the Intelligence Committee to make a statement in support of Mr. Brennan.

Mr. Brennan's nomination was reported out of the Senate Intelligence Committee on Tuesday by a strong bipartisan vote of 12 to 3. I look forward to an equally strong vote by the Senate later today.

Let me begin with his qualifications, which are impressive and unquestioned. John Brennan began his career

as an intelligence officer with the CIA in 1980. He worked as a CIA officer for 25 years in a variety of capacities, including as an analyst in the Office of Near Eastern and South Asian Analysis and as a top analyst in the CIA Counterterrorism Center from 1990 to 1992, both areas that remain very much a focus of the CIA today.

He was the daily intelligence briefer at the White House and served as George Tenet's executive assistant. Despite his background as an analyst, Mr. Brennan was selected to serve as Chief of Station, a post generally filled by a CIA operations officer. He served in Saudi Arabia, one of the most important and complex assignments, and then returned to Washington as then-DCI Tenet's Chief of Staff and the Deputy Executive Director of the CIA.

Mr. Brennan then served as the head of the Terrorist Threat Interrogation Center, the predecessor organization to the National Counterterrorism Center (NCTC), where he also served as the Interim Director. After a short stint in the private sector, he returned to be President Obama's top counterterrorism and homeland security adviser. In that capacity, he has been involved in handling every major national and homeland security issue we have faced since 2009.

He has been involved in counterterrorism successes, including this administration's efforts to bring Osama bin Laden to justice and at least 105 arrests of terrorist operatives and supporters in the United States since 2009. He also helped implement the lessons learned from Umar Farouq Abdulmutallab's attempted bombing of a jet over Detroit, the loss of CIA personnel in Khowst, Afghanistan, and the terrorist attacks in Benghazi, Libya. So he is qualified.

For the past 4 years, Mr. Brennan has been among the President's closest advisers. As Director of the CIA, he would lead this Nation's largest intelligence agency and will continue to provide information and advice on intelligence matters to the President, his national security team, and this Congress.

Throughout the past three decades, Mr. Brennan has observed every aspect of intelligence from analysis to collection to covert action, from inside government and the private sector, and from both the intelligence and policy sides.

I actually do not believe there is anyone who is more qualified to take over the CIA than John Brennan. So he cannot be denied this post, in my view, on the basis of qualification. I think even those who oppose his nomination recognize there is no question but that he is well qualified. From the time he walks into the CIA, he will be ready to go, up to speed on the numerous threats and challenges this country faces all over the globe.

Let me speak for a moment why that is important and why it is so impor-

tant that we move to confirm John Brennan. As the Director of the CIA, he leads the most diverse and clandestine intelligence agency, the only agency to conduct covert actions, the largest all-source analytic workforce. And he sits in the principal committee meetings where the most sensitive national security decisions are made.

The past two CIA Directors, both Mr. Panetta and General Petraeus, have played significant roles in keeping the Senate and House Intelligence Committees informed of sensitive operations. They have provided an independent assessment of hot spots and strategic threats around the world. John Brennan will do the same.

By its nature, the CIA is among the parts of our government that receive the least oversight. Its activities are largely shielded from the view of the press, the public, the Government Accountability Office, and, indeed, most Members of Congress. The Director of the CIA must be both unimpeachable in his—or, hopefully, one day her—integrity, while guiding a workforce of people who operate in the shadows for the benefit of our Nation. This is important.

He must manage an independent and creative workforce, build and nurture relationships with foreign spy chiefs, and lead teams of scientists, technicians, lawyers, analysts, and operatives who are involved in clandestine work. In short, the CIA is capable of the very best of America, and, catastrophically at times, it is capable of great mistakes.

It follows that the position of CIA Director requires an uncommon nominee. That position should not remain vacant for long. For the past 5 months, the Deputy Director, Michael Morell, has served as the Acting Director.

Mr. Morell, like John Brennan, is a career CIA officer and a very gifted one. But as I discussed with him last Friday, he cannot single-handedly attend the White House principals meeting, the deputies meetings, direct the agency, meet with liaison partners, testify before Congress, implement sequestration, and do everything else the Director and Deputy Director must jointly do.

John Brennan and Michael Morell will be a great team in leading the CIA. I believe they compensate for one another. Michael Morell has these skills in analysis, and I think John Brennan has skills that make him a very strong and, yes, even tough leader.

We face continuing attack from terrorists. There is no question about that. I see the reports every day. Our posts overseas remain at risk, and terrorists still seek to attack us at home. As a matter of fact, there have been over 100 arrests in the last 4 years by the FBI in this country.

There is a massive and still growing humanitarian disaster underway in

Syria with no end in sight and the prospect of an increasingly desperate regime with nothing to lose. Instability is going to continue to fester across North Africa, from Mali to Algeria, to Libya and beyond, breeding and harboring a new generation of extremist.

The North Korean regime is threatening to disavow the 1953 cease-fire with the South, and it has the nuclear and missile capability to cause massive destruction and instability.

Iran's nuclear program continues to grow and its Revolutionary Guard and Hezbollah proxy are growing bolder and more capable.

China's foreign policy and military might are increasing. According to well-sourced recent unclassified reports, its cyber operations are bleeding our private sector dry.

The CIA has a role to play in all of these areas, as well as maintaining and expanding its global coverage. This is going to require prioritizing resources and producing better results from a very skilled CIA workforce. So the CIA Director position must be filled. Five months is too long to leave it vacant. John Brennan, I believe, and 12 members of our committee believe, is the right person to fill it.

On that question, whether we can depend on John Brennan to be straight with the committee, I believe he will be and that he will be someone with whom we can build a strong and trusting relationship.

Let me just say one thing that is important. It is very important that the Intelligence Committees in both of these Houses have that relationship with the Director of the CIA, so that with a bond of trust there can be a sharing of information which enables our oversight to be more complete. Without that, our oversight is not complete, and it certainly is not as rigorous as what is required.

In nominating John Brennan, President Obama spoke of his "commitment to the values that define us as Americans." DNI Clapper, in a letter of support to the committee, noted John's "impeccable integrity" and that his "dedication to country is second to none." He has been called the administration's "conscience," and I believe he will be a straight shooter, which is extraordinarily important to me. I want the truth whether it is good or bad. I want the truth. I believe every member of my committee feels the same way.

Mr. Brennan has been straightforward with the committee throughout the confirmation process. He has pledged to be open with us if confirmed. We will take him up on that pledge. In his opening statement at the committee's public confirmation hearing, Mr. Brennan said: If confirmed, "I would endeavor to keep this committee fully and currently informed, not only because it is required by law, but because you can neither perform your

oversight function nor support the mission of the CIA if you are kept in the dark.”

He acknowledged that the “trust deficit has at times existed” between the Intelligence Committee and the CIA, and he pledged to make it his goal to strengthen the trust between our institutions. I look forward to giving him that opportunity. To be sure, I will hold him to these words.

I recognize that building a relationship and trust requires two willing partners. We are willing. I believe he will be willing. We will find out.

In fact, there is a broader issue on the interaction between the executive branch and the Congress on intelligence matters. It goes well beyond Mr. Brennan, and I wish to speak about it.

I have served on the Intelligence Committee for more than 12 years. This is actually a lot more unusual than it sounds. From the committee's establishment in 1976 to the end of 2004, there were term limits on committee membership. Senators rotated off the committee just when they had served for long enough to understand what the intelligence community is doing and, most important, how it operates.

Senators ROCKEFELLER, WYDEN, MIKULSKI, and I have all served on the committee for more than a decade, and Senators CHAMBLISS and BURR are near that total. Both served on the House committee before coming to the Senate.

So now we have veterans on the committee who have watched and listened. We spend a minimum of 2 hours in a committee meeting twice a week and often longer. We cannot take home notes. Notes go in the safe and we cannot take home classified information. It means a lot of reading whenever we are able to find the time to go to a SCIF to read the classified information which daily is quite voluminous. We see everything except the President's PDB; that is, the President's Daily Brief. All the other information from all the other agencies stream through this committee. It is vital we read it because this is where we find out where the threats are.

We have been able to truly understand the relationship between the Intelligence Committee, the intelligence community, and the importance of having the committee kept fully and currently informed of intelligence matters. That is not our wish. That is a requirement of the National Security Act. We have seen what happens when this is not the case, when the committee doesn't have access to full knowledge of intelligence, as with the weapons of mass destruction weapons before the war or with the CIA's detention and interdiction program through the past administration.

By contrast, when we are briefed, we can provide input and advice. We work

to put an end to ill-advised plans, and we give the intelligence community a measure of support and defend its actions.

There is a very strong feeling on both sides of the aisle that the committee is not receiving the information it needs to conduct all oversight matters in the manner in which we should. There is the matter of Office of Legal Counsel opinions concerning the targeted killing of Americans. The committee needs to understand the legal underpinning of not only this program but of all clandestine programs, of all covert actions, so we may ensure the actions of the intelligence community operate according to law. Absent these opinions, we cannot conduct oversight that is as robust as it needs to be.

During the confirmation process, we were able to reach an agreement with the administration to receive these opinions, with staff access and without restrictions on note taking.

I want to thank the administration. I think increasingly they understand this problem of the need for us to access more information. It is not a diminishing one, it is a growing one, and it is spreading through this House—and I suspect the other House as well.

It needs to be this way. We need to know the legal basis for very serious actions taken in a secretive way by the intelligence community. Therefore, we can defend it. If we don't see it, we don't know.

I also wish to address the drone issue once more, mainly to discuss the hypothetical examples offered yesterday by the Senator from Kentucky. On Fox News this week, he mentioned—and I began with this “what we are talking about is eating dinner in your house, you are eating in a cafe or walking down the road, and a drone strike can occur. It is not about people involved in combat, it is about people who they think might be.”

A drone strike against someone eating in a cafe or walking down the road will never happen in the United States of America. This is not permitted in the United States of America. The Attorney General, in his letter to Senator PAUL, has said just that. It will not happen.

I hope this puts this issue to an end. It is one thing to target a terrorist in an isolated country where there are isolated mountains and valleys and where we cannot get to them to capture them, but we know terrorists and terrorist leaders are plotting against the United States.

The United States of America is a different place. There is access to the court system, access to police, access to FBI, access to warrants, access to arrests, access to be able to find and ferret out individual terrorists. Drones will never be used in the United States of America to kill innocent Americans, not if I have anything to do with it.

Yesterday, in the Judiciary Committee while I was present, Senator CRUZ followed up on Senator PAUL's concerns, asking Attorney General Holder if an American eating in a cafe—who doesn't pose an imminent threat—could be killed by a drone. I don't believe the Attorney General, at the time he heard the question or recognized the simplicity of the facts presented by the hypothetical. When he did, he said no. My view is the Attorney General's letter to Senator PAUL is correct. The only case in which the use of lethal force against Americans in the United States could be contemplated or constitutional would be an extraordinary circumstance such as the attack on Pearl Harbor or the terrorist attacks on September 11, where four big commercial airliners were hijacked and flown into three large buildings, with the fourth crashing into a field in Pennsylvania.

Another issue, where the committee has sought documents, is related to the Benghazi terrorist attack.

I notice that the vice chairman is on the floor. He and I have worked to bring the additional documents his side wanted on the Benghazi attacks. We have a commitment from the administration that all those documents, if they haven't already been forthcoming—and it is my understanding from the Senator most have been forthcoming—the remaining ones will be forthcoming as well.

My view is the committee has received the information we need in order to render a judgment about what happened in Benghazi before the attacks of last September 11 and 12, during, after, and before. My view, quite simply stated, is there was strategic warning about the conditions in Eastern Libya. And based on the previous attacks in the area, it was likely this mission not it was not a consulate—but this mission could well be a site of attack. Members have asked legitimate intelligence questions within our jurisdictional lane about Benghazi, and they deserve answers to their questions.

Many Senators on both sides of the aisle in the committee see the need for a better relationship and a better appreciation of what we need in order to do our work. As I discussed previously, we are very different from other congressional bodies which do oversight. Our efforts aren't supplemented by the press, GAO or by nonprofit and advocacy groups in the same way they are in the other committees of the Congress. The Intelligence Committees in the House and the Senate need to receive information from the executive branch in order to exercise robust oversight.

I have spoken directly to the President, the President's Chief of Staff, the National Security Adviser, and the Director of National Intelligence about

this. I believe they are truly beginning to understand what is at stake. I am told they have an open view and are discussing increased transparency with us at this time.

I strongly believe John Brennan will be part of the solution, and he will be someone with whom we may work closely. He is well qualified. His leadership and management are sorely needed, and he has strong bipartisan support in the committee.

I urge a "yes" vote.

I yield the floor to the distinguished vice chairman from Georgia, with whom it has been a great pleasure for me to work. We haven't disagreed on a lot—we have disagreed on a few things—but I want the Senator to know I wish to continue our relationship.

We need to put together another authorizing bill. I look forward to working with you, Mr. Vice Chairman, in that regard, and I thank you.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise to explain why I am opposing the nomination of John Brennan to be the next director of the Central Intelligence Agency.

First, I wish to say I thank the chairman for her kind comments. Let me state, as they had reiterated, we had 2 great years where we accomplished a great deal. She is one tough gentle lady, particularly when it comes to the national security of the United States.

It has been a pleasure to work with her. It is rare we ever disagree, because we both have the same end result in mind, which is to make sure America and Americans are safe, secure, and the intelligence community is doing its part to ensure that happens.

Her leadership has just been amazing. We have produced authorization bills over each of the last 2 years—we have actually done four in 2 years, which indicates there was a backlog of those authorization bills.

We have also reauthorized FISA and some other measures which equip our intelligence community as well as our law enforcement community with the tools they need to combat terrorism. It is because of her leadership we have been able to do that.

When we do disagree, it is kind of an unusual situation. We may have disagreements in a bipartisan way within our committee. This is good. It is healthy.

Sometimes Democrats will side with me or Republicans will side with the chairman on an issue. This shows us people are voting with their hearts and what they think is in the best interests of America, not from a partisan standpoint.

I attribute that to the leadership of Chairman FEINSTEIN because of her openness and for allowing bipartisan participation in a fine way.

I expect Mr. Brennan is going to be confirmed by the Senate. I would have liked to have supported his nomination.

Unfortunately, I have significant concerns about several matters I simply cannot put aside. If confirmed, Mr. Brennan will interact extensively with the Senate Intelligence Committee and in particular with Chairman FEINSTEIN and with myself as the vice chairman. He will have many opportunities over the next several years to alleviate my concerns, and I hope he does so. At this time, I cannot support placing him in a position so vital to our national security mission.

During the confirmation process, including during the open hearing, I, along with other members, asked Mr. Brennan questions about the leaks of classified information, issues involving congressional oversight, interrogation, and detention matters. His responses to many of these questions were very troubling and raised new concerns about Mr. Brennan's judgment, his reluctance to commit to transparency with Congress, and ultimately his candor. Let me describe these concerns more fully.

First, I am deeply disturbed by Mr. Brennan's responses to the committee regarding leaks of classified information, especially the disclosure relating to the AQAP underwear bomb plot thwarted in May of 2012. Mr. Brennan acknowledged to the committee he had told four media commentators we had "inside control" of this bomb plot but disputed assertions that this disclosure resulted in the outing of a source. It is undeniable that the day after his disclosure, there were dozens of stories in the media stating the plot was foiled by a "double agent" or "undercover agent" who posed as a willing suicide bomber.

Mr. Brennan is poised to serve as the head of the Nation's leading spy agency where he will be privy to some of the most sensitive, if not all of the most sensitive, and highly classified operations being conducted by the intelligence community. That he apparently thinks he did nothing wrong in this disclosure is very troubling, to say the least.

We all know there is a big problem with leaks of classified information. We constantly deal with it in the committee and seek to eliminate it. We cannot effectively hold accountable those responsible for such leaks if a senior government official appears to shrug off his own damaging disclosure. I hope Mr. Brennan will reconsider his position on this case and convey to those he expects to lead, not just in words but by his own example, the importance and necessity of maintaining the secrecy he will be sworn to uphold.

Second, Mr. Brennan appears to be one of the architects of the administration's current detention policy—or bet-

ter stated, lack thereof. Since the President signed the Executive orders in 2009 disbanding the CIA's detention and interrogation program and ordering the closure of the Guantanamo Bay detention facility, many of us have been asking the administration to tell us what their new detention policy is. Unfortunately, in the years since, we have seen a most unsatisfactory response play out in ways that I believe are detrimental to our collection of timely intelligence and, ultimately, to our national security.

We have seen a disturbing trend of returning to the pre-9/11 days when bringing criminal charges against terrorists was a preferred course rather than long-term detention, which allows for greater intelligence collection. Because of this preference, the 2009 Christmas Day bomber, Umar Farouk Abdulmutallab, was read his Miranda rights 50 short minutes after being pulled off the airplane that he had just tried to bomb. It took 5 weeks before he would again cooperate and no one knows what intelligence might have been lost during that delay.

Somali terror suspect Ahmed Abdulkadir Warsame was held on a naval ship and interrogated for 60 days before being brought to a Federal Court, all because the administration refused to send any more detainees to Guantanamo Bay.

Even in the months before the Osama bin Laden raid, other than saying Guantanamo Bay was off the table, administration officials could not tell Congress where bin Laden would be held if he were captured.

Most recently, Ani al-Harzi, the only person held in connection with the September 11, 2013, attacks in Benghazi that claimed the lives of four Americans, was released by the Tunisians and is now roaming about free because this administration would not take custody of him unless criminal charges could be filed here in the United States.

Mr. Brennan is not merely a staunch and unapologetic advocate of this misguided policy, he is the driving force behind it.

By criminalizing the war on terrorism, this administration has tied the hands of our intelligence interrogators and appears to be avoiding opportunities to capture terrorists in favor of just killing them or relying on our foreign partners to do our intelligence collection for us. Mr. Brennan disputes this assertion and testified that he was not aware of any instance in which we had the opportunity to capture a terrorist but took a lethal strike instead. But his testimony on this point appears to be particularly incredible. While reasonable minds may differ as to whether bin Laden should have been taken alive, to argue that he could not have been taken alive and captured is not believable when his wives and children were left behind during the raid.

The truth is the administration simply had no plan to capture him.

Now, while in this case of UBL, killing him probably was the best option, I believe that all options have to be on the table and utilized when appropriate; otherwise, we are potentially losing valuable intelligence. Yet Mr. Brennan's testimony before the Intelligence Committee made clear that he is fully satisfied with how detainees are currently being handled and he is insistent the CIA remain out of the detention business, even if it means we do not get direct or timely access to detainees.

Thirdly, Mr. Brennan continues to insist that he conveyed to colleagues at the CIA his personal objections to the CIA's interrogation program. Yet not a single person has come forward to validate that claim. And Mr. Brennan still refuses to identify those colleagues, in spite of several direct requests by the Intelligence Committee. During the time in question, Mr. Brennan served as the CIA's Deputy Executive Director. We know he was privy to information about the program, as we have seen numerous documents he received during and after the interrogation of Abu Zubaydah.

It is not just reasonable, it is expected our intelligence professionals, especially those in leadership positions, will speak up when they see actions they believe are harmful to the agency or to others. Yet by Mr. Brennan's own account, he stood by and let the CIA proceed down a path that he says he believed to be morally wrong and likely to harm the long-term reputation of the CIA. This is not the moral courage we expect, especially from those who are in a position to influence policy and operations. Unfortunately, Mr. Brennan continues to insist that his official silence was entirely appropriate, and I could not disagree more.

I am also troubled by Mr. Brennan's apparent willingness to scuttle years of belief in the value of the information obtained from the CIA's interrogation program simply because the recent interrogation study conducted by the committee's majority staff found otherwise. In my view, the study is significantly flawed, not the least of which being that not a single intelligence community witness was interviewed. I am worried about the impact Mr. Brennan's reversal will have on the morale of those current CIA employees who were involved in the program and whose own judgment and reputations are called into question by this study. I expect when the CIA returns its comments to the Intelligence Committee about the accuracy of the report that Mr. Brennan will not let his personal views of the program interfere with the professional assessment and analysis of CIA employees.

Finally, underlying all of these issues are the principles of candor and trans-

parency with Congress. Our Nation was founded with three coequal branches of government, each one providing checks and balances over the other in a manner specified in the Constitution. Federal law also imposes explicit obligations on the intelligence community, such as keeping Congress fully and currently informed of significant intelligence activities. Ordinarily, during confirmation hearings, nominees unequivocally pledge their cooperation to Congress. Yet during his confirmation process, Mr. Brennan refused to give affirmative answers when asked to commit to such cooperation.

For example, he pledged to only give "full consideration" to any request that the committee be provided with raw intelligence, even though the committee has been given such intelligence in the past. When asked about the inexcusable problems the committee has faced in trying to obtain documents about the Benghazi attacks, Mr. Brennan promised only to try to reach an accommodation with the committee if a similar situation should ever arise again. This is hardly encouraging. Some may say that Mr. Brennan was simply being honest and not overpromising. I might agree but for the fact this pattern of obstruction and lack of cooperation is becoming all too familiar to the committee, and Mr. Brennan has been involved in many of the decisions to withhold information from Congress.

For example, when the National Counterterrorism Center was created, Congress gave it specific responsibility to serve as the primary organization for strategic operational planning for counterterrorism. For too long the committee has been refused full access to the resulting counterterrorism strategies, a decision for which Mr. Brennan is directly responsible. Rather than give us the strategies, the administration has proposed an "accommodation" to simply brief the committee, but as of today we still have not been briefed, even though we are asked to fund the strategies as well as their implementation.

There are other examples, including the absurd restrictions that were recently placed by the White House on the review of the OLC opinions regarding lethal strikes on U.S. citizens. It is incomprehensible that Congress is being denied unfettered insight into matters concerning the intentional killing of U.S. citizens.

During the confirmation process, Mr. Brennan called on the Intelligence Committee to be the protector and defender of the CIA. That is not an accurate description of the committee's role. Given the classified nature of intelligence activities, the committee serves as the eyes and ears of the American people, and our responsibility lies first and foremost to them. That is not to say we will not defend

the CIA or the rest of the intelligence community against unjust attacks. We will. But the committee's primary role is to conduct oversight, and we cannot do that effectively without full cooperation from the intelligence community as well as the administration. I hope and expect Mr. Brennan will now give us that cooperation rather than just what he views as an accommodation.

The Director of the CIA has extensive and direct interactions with Members of Congress, especially those of us on the Intelligence Committee. During sensitive operations or times of crisis, the Director is often one of the first to communicate with Members. There have been too many instances in the past—under administrations of both parties—in which facts were withheld from Members or information was painted in a particular light to suit messaging needs, as we saw with the Benghazi talking points. That is simply unacceptable.

If confirmed as the CIA Director, Mr. Brennan's credibility must be unquestionable. We expect our spy agencies to be very good at hiding the truth—but not with Congress. Here too Mr. Brennan will be an example that all CIA employees look to, and his own standards of honesty and credibility in dealing with Congress must be above and beyond all reproach.

In conclusion, let me say that I have great confidence in the men and women at the CIA. Each and every day they give this Nation their best, and for that we are most grateful. They are the most professional, best educated, and best operational intelligence agency in the world. They are unbelievable men and women. My vote today is not a message to them nor is it an indication of the faith I have in the CIA. My vote is not personal toward Mr. Brennan; rather, it simply reflects my belief that the unauthorized disclosure of classified information is wrong regardless of whether you are on the front lines or you are an adviser to the President.

My vote also reflects my belief, especially at this time in our history, that the Director of the CIA should not support detention and interrogation policies that are returning us to the pre-9/11 days of elevating criminal charges over intelligence collection. In my view, Mr. Brennan is on the wrong side of both of these issues.

I also believe Congress must be an equal branch of the government, and this growing trend of refusing to cooperate with Congress must end. The future and security of our country depends on all of us working together. To do that well, there must be transparency and honesty. If confirmed as the CIA Director, Mr. Brennan has a tough job ahead of him. If he abides by these principles, he will find his job will be much easier, as he will have earned the support and the trust of

Congress, and the country will be better off for it. Assuming confirmation of Mr. Brennan, he will have my full cooperation and support, I expect nothing less from him, and I hope that all of my concerns will be put to rest.

With that, Madam President, I yield the floor.

Mr. MARK UDALL. Madam President, I am voting today for the confirmation of John Brennan to head the Central Intelligence Agency, CIA. He is a qualified nominee, and this position is too important to our national security to remain vacant. Mr. Brennan is a 25-year veteran of the Central Intelligence Agency. He has been an able adviser to President Obama and part of some of the most important national security decisions made during the last 4 years, including the raid that killed Osama bin Laden.

John Brennan should be confirmed as CIA Director. While I am supporting his nomination, I want to make one thing clear: I am not satisfied by the administration's limited disclosure of documents outlining the legal justification for an extraordinary authority—to target and kill American citizens in the course of counterterrorism operations. I first called on the administration to provide Congress with its legal justification in September 2011. This was after a remotely piloted aircraft strike in Yemen killed Anwar al-Awlaki, an American-born citizen. It was clear that al-Awlaki was a senior al-Qaeda leader who posed a threat to American lives and deserved his fate. Nevertheless, we are a nation of laws. Congress has a vital oversight role and shared national security responsibility. We are entitled access to full legal justifications for the President's authority to target and kill an American citizen, and an explanation of what limits there are to that authority. These legal precedents are constitutional issues of the highest order.

Last month, eleven United States Senators from both parties—including myself—sent a letter to the President requesting the release of all legal opinions justifying his authority to authorize the killing of American citizens as part of counterterrorism operations. There has been some progress. The Justice Department recently provided many of these documents to members of the Senate Select Committee on Intelligence. However, I believe all of us in the Senate should be able to review these documents and fulfill our constitutional duty to conduct rigorous congressional oversight. While I will support John Brennan's confirmation today, I will continue to seek access to these legal opinions so that the Senate can fulfill its responsibility.

Since the attacks on September 11, 2001, both Presidents Bush and Obama have claimed expansive wartime executive authorities that have been supported in Justice Department legal

opinions. We saw this in the previous administration with the issues of detainee interrogation methods and extraordinary renditions. While we recognize the administration's authority to target and kill enemy combatants, the targeting of American citizens in counterterrorism operations raises important constitutional questions. Congress shares constitutional authority for national security matters, and we must be allowed to conduct oversight, which, in this case, includes reviewing the legal justifications of the executive branch. When there is no oversight, abuses can occur. And I believe that every administration must be held accountable, regardless of which party controls the White House.

Mr. LEVIN. Madam President, I continue to have some concerns about John Brennan, the President's nominee to serve as the next Director of Central Intelligence.

First, I am troubled by Mr. Brennan's unwillingness to state unambiguously that waterboarding is torture. At his hearing before the Intelligence Committee, I asked Mr. Brennan this question three times without getting a direct answer:

SENATOR LEVIN: You've said publicly that you believe waterboarding is inconsistent with American values. It's something that should be prohibited, goes beyond the bounds of what a civilized society should employ.

My question is this, in your opinion does waterboarding constitute torture?

MR. BRENNAN: The attorney general has referred to waterboarding as torture. Many people have referred to it as torture. The attorney general, premiere law enforcement officer and lawyer of this country.

And as you well know and as we've had the discussion, Senator, the term "torture" has a lot of legal and political implications.

It is something that should have been banned long ago. It never should have taken place in my view. And, therefore, it is—if I were to go to CIA, it would never, in fact, be brought back.

SENATOR LEVIN: Do you have—do you have a personal opinion as to whether waterboarding is torture?

MR. BRENNAN: I have a personal opinion that waterboarding is reprehensible and it's something that should not be done. And, again, I am not a lawyer, Senator, and I can't address that question.

SENATOR LEVIN: Well, you've read opinions as to whether or not waterboarding is torture. And I'm just—I mean, do you accept those opinions of the attorney general? That's my question.

MR. BRENNAN: Senator, you know, I've read a lot of legal opinions. I've read an Office of Legal Counsel opinion in the previous administration that said in fact waterboarding could be used.

So from the standpoint of—of that, you know, I cannot point to a single legal document on this issue.

But as far as I'm concerned, waterboarding is something that never should have been employed and—and as far as I'm concerned, never will be, if I have anything to do with it.

SENATOR LEVIN: Is waterboarding banned by the Geneva Conventions?

MR. BRENNAN: I believe the attorney general also has said that it's contrary, in contravention of the Geneva Convention.

Again, I am not a lawyer or a legal scholar to make a determination about what is in violation of an international convention.

After the hearing, I wrote to Mr. Brennan, pointing out that the President and senior administration officials, including both lawyers and non-lawyers, had concluded that waterboarding is torture. I asked the question again, and again I got no direct answer. Mr. Brennan replied:

You have asked for my position on whether waterboarding constitutes 'torture.' I understand and appreciate your concern about the use of waterboarding by the prior Administration. As I have made clear, I considered it reprehensible then and now, and I have been an unwavering supporter of the President's decision to ban its use. I have also in the past stated that I believe waterboarding subjects a person to severe pain and suffering, which is a common way of defining 'torture.' In addition, I have indicated in our prior conversations and in my appearance before the Senate Select Committee on Intelligence on February 7, the term 'torture' is a legal term, and I defer to the Attorney General on matters of legal interpretation.

Mr. President, I ask unanimous consent that my letter to Mr. Brennan, and Mr. Brennan's response, be printed in the RECORD immediately after my statement.

Second, I am troubled that, during the time that Mr. Brennan served on the staff of the National Security Council—NSC, senior administration officials consistently declined to provide Congress with access to key legal memoranda relative to the use of targeted strikes against terrorist targets. Indeed, we were able to obtain access to these memoranda only after it became clear that Mr. Brennan might have trouble being confirmed if they were not made available.

Third, I am troubled that, during the time that Mr. Brennan served on the NSC staff, senior officials in the intelligence community and the NSC staff apparently did not protest when U.N. Ambassador Susan Rice was rejected for the position of Secretary of State on the basis of her public comments on the Benghazi attacks, even though those comments were based on talking points produced by, reviewed by, and edited by those same officials.

My concerns about Mr. Brennan's unresponsiveness in these three areas are not sufficient to overcome the fact that he is qualified to be Director of Central Intelligence. But it is my hope that he will learn from this confirmation process and be more responsive to congressional requests for information in the future.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 20, 2013.

JOHN O. BRENNAN,
Assistant to the President for Homeland Security and Counterterrorism, The White House, Washington, DC.

DEAR MR. BRENNAN: I am troubled that, during your confirmation hearing on February 7th, you chose not to express your personal opinion as to whether waterboarding constitutes torture. As the Senate Select Committee on Intelligence continues to consider your nomination to be Director of the Central Intelligence Agency (CIA), I would appreciate your answers to the following questions for the record.

In a November 2007 interview with CBS News, you stated, "I think it [waterboarding] is certainly subjecting an individual to severe pain and suffering, which is the classic definition of torture."

Do you still hold that view today?

During his January 2009 confirmation hearing, Attorney General Holder stated "waterboarding is torture" and pointed out "If you look at the history of the use of that technique used by the Khmer Rouge, used in the inquisition, used by the Japanese and prosecuted by us as war crimes. We prosecuted our own soldiers for using it in Vietnam."

During a press conference in April 2009, President Obama said "waterboarding violates our ideals and our values. I do believe that it is torture. I don't think that's just my opinion; that's the opinion of many who've examined the topic."

In another press conference in November 2011, President Obama said "Waterboarding is torture. It's contrary to America's traditions. It's contrary to our ideals. That's not who we are." He continued, "If we want to lead around the world, part of our leadership is setting a good example. And anybody who has actually read about and understands the practice of waterboarding would say that that is torture."

Finally, during his February 2009 confirmation hearing to be Director of the CIA, Leon Panetta said "I believe that waterboarding is torture and that it's wrong."

Do you agree with President Obama, Attorney General Holder, and Secretary Panetta that waterboarding constitutes torture?

I would appreciate your prompt response to these questions.

Sincerely,

CARL LEVIN,
Chairman.

THE WHITE HOUSE,
Washington, DC, February 25, 2013.

Hon. CARL LEVIN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you Mr. Chairman, for your letter of February 20, 2013.

You have asked for my position on whether waterboarding constitutes "torture." I understand and appreciate your concern about the use of waterboarding by the prior Administration. As I have made clear, I considered it reprehensible then and now, and I have been an unwavering supporter of the President's decision to ban its use. I have also in the past stated that I believe waterboarding subjects a person to severe pain and suffering, which is a common way of defining "torture." In addition, I have indicated in our prior conversations and in my appearance before the Senate Select Committee on Intelligence on February 7, the term "tor-

ture" is a legal term, and I defer to the Attorney General on matters of legal interpretation.

In closing, let me assure you that I fully appreciate that the humane treatment of detainees is both a national security and a humanitarian imperative. If I am confirmed to serve as Director of the Central Intelligence Agency, I will never approve the deployment of waterboarding under any circumstance, and will do everything in my power to prevent its use.

Sincerely,

JOHN O. BRENNAN,
Assistant to the President for Homeland Security and Counterterrorism.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I yield myself 10 minutes.

I would first associate myself with the remarks of the Senator from Georgia, Mr. CHAMBLISS, who is the ranking member on the Intelligence Committee and has looked into this much deeper than I would ever be able to. I appreciate the comments, the depth, and knowledge he has imparted on that.

So I would be in opposition of the nomination of John Brennan for CIA Director.

The administration hasn't been forthcoming in answering a vitally important question of whether Americans could be killed by a drone on American soil without first being charged—

Mr. REID. Madam President, would the Senator from Wyoming yield for a unanimous request?

The PRESIDING OFFICER. Would the Senator yield?

Mr. ENZI. I yield to the Senator from Nevada.

Mr. REID. Madam President, I ask unanimous consent that the time on the Republican side be limited to 15 minutes, with Senator PAUL—and how much time does my friend from Wyoming need?

Mr. ENZI. I asked for 10, but I could do it in 8.

Mr. REID. Eight minutes. Everybody else is gone.

I ask unanimous consent that the time on the Republican side be limited to 15 minutes for Senator PAUL and 8 minutes for Senator ENZI; that following the use or yielding back of time on the nomination, the mandatory quorum under rule XXII be waived; the Senate proceed to vote on the cloture motion; that if cloture is invoked, the Senate proceed to vote on confirmation of the nomination, without intervening action or debate; further, that the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be made in order to the nomination; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there any objection?

Without objection, it is so ordered.

Mr. REID. Madam President, I extend my appreciation. There is no one in the

Senate who is more courteous and thoughtful than Senator ENZI, and I appreciate his assistance.

Mr. ENZI. I thank the Senator very much.

As I was mentioning, this administration hasn't been forthcoming in answering the vitally important question of whether Americans could be killed by a drone on American soil without first being charged with a crime or being found guilty in a court of law. This should have been a very simple answer.

White House Press Secretary Jay Carney stated today that the administration does not have the authority to kill Americans on American soil. That is great news. However, it shouldn't have taken a U.S. Senator 12 hours of nonstop talking for the administration to acknowledge the simple fact that it can't kill Americans on American soil without a trial.

I wish to applaud Senator PAUL's courage and conviction last night as he stood on the Senate floor for nearly 13 hours defending our rights under the Constitution. Senator PAUL deserves recognition for standing up for the American people and bringing this issue to light. And it is an issue that I and many of my constituents in the State of Wyoming find very troubling.

In fact, as I traveled around Wyoming a couple weeks ago, it became abundantly clear that people are very concerned over the administration's disregard for constitutionally guaranteed individual rights.

Drones—unmanned aerial vehicles—have been made famous by their use in our war on terrorism. For a number of years these weapons have served in operations in Iraq and Afghanistan with success. However, the use of drones for both military and civilian purposes abroad and domestically is increasing.

According to the Congressional Research Service, the Federal Aviation Administration predicts 30,000 drones will fill the skies in less than 20 years. Although many of these uses will likely be for civilian purposes—disaster relief, border control, crime fighting, and agricultural crop monitoring—the use of drones raises new privacy and civil liberty questions for U.S. citizens.

The first concern raised by the use of drones is how it may impact on our fourth amendment rights: U.S. citizens have the right to be free from unreasonable searches and seizures. Drones push the limits of what could be considered reasonable. Courts generally recognize that U.S. citizens have substantial protections against warrantless government intrusions into the home, and that the fourth amendment offers less robust restrictions on public places. However, drones begin raising the question of what is reasonable when it comes to the expectation of privacy in one's driveway or even backyard.

In a speech last night, Senator PAUL reiterated additional constitutional concerns that he has been seeking an answer on for a number of weeks. The administration just now responded, but it raises the concern about the willingness of the White House to act transparently.

When it comes to important matters of national security and constitutional liberties, we should all be asking ourselves why it took a U.S. Senator 12 hours of nonstop talking for the Department of Justice to acknowledge the simple fact that it cannot kill American citizens on American soil without a trial. Senator PAUL asked a straightforward question and deserved a straightforward answer in a timely manner. His question hit right at the heart of the fifth amendment—rights as U.S. citizens, particularly “no person shall . . . be deprived of life, liberty or property without due process of law.”

The first response Senator PAUL got back was everything short of a straightforward answer. This administration did not rule out the possibility of using drones against Americans on U.S. soil. This is particularly problematic, because our Constitution does not say the fifth amendment applies when the President or Attorney General thinks it applies. But it raises the concern about the willingness of the White House to act transparently.

There is no reason why it should have taken so long for the administration to acknowledge they don't have the authority to kill Americans on U.S. soil without due process of law—specifically to deny someone the right to a judge and jury and a trial. The fifth amendment was written with this particular form of government abuse in mind and it was more than appropriate for Congress to ask this question in its oversight role.

We know, and our legal system recognizes, that you don't get due process when you are actively attacking our soldiers or our government. However, that wasn't the question Senator PAUL posed. Congress needed clarification from the administration on this nomination. In order to build faith and confidence in our Nation's military and intelligence community, we also need transparency and responsiveness in the questions raised by Congress.

I will not be supporting John Brennan's nomination because of the lack of transparency and timeliness on this important matter, and the reasons given by the Senator from Georgia.

Madam President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, yesterday I spent a considerable amount of time on the floor talking about the idea of whether Americans are protected by the fifth amendment al-

ways—whether you can be targeted for drone strikes in America without your due process rights; whether you get your day in court if you are accused of a crime in America. I asked this question directly to the President, and I am pleased to say that we did get a response this morning. The response from the Attorney General reads:

It has come to my attention that you have a question. Does the President have the authority to use a weaponized drone to kill an American not engaged in combat on American soil? The answer to that question is no.

So it has taken a while, but we got an explicit answer. I am pleased we did. And, to me, I think the entire battle was worthwhile, one, because we got to have a lot of discussion about when can drones be used—particularly when can a drone strike be used against an American on American soil?

The reason this is important is often drones are used overseas toward people who are not actively engaged in combat. I am not saying they are not bad people or they might have previously been in combat. But the thing is, we have to have a higher standard in our country. We can't have an allegation from the country that says you are an enemy combatant or that you are associated with terrorism. That is an allegation.

If you are e-mailing somebody who is a relative of yours in the Middle East, and they may or may not be a bad person, it doesn't automatically make you guilty; if we label you an enemy combatant and say you are guilty, you don't get your day in court, and that is just not American.

We have many soldiers from my State, from Fort Campbell and Fort Knox, who fight overseas for us. They are fighting for the Bill of Rights. They are fighting for the Constitution. So I consider it to be our duty to stand and fight for something we all believe in, and that is that the protections of the Bill of Rights are yours. When you are accused of something, you get your day in court.

So I am very pleased to have gotten this response back from the Attorney General of the United States. I think that Americans should see this battle that we have had in the last 24 hours as something that is good for the country, and something that should unite Republicans and Democrats in favor of the Bill of Rights.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

Harry Reid, Dianne Feinstein, John D. Rockefeller IV, Debbie Stabenow, Sherrod Brown, Jack Reed, Benjamin L. Cardin, Thomas R. Carper, Christopher A. Coons, Robert P. Casey, Jr., Mark L. Pryor, Bill Nelson, Mark Begich, Barbara A. Mikulski, Patty Murray, Carl Levin, Joe Manchin III.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 81, nays 16, as follows:

[Rollcall Vote No. 31 Ex.]

YEAS—81

Alexander	Flake	Mikulski
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Baucus	Graham	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Brown	Heitkamp	Reed
Burr	Hirono	Reid
Cantwell	Hoeven	Rockefeller
Cardin	Isakson	Rubio
Carper	Johanns	Sanders
Casey	Johnson (SD)	Schatz
Chambliss	Johnson (WI)	Schumer
Coats	Kaine	Scott
Coburn	King	Shaheen
Collins	Kirk	Stabenow
Coons	Klobuchar	Tester
Corker	Landrieu	Thune
Cornyn	Leahy	Toomey
Cowan	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wyden

NAYS—16

Barrasso	Enzi	Lee
Boozman	Grassley	McConnell
Cochran	Heller	
Crapo	Inhofe	

Moran Roberts Shelby
Risch Sessions Wicker

NOT VOTING—3

Boxer Lautenberg Vitter

The PRESIDING OFFICER. On this vote the yeas are 81 and the nays are 16. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. Under the previous order, the question is on confirmation of the Brennan nomination.

Mrs. FEINSTEIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 32 Ex.]

YEAS—63

Alexander	Flake	Mikulski
Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Graham	Murray
Bennet	Hagan	Nelson
Blumenthal	Harkin	Pryor
Brown	Hatch	Reed
Burr	Heinrich	Reid
Cantwell	Heitkamp	Rockefeller
Cardin	Hirono	Rubio
Carper	Johnson (SD)	Schatz
Casey	Kaine	Schumer
Coats	King	Shaheen
Coburn	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Udall (CO)
Corker	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wyden

NAYS—34

Ayotte	Heller	Portman
Barrasso	Hoeven	Risch
Blunt	Inhofe	Roberts
Boozman	Isakson	Sanders
Chambliss	Johanns	Scott
Cochran	Johnson (WI)	Sessions
Cornyn	Leahy	Shelby
Crapo	Lee	Thune
Cruz	McConnell	Toomey
Enzi	Merkley	Wicker
Fischer	Moran	
Grassley	Paul	

NOT VOTING—3

Boxer Lautenberg Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to re-

consider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

VOTE EXPLANATIONS

• Mrs. BOXER. Madam President, I was unavoidably absent from the votes related to the nomination of John Brennan to be Director of the Central Intelligence Agency. Had I been present, I would have voted yea on the motion to invoke cloture and yea on the nomination. •

• Mr. VITTER. Madam President, I could not participate in the nomination of John Brennan to be Director of the CIA because of a family obligation in Louisiana.

I strongly support Senator PAUL's filibuster, oppose the use of drones in this country, and oppose both cloture and the confirmation of John Brennan. •

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. I am back to again urge my colleagues to wake up to the stark reality of climate change. We often hear in this Chamber colleagues extolling the virtues of the marketplace. Indeed, a fair and open marketplace is the cornerstone of our economy. Markets work—not perfectly always but better than any other mechanism.

Paraphrasing Winston Churchill, one might say that markets are the worst form of setting prices and exchanging goods, except all of the other methods that have been tried. But markets only work when they are fair. Markets are not fair if the price of goods does not take all the costs into account.

A grocery store, for instance, has to pay to have its garbage removed. It has to build that garbage removal into its prices. And that is the right thing. That is the market working. If that grocery store can recycle or compact or composite its trash and make removal cheaper and lower its prices, then that is right too. That is the market working. But if a second grocery store down the street breaks the law and throws its garbage into the park next door and then competes with lower prices, that is not a market in proper operation. That is not a fair market. That is just one person cheating another.

If a factory makes a product and treats its waste, that is part of its cost. That is good. That is how it is supposed to be. If the factory can figure out how to treat its waste more efficiently and lower prices, terrific. That is also the market at work. But a factory down the river that breaks the law by dumping its waste into the river may have better prices as a result, but that is not a fair market.

The value of open and fair markets is lost when people cheat, when they offload their costs onto the general public. The garbage in the park, the waste in the river—the grocery store down the street and the factory down the river—does not reduce costs; businesses just offloaded them onto their neighbor, onto the rest of us. They may actually have even made it more costly for everyone, but they have managed to impose that cost on the public.

There is even a word for these offloaded costs. They are externalities, the harms that are caused that are external to the company. This is not complicated. It is econ 101. It is also law 101.

Seventy years ago a soda bottle exploded and injured the hand of a waitress named Gladys Escala. Ms. Escala sued the bottler. The court decision has been in most every law student's first-year classes ever since.

In a famous concurrence, Justice Traynor ruled in the case of *Escala v. Coca-Cola Bottling Company* that the cost of Ms. Escala's injury should fall on the bottler. His logic was simple and clear: They made the bottle. If they did not have to pay for the injuries exploding bottles caused, they would just keep making exploding bottles. If you made them responsible for the exploding bottles they made, they would have a big incentive to improve their bottles and everyone would be safer.

As Judge Traynor said 70 years ago, "Public policy demands that responsibility be fixed wherever it will most effectively reduce the hazards."

This idea that you shouldn't be able to offload your costs and have the park, the river, or Ms. Escala's hand pay the price is not new, and it is not unusual. Frankly, we see it in our own lives. It is also fairness 101, as well as

econ 101 and law 101. You may not rake your lawn and throw the leaves over the fence into your neighbor's yard. The principle is the same—they are your leaves, and you clean them up.

What do soda bottles and yard work have to do with climate change? The very same principle applies. We now know how much harm carbon pollution is causing. We see the costs all around us in storm-damaged homes, flooded cities, in drought-stricken farms, raging wildfires, in dying coral and disappearing fish, in shifting habitats and migrating diseases, in changed seasons and rising seas, in vanishing glaciers and melting icecaps. These are costs. In some cases they are economic costs. People lose money. The owner of a ski lodge, for example, loses money when the ski season gets shorter and shorter. In some cases they are personal costs, such as not being able to take your granddaughter to the stream near where you grew up because it is dried up or the beach island you used to explore as a kid because it is underwater. In some cases the cost is life-and-death. Powerful storms and severe heat waves take a deadly toll. These are real costs, and they come as a result of carbon pollution.

These costs, however, are not factored into the price of the coal or oil that is burned to release the carbon. The big oil companies and the coal barons have offloaded those costs onto society.

There is nothing inherently wrong with producing energy. There is nothing inherently wrong with bottling soda or running a grocery store. What is wrong is when you knowingly pass on the cost of your exploding bottle, your waste disposal, or your carbon pollution to everybody else.

Oil and coal companies have been sending carbon pollution into the atmosphere since the Industrial Revolution. When these industries started, the risks were poorly understood. Today they know better. They know what the harm is that they are doing, and they continue. When they lie and pretend those costs aren't out there—leaves? What leaves? There is no garbage in the park. Your hand is just fine, Mrs. Escola—and when they pay people to lie and pretend those costs aren't out there, well, that is all just flat wrong. And when they do it with fat campaign contributions, slick lobbyists, and marauding super PACs, that makes it worse. That is dirty pool. It is a market failure. It takes unfair advantage of competing energy sources that don't pollute so much, and it makes the competition between them unfair. The big oil companies and the coal barons are no different than the grocery store dumping its garbage in the park or the factory spilling its waste into the river. They are not bearing the costs of their product, and they are cheating on their competitors.

There is a right way to do it. They figured out how to do it the wrong way and have other people pick up the tab.

When it comes to carbon pollution, economists can estimate the true cost of dirty energy. It is often called the "social cost of carbon." The social cost of carbon includes the financial consequences of a change in climate, such as property loss, increased health care costs, and loss of productivity that come with heat waves, drought, heavy rains, sea-level rise, habitat shifts, ocean warming, and acidification.

We recently learned from NOAA that their scientists predict that worldwide, the average summertime loss in labor capacity will double by 2050, as the climate warms and periods of extreme heat become more frequent and more intense, affecting labor-intensive outdoor work such as construction and farming. That is a social cost of carbon.

Of course, certain costs can be hard to predict. How do you calculate the cost of an extinct species? What does it cost to leave to our children and grandchildren warmer, more acidic, less biodiverse oceans? These calculations may not always be perfect, but that doesn't make the costs any less real. For instance, in my home State of Rhode Island, the costs to our fishermen of these changes is very real.

In the final tally, economists tell us that big carbon emitters are unloading a big cost onto the public and onto future generations. On average, estimates of the social cost of carbon are about \$48 per ton of carbon dioxide—\$48 per ton that these big businesses dodge and that we all pay for.

Whatever the exact dollar amount, it is time for Congress to wake up and start discussing these very real costs. This is why I am working with several colleagues to establish a fee on carbon pollution. We hope to have a draft framework soon to start this discussion. The idea is simple: The big carbon polluters pay a fee to the American people to cover the cost of dumping their waste into our atmosphere and oceans—the costs they now push off onto the rest of us, giving them unfair advantage against their competitors.

I am pleased to participate in an effort to determine how best to assess a carbon pollution fee, how to protect American manufacturers from overseas competition that is cheating, and how to protect middle- and low-income families. It has been recognized by Republicans and Democrats alike that a carbon pollution fee can reduce emissions and help make the market more efficient.

Last month Senator SANDERS and Senator BOXER introduced related legislation, and I commend them for their efforts. I also wish to commend Senator BOXER this week, as chairwoman on the Environment and Public Works Committee, for beginning a regular ap-

pearance on the floor to draw this Chamber's attention to the dangers of carbon pollution. I hope more colleagues will join us in this important discussion. It is economics 101, it is law 101, and it is fairness 101.

We have had enough sleepwalking. We have had enough silence. We have been warned by our national defense and intelligence communities, we have been warned by the national academies, we have been warned by the Government Accountability Office, we have been warned by the overwhelming consensus of the scientific community, and, of course, we are hearing from millions of concerned Americans. It is time for this Congress to wake up and to put a price on carbon pollution that matches the costs of carbon pollution. We won't get it done if we don't wake up to what is happening all around us.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

JOB CREATION

Mr. COONS. Mr. President, I rise today to reflect on how we can do what we so often say we want to do here in the Senate, and that is to help grow our American economy, to help create jobs for people from our home States and from all across our country.

Yesterday, in my State of Delaware, I cohosted with my congressional colleagues a job fair—a job fair where 1,300 people showed up. They showed up early, stayed late, and interviewed for jobs with dozens of employers. It was a personal reminder of how many people in my home State and across this great country of ours continue to look for work in this recovery that is still too slow. It is a reminder that one of our core challenges in the government is to do what we can to create an environment of opportunity and an environment of economic growth where the people we work for have a shot at a better job.

One of the things I think we can do is to seize opportunities in the global markets, because 95 percent of consumers worldwide actually live beyond our borders. As the chair of the Subcommittee on Africa, on the Senate Foreign Relations Committee, I wanted to take some time today to draw the attention of those in this Chamber and those who watch us around the country to the enormous opportunity presented by the continent of Africa.

Too often the impression of Africa in the American media and in the popular

imagination is one that focuses on crises—on very real humanitarian or security crises—in a few countries such as Somalia or Mali or Congo. The average American, the average Member of this Chamber, often overlooks a changed reality in the last decade—a decade in which 6 of the 10 fastest growing economies on Earth were in sub-Saharan Africa. In fact, studies show in the decades to come that number will simply increase to seven.

So what are we to make of all this opportunity in Africa? There are some Fortune 500 companies—well-known household names such as Coca-Cola, Caterpillar, DuPont-Pioneer—that have seen this opportunity and are taking advantage of it. They have recognized a vast and rapidly growing middle class in countries such as Nigeria, Chad, Ethiopia, and Rwanda—not exactly household name countries and not exactly countries the average American thinks of as having great world markets. But these companies have penetrated these markets and have recognized the opportunity that lies within.

It is important they have done that in no small part with help from the U.S. Government. But as I held two hearings last year on this subcommittee, and we met—the folks who work with me and myself—with folks from think tanks and from companies and embassies, we realized we could do this better; we could be more streamlined, more targeted, and more focused in the work we are doing to take advantage of this remarkable opportunity.

It is also, frankly, in our strategic national interest for us to do a better job of promoting U.S.-Africa trade, because as African economies grow, it promotes free markets, democratic values, good governance, and stability in African countries. And by ensuring these countries and the regions are stable and economically vibrant, we reduce the number of times we are drawn into humanitarian crises or security crises and we improve the lot of hundreds of millions of Africans who then go on in a virtuous cycle of building their trade relationships with us.

As I have heard time after time, it takes firsthand personal engagement, it takes trade missions, it takes being there in person to grasp the scope of the opportunities and to respond to them responsibly. To do that well, it takes American diplomats and American representatives there on the ground.

I won't soon forget meeting with a head of state in West Africa on a trip with another Senator last year, and he asked us why America isn't more present; why we don't send more trade delegations. He said, the Brazilians were here last week, the Indians are coming next week, and the Chinese practically live here. As I have learned

in the past year, we are not doing enough as a country, as a government, as a Congress to promote investments and to see this opportunity for what it is.

Well, others have seen the opportunity and have seized it. Just to pick one, China has actually exceeded the United States in terms of its total amount of exports to Africa of just a few short years ago. It has rocketed past us. The amount of foreign direct investment, the amount of export and import sales between China and Africa has grown dramatically. In fact, it has grown far more rapidly than the United States. Even though we have longstanding and positive relationships, I fear we will wake up and discover that China has secured long-term contracts that lock in their interests for decades and lock out American companies, American employers, and American interests.

The World Bank recently predicted Africa is on the verge of a takeoff, much as we saw happen in the Pacific Rim or in India or in Central America over the last 20 years. In my view, we have to engage now. When we grow our exports to parts of the world such as Africa, it grows American jobs and high-quality jobs. Every billion dollars in exports we send overseas supports another 5,000 U.S. jobs. Last year, U.S. exports overseas supported more than 7 million jobs.

I salute the initiative of the President and the Department of Commerce which are focused on trying to do more business with Africa, and to do it more wisely. But, frankly, we need to do more. So as chairman of the Subcommittee on Africa of the Foreign Relations Committee, along with my friend and partner in the last Congress, Senator JOHNNY ISAKSON of Georgia, I convened a series of hearings to focus on U.S. economic statecraft in Africa, to gather data, to have conversations, and to learn the facts about what we need to do to be more competitive.

I have released a report today called "Embracing Africa's Economic Potential," which offers concrete recommendations to the U.S. Government—actions we can take right now, often in partnership with our private sector and with African governments, to strengthen our trade relationship between the United States and the countries of sub-Saharan Africa. Anyone interested can download a copy at coons.senate.gov/africa. Our report makes six recommendations, none of which involves spending a single dime of additional taxpayer money. In fact, it recommends ways to use what money we already spend on exploring and expanding into the market of Africa more efficiently and more effectively. So let's look at the recommendations in the report.

First, it suggests we work with our African partners to remove barriers to

trade. Trade is impeded in Africa by everything from poor governance, unreliable infrastructure, complex tariffs, to corruption. There are solutions the United States has already offered and there are efforts already underway by American businesses in partnership with our African partners. In particular, USAID has set up regional trade hubs that have done great work in breaking through barriers to growing regional trade. But we can and should do more.

Second, reauthorize and strengthen the African Growth and Opportunity Act, better known as AGOA, in advance of its expiration in 2015. This legislation has been hugely successful in promoting African exports into the American market and in building mutually reinforcing relationships between the United States and the continent. I think we can do even more to create jobs both in the United States and Africa by diversifying products covered by AGOA, by improving its utilization by African countries, by ensuring its benefits are mutually beneficial between our country and Africa, and by not waiting until the 11th hour to act on reauthorization.

Senator ISAKSON, and many in this Chamber, worked very hard to secure reauthorization of the third country fabric provision of AGOA last year, but it took longer than it should have and it was more difficult than it needed to be. It is my hope, working together with colleagues here and in the House, we can get a jump on this in advance of 2015.

The third recommendation is to improve coordination between the many U.S. Government agencies working on trade policy to develop a comprehensive strategy for investment in sub-Saharan Africa. As many as 10 different Federal agencies are responsible for parts of trade policy and international development. So making sure they are working together efficiently is a good way for us to ensure success.

Fourth, we need to increase the presence of the U.S. Foreign Commercial Service in critical areas in the region. This chart shows those countries that have the fastest growing economies, and these are the few places where we have representatives from USAID or from the Department of Commerce.

In short, my point is there are many countries that have strongly growing economies where we have no representation. We have, in fact, zero U.S. Foreign Commercial Service officers in five of the six countries listed here as having the fastest growing economies. In fact, we only have six officers in all of sub-Saharan Africa, compared with significantly higher numbers in Asia and elsewhere.

I am concerned the reason for this is that Commerce isn't forward looking in its resource allocation and doesn't

see the scale of the opportunities in Africa. Although I was grateful that Acting Secretary Blank made a trade mission trip to Africa late last year, that was the first time in a decade a U.S. Secretary of Commerce had made a visit to the continent, and there is much more we need to do.

Our fifth recommendation is to bolster support for the agencies that finance and support U.S. commercial engagement overseas, particularly in Africa. These agencies, the Export-Import Bank—known as Ex-Im—and the Overseas Private Investment Corporation, known as OPIC—issue political risk insurance and help with financing, particularly financing to markets where they don't yet have a robust banking sector and where the rule of law is less certain. These agencies are smart investments that actually generate real returns for American taxpayers and contribute to the bottom line for the American Federal Government.

Our sixth and last recommendation is to engage the community of African-born individuals who now live in the United States—the so-called diaspora communities—to strengthen economic ties. Who better to serve as an American representative of the system, and who better to take on the spirit of entrepreneurship and penetrate African markets than those born, raised, or connected to African countries and who have been educated in the United States and have been successful here and now have the resources and opportunity to reconnect with their countries of origin or the countries of their families. We can and must do more to strengthen these resources, and I was pleased to get a chance to speak at the second annual diaspora conference hosted by the Department of State last year. It is my hope we will invest further in this untapped resource—something that distinguishes the United States from our competitors in other parts of the world who do not have the blessing of a strong diaspora community as we do.

So in short, each of these six recommendations will get us closer to our goal of a more vibrant, a faster growing and more sustainable U.S.-Africa trade relationship. But the key to implementing these recommendations in an integrated way is to listen to each other, to embrace them, and move forward across the several committees of jurisdiction, across the 10 different Federal agencies and entities, and to develop a coordinated plan for taking advantage of this remarkable part of the world that can also grow American jobs.

We have an opportunity to seize this moment and to promote economic engagement, to strengthen the American economy and to advance the values of freedom and democracy around the world. Make no mistake, though, today

we are falling short. We are failing to grasp this opportunity as strongly and clearly as our competitors are. We can act on a number of smart legislative proposals, including the Increasing American Jobs Through Greater Exports to Africa Act, which I cosponsored in the last Congress along with Senators DURBIN and BOOZMAN, and which I hope we will reintroduce shortly to establish a comprehensive U.S. strategy for public-private investment, trade, and development in sub-Saharan Africa. At the same time, the administration can, and I hope will, do more to coordinate strategy and use our resources effectively.

The report we have issued today I hope will be seen as a wake-up call. If we fail, we will wake up 10 years from now and we will see jobs and opportunities we might have grasped taken by our competitors. It is my hope we will not watch these opportunities pass us by but will, instead, take advantage of this remarkable moment and this great opportunity.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I would like to add to the remarks I made a moment ago about climate change to respond to some statements that have been made recently on the Senate floor on this subject.

As those of us who are advocates in the cause of doing something about climate change know, the polluters and their advocates have an advantage: They only have to create doubt, they only have to create debate in order to create delay and allow the polluters to continue making money at the expense of the rest of us. That means the arguments, frankly, don't have to be true; they just have to be made. Then they can say there is still debate, then they can say there is still controversy, both of which are self-fulfilling prophecies. But they are not real, and some of what has been said is pretty flagrant.

One of the lead Senate deniers came to the floor the other day to challenge President Obama. President Obama said this in his State of the Union Address:

But the fact is, the 12 hottest years on record have all come in the last 15. Heat waves, droughts, wildfires, and floods—all are now more frequent and intense.

My denier colleague quoted him. And to quote my colleague, he said—referring to the President:

The President said, yes, it's true that no single event makes a trend. But the fact is that the 12 hottest years on record have all come in the last 15. That is just flat wrong.

So why don't we just take a look and see where the President got his information so we can put this into some perspective. The President got his information from NASA. Maybe people in this body are more capable than NASA at dealing with scientific things, but when you consider that NASA has put an explorer on the surface of Mars, I think they are entitled to some credence about basic science. And they agree—in fact, Reto Ruedy, a program manager at the Goddard Institute, has laid out the actual years. Some of these are statistical ties because they are equally hot.

The No. 1 and 2 hottest years, according to them, are 2010 and 2005. The No. 3 through 8 hottest years are 2007, 1998, 2002, 2003, 2006, and 2009. The 9th through 12th hottest years recorded are 2012, 2011, 2001, and 2004. If you go to the 13th year, it is 2008. The 14th and the 15th are 1997 and 1995. All of the 15 hottest years on record are 1995 and thereafter. The top 12, all have happened 1998 and thereafter.

It is not just NASA's data set that confirms this. NOAA also looks at the same information. They come at it a little bit differently—and they do have a difference. I will concede that. NOAA considers 2012 to be the 10th warmest year on record instead of the 9th. That is the difference between NASA and NOAA. And we are talking about records going back to 1880, so it is a broad data set.

If you look at NOAA's data, it actually shows that 14 of the past 15 years were the hottest on record. Ditto the National Center for Atmospheric Research.

Of course, as many of us know, in political life there is a group out there called Politifact that takes a look at claims that are made in the public debate and politics, and they assign them "true" to "pants on fire." They looked at the President's claim that the 12 hottest years on record have come in the last 15 years. They gave the President a "true." Indeed, they said:

Obama was actually overcautious in his statement, so we rate his statement true.

So we have one denier—a Senator—against NASA, against Politifact, against NOAA, and against the National Center for Atmospheric Research. I think it is pretty clear who has the facts on their side.

This is the other statement that was made:

I don't think anyone disagrees with the fact that we actually are in a cold period that started about 9 years ago.

Let's look at the facts. This is the temperature data. The green represents the actual data. The red line is a statistically derived mean of all that information. It is something that is done

mathematically. It is not amenable to argument; it is not amenable to debate. You can do it using different methods, but it is clear from that data set that we are in fact in a warming period, not a cooling period.

So how do you get to say that in 9 years we are in a cooling period? Well, if you go back a few years here, you see there are some high points, and if you pick just those high points and then you go forward 9 years, you can draw a graph that goes down. But you have to be very careful how you pick your points to create that illusion. You can actually do it, if you want, repeatedly in the data. You could pick this point and have it go down. You could pick this point and have it go down. You could pick this point and have it go down, and this, and this.

For each one of those points, you could say: Well, during this period, it was actually a cold period. It was actually a cooling period.

But when you look at the actual information and when you look at the statistically driven mean that cuts through all the data, it is pretty clear that to try to look at it this way is playing tricks with the data. It is playing games and trying to fool people. It is twisting and distorting the data.

I think that is a less-than-honest application of these facts. So if that is the sort of misleading statistical trick the polluters and their advocates have to resort to, that is just another reminder that it really is time for us to wake up and get to work on this. There is no credible scientific debate over what carbon pollution is doing to our atmosphere and our oceans, and it is pretty darned clear that it is warming—and warming pretty fast.

I appreciate the opportunity for this clarification.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Politifact article that I referred to in my remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BARACK OBAMA SAYS THE 12 HOTTEST YEARS ON RECORD HAVE COME IN THE LAST 15 YEARS

During his State of the Union address, President Barack Obama touted the country's progress in reducing carbon pollution emissions but added that recent advances in fuel efficiency and renewable energy have not done enough to curb climate change.

"For the sake of our children and our future, we must do more to combat climate change," Obama said. "Now, it's true that no single event makes a trend. But the fact is, the 12 hottest years on record have all come

in the last 15. Heat waves, droughts, wildfires, floods—all are now more frequent and more intense."

In 2012, the country experienced severe weather threats including drought, a devastating Hurricane Sandy and severe thunderstorms. We decided to fact-check whether the 12 hottest years on record have all come since 1998.

The White House directed us to NASA's Goddard Institute for Space Studies, which tracks global surface temperatures. The institute concluded that 2012 was the ninth-warmest year on record, with 2010 and 2005 being the all-time highs.

For the contiguous United States, 2012 was the country's warmest year yet. It beat the previous record by one degree Fahrenheit.

Reto Ruedy, a program manager at the Goddard Institute, told Politifact that the institute's data produces the following ranking of hottest years. Items on the same line are statistically tied.

1-2: 2010, 2005
3-8: 2007, 1998, 2002, 2003, 2006, 2009
9-12: 2012, 2011, 2001, 2004
13: 2008
14: 1997
15: 1995

This analysis shows that 13 of the warmest years have occurred in the past 15 years. Alternately, one could say that 12 of the warmest years came in the last 13.

We see a few other issues to note.

The NASA data set isn't the only one available. The National Oceanic and Atmospheric Administration also analyzes global surface temperatures using its own methodology. The two measurements diverge somewhat—NOAA considers 2012 the 10th-warmest year on record since records began in 1880, rather than the ninth.

However, NOAA's data for land and ocean temperature anomalies shows that 14 of the past 15 years were the hottest on record.

There are other ways one could measure "hottest years." Kevin Trenberth, a scientist with the National Center for Atmospheric Research, agreed with the 13-of-15 calculation. But he added that the NASA and NOAA values refer to global mean surface temperature. "One could define 'hottest' in other ways, such as by how much Arctic sea ice there is," he said.

OUR RULING

Obama said, "The 12 hottest years on record have all come in the last 15." Data from NASA shows 13 of the hottest years on record have come in the last 15, and by a different data set produced by NOAA, 14 of the hottest years on record have come in the last 15. Obama was actually over-cautious in his statement, so we rate his statement True.

TRIBUTE TO RAYMOND DAVIS

Ms. MIKULSKI. Mr. President, I rise today to recognize the distinguished public service of Raymond Davis, who for 40 years has served the U.S. Senate, first for the Architect of the Capitol and later as a technical assistant and information specialist in the Office of Public Records for the Secretary of the Senate. His institutional knowledge and understanding of filing processes and disclosure laws have been invaluable in helping the Senate fulfill its commitment and obligation to openness and transparency, while his kind and helpful character has been a ben-

efit to everyone in the Senate community.

Raymond first worked for the Architect of the Capitol where he was tasked with jobs from busing tables at lunchtime to flying flags over the Capitol Building. He was soon hired as a clerk by the Secretary of the Senate and would go on to serve in the Office of Public Records taking on responsibilities ranging from lobbying registration to campaign finance disclosure.

During his many years of service, Raymond always put customer service first. Candidates who filed a Senate campaign report, and Senators and staff members who filed a financial disclosure report or other Senate report, encountered Raymond's efficient and very capable assistance. Over the years, he also assisted those filing lobbying registrations and reports. The public, the press and researchers have all benefitted from his knowledge and guidance in the Office of Public Records.

Raymond is known throughout the Senate community, to those who frequent his office and to those who look forward to his cheerful greeting each day in the halls, as a friendly and welcoming colleague. An avid sportsman, Raymond was a slugger for the Senate Document Room softball team and a regular at Senate coed football and Capitol Hill touch football league games.

Through his deft knowledge and faithful customer service, Raymond has significantly contributed to the functioning of this institution. He has been an important mentor to others, helping to train staff and pass on the knowledge he gained in four decades of work.

The Senate can be proud of Raymond Davis' legacy of public service. We are grateful for his many contributions, and we wish him well in retirement and all his future endeavors.

VOTE EXPLANATIONS

Mr. UDALL of Colorado. Mr. President, due to unexpected family commitments, I was unable to cast a vote relative to rollcall vote Nos. 22, 23, 25, 28, 29, and 30. Had I been present, I would have voted in the following manner: yea on the nomination of Robert E. Bacharach to be U.S. Circuit Judge for the Tenth District, yea on the motion to invoke cloture on the nomination of Charles T. Hagel to be Secretary of Defense, yea on the nomination of Jacob L. Lew to be Secretary of the Treasury, yea on the nomination of Katherine Failla to be U.S. District Court Judge for the Southern District of New York, nay on Senate amendment No. 25 related to elimination of funding for the National Security Working Group, and yea on the motion to invoke cloture on the nomination of

Caitlin Joan Halligan to be U.S. Circuit Judge for the District of Columbia Court.

COMMEMORATING ISRAEL'S 65TH ANNIVERSARY

Ms. STABENOW. Mr. President, this year marks 65 years since the State of Israel was born, and I wish to speak today about the importance of that occasion and the celebration that will take place in communities all across the world.

Our country has a deep friendship with Israel, dating back to just 11 minutes after its creation on May 14, 1948, when President Harry Truman became one of the first world leaders to recognize Israel's independence.

Our two nations have always been friends and allies in our struggle to make the world a safer place. I am proud of our long friendship and our shared values.

When Israel was founded, the Jewish people finally had a home. The new State provided not only a refuge to Jews who survived the unprecedented horrors of the Holocaust, but also a place to begin anew. Even in such a tough and unforgiving climate, the Jewish people knew they could build a country that could help change the world.

The Walk the Land 65 project is the perfect way to celebrate Israel's anniversary. The theme of this year's walk is to celebrate life, and people all across the world will join together and walk through their communities by honoring Israel's gifts to the world, especially those regarding life: creating life, sustaining life, saving life, preserving life, enhancing life, protecting life, improving life, cherishing life, nurturing life and beautifying life.

As a collaboration between the Afikim Foundation, the World Zionist Organization and the Israel Ministry of Public Diplomacy and Diaspora Affairs, Walk the Land 65 is showing the world just how important Israel's contributions to the world really are.

I am pleased to see walks taking place across my home State of Michigan: in Flint, Grand Rapids and Metro Detroit.

Every religious, cultural and ethnic group across the State is an important thread in Michigan's rich cultural fabric. We in Michigan are proud of our Jewish communities and their contributions to our State.

One important attribute that the people of Israel share with the people of the United States is our system of values. Both countries are lands of freedom and democracy. While these two countries were formed at very different times, they both uphold and honor critical freedoms—freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed.

This foundation has led to a country that truly celebrates life and works to improve life across the world. Israel began in a desert, but today, it is a fountain of culture, innovation and industry.

This didn't happen overnight, though. David Ben-Gurion and the founders of Israel had a great vision for their country. They built Israel from scratch, turning the arid land into fertile farms and thriving cities.

Israel is a leader in innovation for creating, sustaining, preserving and saving lives through its work in agriculture and health care. It is also enhancing life through its innovation in technology, alternative energy and so many other fields.

Today, Israel is among the top three countries in the world in terms of patents per capita, and number one in terms of startup businesses per capita. Israel is also a leader in clean energy research and development, and is helping to create the power the world needs.

The Israeli people are leaders in celebrating life, as evidenced by their humanitarian works and their pioneering medical advances that will save and improve people's lives, and they are making a real difference throughout the world.

Israel continues to serve as a shining model of democratic values, and an important presence in the region; it shows the world that democracy can survive—and thrive anywhere people wish to be free.

I am proud of our friendship, and I am proud to help celebrate Israel's 65th Anniversary with the Walk the Land 65 Project.

Congratulations to the people Israel and everyone involved in this wonderful project.

OBSERVING INTERNATIONAL WOMEN'S DAY

Mr. CARDIN. Mr. President, I rise today to speak about International Women's Day. International Women's Day is an occasion to honor and praise women for their accomplishments and to celebrate women who are making a difference, both here in America and around the world. Already this year, we have seen advances for women in the United States. In January, former Secretary of Defense Leon Panetta announced that women in the military can now join their male colleagues on the front line. America's military is the greatest in the world and it has been made stronger with the promise of equal opportunity for women and men. Last month, we reauthorized the Violence Against Women Act, which provides victims of domestic violence with the services they desperately need.

We need to ensure that women across the world, not just in the United States, have the same liberty to deter-

mine the scope of their own lives and futures. Unfortunately, in far too many nations women face extraordinary obstacles. A woman's ability to earn a sustained income is severely limited by cultural norms and lack of opportunity, which explains why women represent nearly 70 percent of the world's poor. And if extreme poverty and destitution weren't enough, women around the world are under attack. Worldwide, 1 in 3 women will experience some form of violence in her lifetime. Women and girls in emergencies, conflict settings, and natural disasters often face extreme violence. The World Health Organization has reported that up to 70 percent of women in some countries describe having been victims of domestic violence at some stage in their lives.

When we discuss the issues of poverty and violence against women, we cannot think of them in isolation. They work in tandem, feeding off of one another. Violence against women and girls is both a major consequence and cause of poverty; the two go hand-in-hand. Violence prevents women and girls from getting an education, going to work, and earning the income they need to lift themselves and their families out of poverty.

I believe in the power of women to change the world, and empowering women is one of the most critical tools in our tool box to fight poverty and injustice. Integrating the unique needs of women into our domestic and international policies is critical. Decades of research and experience prove that when women are able to be fully engaged in society and hold decision-making power, they are more likely to invest their income in food, clean water, education, and health care for their children. Investment in women creates a positive cycle of change that lifts women, families, and entire communities out of poverty.

In January, President Obama issued a memorandum on the coordination of policies and programs to promote gender equality and empower women globally. This memo recognizes that coordinating gender equality and empowering women is critical to effective international assistance across all sectors such as food security, health care, governance, climate change, and science and technology.

Our Nation has the potential to be a true leader in empowering women across the globe, ending gender-based discrimination in all forms, and ending violence against women and girls worldwide. And on this International Women's Day, let us join together to continue to fight for the rights of women both at home and abroad.

ADDITIONAL STATEMENTS

REMEMBERING JUDGE LEONARD L. WILLIAMS

• Mr. COONS. Mr. President, today I wish to pay tribute to Judge Leonard L. Williams, a great Delawarean who passed away this past weekend at the age of 78. Judge Williams was a respected attorney and judge in Wilmington, as well as a pioneer for civil rights and racial equality in our State. It is a fitting tribute the flags in Wilmington were lowered to half-staff in his honor.

Judge Williams was a towering figure in Delaware history, but to my wife, Annie, and me, he was first and foremost a beloved neighbor. Judge Williams lived down the street from us on Woodlawn Avenue and was always quick with a honk and a wave when he drove by in his truck. We will miss his fellowship and his kindness.

When he passed away this weekend, I was in Alabama attending the Faith and Politics Institute's Congressional Civil Rights Pilgrimage led by Representative JOHN LEWIS. There is poetry in the timing, as Judge Williams' lifetime commitment to the civil rights movement continually reminded me that our country's great promise cannot be truly realized until full equality is achieved.

In his youth, Judge Williams worked as a clerk at a store on Market Street in Wilmington. One day he witnessed a robbery and needed to appear in municipal court to give his testimony. When he entered, he was told "Coloreds" could not sit on the left side of the room, that area was reserved for whites. Years later, Leonard Williams would become a judge, presiding over that very courtroom.

Judge Williams not only lived through the civil rights movement, he helped shape it.

He grew up in a large family in Wilmington and attended primary and secondary school before *Brown v. Board of Education* and the desegregation of the Wilmington public school system. Before 1950, black students could not attend the University of Delaware. A landmark civil rights lawsuit changed that and enabled Judge Williams to attend UD on a football scholarship. He became one of the first black students to graduate from the University of Delaware and entered law school at Georgetown University. When he was admitted to the Delaware Bar in 1959, he was only the fifth African American attorney in Delaware's history.

As a young lawyer, Judge Williams partnered with Louis Redding, Delaware's first black attorney and the very lawyer who argued *Parker v. University of Delaware*, the case which opened UD to black students. At the time, African Americans were denied access to restaurants, theaters, and

other places of public accommodation in Delaware and around the country. One day in 1958, William Burton, a member of the Wilmington City Council, entered the Eagle Coffee Shoppe but was refused service. The restaurant, like many in Wilmington at the time, would not serve African-Americans. Because the restaurant leased space from the Wilmington Parking Authority, Burton filed suit in the Delaware Court of Chancery against the restaurant and the parking authority. Judge Williams and Louis Redding took the case, ultimately winning a judgment in the Supreme Court that private discrimination on State owned property violated the Equal Protection Clause of the U.S. Constitution.

Judge Williams' involvement in that case changed the course of Delaware history. Yet he never saw himself as a hero, just as somebody trying to serve his community. All of us will miss him deeply. We will keep Judge Williams' wife, Andrea, and his three children, Leonard Jr., Dena, and Garrett, in our prayers as we grieve.●

REMEMBERING ZORA BROWN

• Mrs. FEINSTEIN. Mr. President, today I wish to honor the life, legacy and service of Zora Brown. Zora, who passed away March 3, 2013 at the age of 63, was a forceful advocate for cancer research and breast cancer awareness. As a three-time breast and ovarian cancer survivor, Ms. Brown turned her experience into a lifetime of tireless work to help others affected by cancer.

I had the honor and pleasure of meeting Zora last summer when she participated in a Senate Cancer Coalition forum focused on breast cancer. At the forum, she spoke poignantly and clearly about the impact of breast and ovarian cancer on her family, and on the African-American community. Zora's message was not one of despair, but rather one of hope and perseverance. She compared her own experience with cancer to that of her grandmother and great-grandmother, and highlighted how recent advances in cancer research gave her knowledge and treatment options that the other women in her family never had.

Throughout her career, Zora founded and was associated with countless organizations dedicated to the fight against cancer. After her first diagnosis with breast cancer in 1981, Zora founded the Breast Cancer Resource Committee, an organization dedicated to lowering the breast cancer mortality rate among African Americans. She later founded and served as Chairperson of Cancer Awareness Program Services, CAPS, providing comprehensive educational and prevention programs focusing on cancers affecting women. In 1991, President Bush appointed her to the National Cancer Advisory Board of the National Cancer In-

stitute, which helps steer the institute's policy. She served on the board until 1998. Due in part to Zora's influence and persistent advocacy, Congress appropriated \$500,000 for breast and cervical screening for low-income, uninsured inner city women. In addition, she has been a part of the American Association for Cancer Research, the U.S. Conference of Mayors' Cancer Awareness Campaign, and the Board of Health in her hometown of Oklahoma City.

With Zora's passing we have lost a great leader and advocate in the fight against cancer. Her passion, grace, and ability to connect with others were qualities that made a lasting impact. It is now up to all of us to carry on her legacy and work toward our shared dream of conquering cancer for everyone. It was an honor to spend time with her and hear through her eloquent words and fighting spirit how cancer touched her life and how she chose to use her personal experience to make a true difference in our world. My heartfelt condolences go out to her family and loved ones.●

LONE PEAK HIGH SCHOOL BASKETBALL TEAM

• Mr. HATCH. Mr. President, I rise today to congratulate and express my great pride and admiration for the young men of the Lone Peak High School basketball team.

On Saturday, March 2, 2013, Lone Peak won the Utah State High School basketball championship for the fifth time in 7 years. Now that alone is a great accomplishment. However, in addition to winning another State championship, the Lone Peak Knights are ranked as the best high school team in the country by the Web site Max Preps.

This team has flown somewhat under the radar to achieve their top ranking. Indeed, not many people expected a team from Utah to dominate like they have.

But the Knights have not shied away from competition. No, they have traveled around the country for the past couple of years playing some of the best high school basketball teams in the Nation.

For example, this season they traveled to Chicago to play in the Chicago Elite Classic and defeated powerhouse Proviso East by a score of 84 to 46. Proviso East is currently 25 to 3 and undefeated in their Chicago conference.

Lone Peak then played in the City of Palms Tournament in Ft. Meyers, FL, winning their first three games before suffering their only defeat of the season at the hands of Montverde Academy, which is another nationally ranked high school team.

It needs to be said that there is a difference between Lone Peak and teams like Montverde. Lone Peak draws its students and players from within its

school boundaries in Highland and Alpine, UT. Montverde is a college prep school that recruits players from all over the country to come and play basketball.

Lone Peak again travelled out of the State of Utah this season and defeated Wesleyan Christian Academy—another private school that recruits basketball players—in the feature game at the Under Armor Brandon Jennings Invitational in Brookfield, MA.

The Knights' final foray outside the State of Utah was in mid-January when they defeated Archbishop Mitty from San Jose, CA, at the Spaulding Hoopball Classic in Springfield, MA. That game was televised by ESPN and Lone Peak won by a decisive score of 81 to 46.

This top-ranked team has been led by the trio of Nick Emery, Eric Mika, and T.J. Haws. But they are more than just three players. They are a full team that has worked together for many years under head coach Quincy Lewis. Now in his 10th year as the head coach at Lone Peak, Coach Lewis has a proven track record of leading his players, not only to victories on the basketball court but also to becoming fine young men in the community.

Last week, before the Knights won the State championship, he was named the Naismith national coach of the year. I want to congratulate him on this honor.

Another thing that is different about this team is that many of these young men will give up 2 years of their lives and serve missions for the Church of Jesus Christ of Latter-Day Saints. Nick Emery has already received his mission call and will leave for Germany shortly after high school graduation. Talon Shumway has been recruited to play college football as a receiver but will serve a mission first.

It takes a lot of faith and dedication to put such a promising career on hold for 2 years. Having served such a mission myself I know that there is no time for basketball or football when you are in the mission field.

The Lone Peak Knights have finished the season as the top high school basketball team in the United States, something that has never been done by a school from the State of Utah. It might not be done again. But I have to say that there are young people all over my home State that have been inspired by this team and will want to follow in their footsteps.

Once again, Mr. President, I want to congratulate the Lone Peak Knights on a wonderful season. It has been quite something to follow this story all season long, and I know that my admiration is shared by many throughout my State and, indeed, throughout the country.

As I mentioned, the three leaders on this team get most of the headlines, but their success has really been a

team effort and they all deserve recognition. In addition to Emery, Haws, and Mika, the Lone Peak roster includes the following players: McKay Webster, Connor Toolson, Zach Frampton, Brooks Goeckeritz, Chandler Goeckeritz, Talon Shumway, Braden Miles, Dylan Hedin, Braxton Bruni, Jantzen Allphin, Marcus Acton, and Spencer Curtis.

Mr. President, the New York Times published an article by Dan Frosch last week that highlighted the achievements of these young men. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 26, 2013]

OUT WEST, REACHING THE SUMMIT

(By Dan Frosch)

HIGHLAND, UT.—Here, among a string of quiet Mormon towns, where the spires of Latter-day Saints churches glint against the Wasatch Mountains, is the home of what many consider the nation's best high school boys' basketball team.

For the past two years, the Knights of Lone Peak High School, a team of lanky, long-armed teenagers who look only slightly more imposing than a chess club, have not just been beating opponents, they have been crushing them.

At 23-1, the Knights have been ranked as the best high school team in the country for more than a month by the Web site Max Preps and are working their way through the Utah state playoffs, which end Saturday. While Lone Peak has lost to in-state opponents just three times in the past three years, its success nationally is especially surprising. The Knights have won by an average of nearly 28 points this season, including tournament victories over top teams from Pennsylvania, Illinois and California.

"There was one team we played that was literally laughing when we were warming up," the senior center Eric Mika said with a chuckle. "And we beat them by 50."

Unlike many top high school teams that lure talented players from outside their immediate area, Lone Peak, which has a student body of about 2,300, pulls players from the pruned streets of Alpine and Highland—small communities tucked in the foothills about 30 miles from Salt Lake City, so named by Mormon settlers because the landscape reminded them of the Swiss Alps and Scottish Highlands.

The Knights—led by Mika and guards Nick Emery and T.J. Haws—have ascended to the top of the national rankings as relative unknowns, a feat made more remarkable by the simple fact that they hail from a region not recognized for basketball prowess.

"We know we're different whenever we walk into a gym," said Coach Quincy Lewis, who has a 206-35 record over the past decade. "But our guys walk in there with a chip on their shoulder. We know we have something to prove because, honestly, the other teams don't have a great deal of respect for us."

Then Lone Peak starts playing. Its style is a fearless, careening brand of basketball, built on 3-pointers, lobs and dunks, seemingly more suited for a playground than the movie "Hoosiers."

"They play like inner-city teams; how blacks consider black teams play," said Tyrone Slaughter, who coaches Whitney Young

High School in Chicago, which is ranked seventh in the country. "I don't know any other way to put it."

"So many times we see the predominantly white teams play a conservative style, a precise style of basketball," he said. "When you see this team play, it is completely different."

Last season, Lone Peak beat Whitney Young in a double-overtime game at the Beach Ball Classic tournament in Myrtle Beach, S.C., a performance that helped burnish its reputation.

Emery set the tournament's four-game scoring record with 119 points. Word of the Knights' lopsided victories spread around Chicago. Now, Slaughter said, if a team is blown out, it is said to have been Lone Peaked.

The most apparent reason for the team's success is the triumvirate of Mika, Emery and Haws, players, Lewis says, who "don't come around very often for anybody, I don't care what program you're a part of."

The 6-foot-2 senior Emery, who averages 19 points, and the 6-4 junior Haws, who scores 17 a game, are continuing a family tradition at Lone Peak.

Emery's older brother, Jackson, who graduated from the school in 2005, was named Utah's Mr. Basketball and was a co-captain at Brigham Young with Jimmer Fredette.

Haws's older brother, Tyler, was also a Lone Peak standout and was 10th in the country in scoring with a 20.9 points-a-game average at B.Y.U. entering Tuesday's games. The 6-foot-10 Mika, who averages 16 points, is in his first season at Lone Peak after transferring from a private school, but he has known Haws and Emery since they were fourth graders playing on youth teams together.

"I feel this is really a once-in-a-life team," said Haws, who can make 3-pointers from beyond the N.B.A. range or slash through the lane with moves that have earned him YouTube fame.

Lewis has coached many of his players since grade school at clinics and camps. Every summer, he takes the team to play against Amateur Athletic Union squads around the country.

Most A.A.U. teams, the equivalent of select youth soccer clubs, choose marquee players from around their region. And it is rare for a high school team to compete against what are essentially all-star rosters.

"We have had very few teams that have competed at that level in term of how they play together, shot selection and chemistry," said Greg Procino, the director of events and awards at the Basketball Hall of Fame, which also hosted a tournament that Lone Peak excelled at in 2011 and another in which the team performed well in January.

There is, of course, something else that sets the Knights apart.

A flip through the team program finds plenty of references to Mormonism, whether it is players noting that the last book they read was the Book of Mormon or affirming their life goals as serving a mission and marrying.

Lone Peak players freely discuss how religion unites them. When the team is on the road and needs to practice, it will call up the local Mormon bishop and ask to use the small gym typically attached to each Mormon church.

"A couple of summers ago, we were in Boston," Mika said. "Someone was like: 'Oh, you guys are all Mormon. How many moms do you have? You guys all brothers?' We just laugh."

Mika, Emery and Haws have committed to play at B.Y.U., 30 minutes away. All have also decided to go on missions. For Emery, an explosive guard and the most highly recruited of the three, that means leaving for Germany in May and probably not playing organized basketball for two years.

"A lot of factors went into it," he said of his decision. "I've grown up in the Gospel. And I've wanted to serve a mission since I was a young kid. I'll have four years when I come home."

Lewis recalled that Bill Self pulled Emery aside after he had starred at a University of Kansas basketball camp, saying, "You're good enough to play here."

But it is difficult to ask coaches whose careers rest on immediate success to commit to a top high school prospect who plans to take two years away from basketball.

"The way people look at this state, they say, 'If we go in there and recruit kids, we know they're probably L.D.S.,'" or Latter-day Saints, "'kids, and they're going on a mission and that's not how our program is set up,'" Lewis said.

For now, however, Lone Peak is seeking a fifth state championship in seven years—the title game is Saturday—and a chance to brag that it ended the season as the country's top-ranked team.

At a recent road game against Bingham High School, the gym roared with hundreds of fans from across the region who had come to see Lone Peak for themselves.

"Which are the three guys we were watching again?" a woman asked her husband.

An older man wondered aloud if all three were heading to B.Y.U.

By midway through the fourth quarter, the game long in hand, Lewis pulled most of his starters, with Mika, Haws and Emery accounting for 69 of the team's 98 points in a 41-point victory.

The three friends sat on the bench, laughing, leaping up when their backups scored and politely chatting with curious fans wandering down for a closer look.

It may have been an away game, but this was home.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 338. An act to amend title 18, United States Code, to include certain territories

and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco.

H. R. 668. An act to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes.

H. R. 933. An act making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. WALZ of Minnesota.

At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 14. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 338. An act to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco; to the Committee on the Judiciary.

H.R. 668. An act to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read and placed on the calendar:

H.R. 933. An act making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 505. A bill to prohibit the use of drones to kill citizens of the United States within the United States.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-618. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Cherries Grown in Designated Counties in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-12-0026; FV12-923-1 IR) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-619. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Department of Defense taking essential steps to award a multiyear contract for 32 E-2D Advanced Hawkeye (AHE) aircraft, with a Variation in Quality-type clause of up to 37 aircraft, in fiscal years 2014 through 2018 in the second quarter of 2014; to the Committee on Armed Services.

EC-620. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-621. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System, National Capital Region, Demonstrations and Special Events" (RIN1024-AD89) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Energy and Natural Resources.

EC-622. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System, Chattahoochee River National Recreation Area, Bicycle Routes" (RIN1024-AD94) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Energy and Natural Resources.

EC-623. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Import Restrictions Imposed on Certain Archaeological Material from Belize" (RIN1515-AD94) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Finance.

EC-624. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "2012 Actuarial Report on the Financial Outlook for Medicaid"; to the Committee on Finance.

EC-625. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, an annual management report relative to its operations and financial condition; to the Committee on Finance.

EC-626. A communication from the Secretary of Health and Human Services, transmitting, the fiscal year 2012 performance report relative to the Medical Device User Fee Act (MDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-627. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-628. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the Department of Small and Local Business Development's Fiscal Year 2011 Performance Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-629. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Residential, Business, and Wind and Solar Resource Leases on Indian Land; Correction" (RIN1076-AE73) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Indian Affairs.

EC-630. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Courts of Indian Offenses" (RIN1076-AF16) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Indian Affairs.

EC-631. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards: Administrative and Support, Waste Management and Remediation Services" (RIN3245-AG27) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Small Business and Entrepreneurship.

EC-632. A communication from the Deputy General Counsel, Office of Technology, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations, Small Business Innovation Research (SBIR) Program and Small Business Technology Transfer (STTR) Program" (RIN3245-AG46) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Small Business and Entrepreneurship.

EC-633. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards: Information" (RIN3245-AG26) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Small Business and Entrepreneurship.

EC-634. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Construction and Maintenance—Culvert Pipe Selection" (RIN2125-AF47) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-635. A communication from the Secretary of the Federal Trade Commission,

transmitting, pursuant to law, the report of a rule entitled "Energy Labeling Rule" (RIN3084-AB15) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Commerce, Science, and Transportation.

EC-636. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Editorial Corrections to the Export Administration Regulations" (RIN0694-AF63) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-637. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to the submission of an operations update and a general and legislative annual report in March; to the Committee on Commerce, Science, and Transportation.

EC-638. A communication from the Deputy Secretary of Commerce, transmitting, pursuant to law, the National Oceanic and Atmospheric Administration (NOAA) Chesapeake Bay Office Biennial Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC-639. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Commercial Acquisition; Extension of Suspension and Debarment Exclusions, Grants and Cooperative Agreements" (RIN2700-AD81) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-640. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Greenup, Illinois)" (MB Docket No. 12-225; RM-11668; DA 12-1976) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-641. A communication from the Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules" ((IB Docket No. 04-112) (FCC 13-6)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-642. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Concerning Commercial Radio Operators" (FCC 13-4) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-643. A communication from the Associate Division Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Re-

view of the Emergency Alert System: Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief Randy Gehman Petition for Rulemaking" (FCC 12-41) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-644. A communication from the Associate Division Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 12 and 90 of the Commission's Rules Regarding Redundancy of Communications Systems: Backup Power Private Land Mobile Radio Services: Selection and Assignment of Frequencies, and Transition of the Upper 200 Channels in the 800 MHz Band to EA Licensing" (DA 11-1838) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-645. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Amdt. No. 505" (RIN2120-AA63) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-646. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Amdt. No. 505" (RIN2120-AA63) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-647. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3517" (RIN2120-AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-648. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3518" (RIN2120-AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-649. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (85); Amdt. No. 3519" (RIN2120-AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-650. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (25); Amdt. No. 3520" (RIN2120-AA65)

received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-651. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0075)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-652. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Lincoln, ME" ((RIN2120-AA66) (Docket No. FAA-2012-0764)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-653. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Engine Alliance Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1293)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-654. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Schweizer Aircraft Corporation" ((RIN2120-AA64) (Docket No. FAA-2012-0602)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-655. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1251)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-656. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc., Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0746)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-657. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0631)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-658. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1225)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-659. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Type Certificate currently held by AgustaWestland S.p.A.) (Agusta) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-1135)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-660. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1228)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-661. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0528)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-662. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Tri-Cities, TN; Revocation of Class E Airspace; Tri-City, TN" ((RIN2120-AA66) (Docket No. FAA-2011-0621)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-663. A communication from the Paralegal Specialist, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0547)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-664. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Corp Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1005)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-665. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1223)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-666. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DG Flugzeugbau GmbH Gliders" ((RIN2120-AA64) (Docket No. FAA-2012-1250)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-667. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DASSAULT AVIATION Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1037)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-668. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1273)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-669. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0725)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-670. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1056)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-671. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate Previously Held by Raytheon Aircraft Company; Beech Aircraft Corporation) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1111)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-672. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lindstrand Hot Air Balloons Ltd Appliances" ((RIN2120-AA64) (Docket No. FAA-2012-1134)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-673. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Schweizer Aircraft Corporation" ((RIN2120-AA64) (Docket No. FAA-2012-0602)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-674. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1251))

EC-698. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-0732) received in the Office of the President of the Senate

on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-699. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0986)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-700. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboshaft Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0940)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-701. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2013-0030)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-702. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc." ((RIN2120-AA64) (Docket No. FAA-2012-0731)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-703. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron, Inc., Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0082)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-704. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0639)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-705. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0794)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-706. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc., Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0746)) received

in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-707. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1002)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-708. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1070)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-709. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0098)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-710. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Trawl Rationalization Program; Emergency Rule Extension" (RIN0648-BC00) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-711. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures" (RIN0648-BC40) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-712. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 38" (RIN0648-BC37) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-713. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC457) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-714. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/

Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XC452) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-715. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal To 60 Feet (18.3 Meters) Length Overall Using Pot Gear in the Bearing Sea and Aleutian Islands Management Area" (RIN0648-XC458) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-716. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bearing Sea and Aleutian Islands Management Area" (RIN0648-XC487) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-717. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (RIN0648-XC427) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-718. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XC482) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-719. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands" (RIN0648-XC441) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-720. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC481) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-721. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XC451) received in the Office of the President of the Senate on

March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-722. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC495) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-723. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Resources of the South Atlantic; Trip Limit Reduction" (RIN0648-XC437) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-724. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery" (RIN0648-XC456) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-725. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Vermillion Snapper" (RIN0648-XC468) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-726. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Ontonagon, MI" ((RIN2120-AA66) (Docket No. FAA-2011-1404)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-727. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kasigluk, AK" ((RIN2120-AA66) (Docket No. FAA-2012-0952)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Sheri Polster Chappell, of Florida, to be United States District Judge for the Middle District of Florida.

Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon.

Nitza I. Quinones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROBERTS (for himself, Ms. HEITKAMP, Mr. MORAN, and Mr. JOHANNIS):

S. 485. A bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 486. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 487. A bill to amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 488. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 489. A bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. VITTER):

S. 490. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. INHOFE, Mr. UDALL of New Mexico, and Mr. CRAPO):

S. 491. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BURR (for himself and Mr. RUBIO):

S. 492. A bill to amend title 38, United States Code, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 493. A bill to amend the Internal Revenue Code of 1986 to establish dairy farm savings accounts, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER:

S. 494. A bill to amend the Internal Revenue Code of 1986 to expand the types of livestock for which bonus depreciation is available; to the Committee on Finance.

By Mr. BURR (for himself, Mr. ISAKSON, Mr. CORNYN, Mr. HELLER, and Mr. BOOZMAN):

S. 495. A bill to amend title 38, United States Code, to require Federal agencies to hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRYOR (for himself, Mr. INHOFE, Mrs. FISCHER, Mr. BOOZMAN, Mr. COCHRAN, and Mr. JOHANNIS):

S. 496. A bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 497. A bill to establish the San Juan Islands National Conservation Area in the San Juan Islands, Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE:

S. 498. A bill to repeal the Zimbabwe Democracy and Economic Recovery Act of 2001; to the Committee on Foreign Relations.

By Mr. VITTER (for himself and Mr. CRUZ):

S. 499. A bill to repeal the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. REID, Mr. LEAHY, Mrs. BOXER, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. FRANKEN, and Mr. BLUMENTHAL):

S. 500. A bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of \$250,000; to the Committee on Finance.

By Mr. SCHUMER (for himself and Ms. COLLINS):

S. 501. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Finance.

By Mr. CASEY:

S. 502. A bill to assist States in providing voluntary high-quality universal prekindergarten programs and programs to support infants and toddlers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado:

S. 503. A bill to establish the Sangre de Cristo National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. VITTER, Mr. DURBIN, Mrs. SHAHEEN, and Mr. SANDERS):

S. 504. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself and Mr. PAUL):

S. 505. A bill to prohibit the use of drones to kill citizens of the United States within the United States; read the first time.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 506. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. ALEXANDER, Mr. HEINRICH, Mrs. MURRAY, and Mr. UDALL of New Mexico):

S. 507. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. GRASSLEY):

S. 508. A bill to amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 509. A bill to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 510. A bill to authorize the Secretary of the Interior to convey certain interests in Federal land acquired for the Scofield Project in Carbon County, Utah; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE:

S. Res. 69. A resolution calling for the protections of religious minority rights and freedoms in the Arab world; to the Committee on Foreign Relations.

By Mr. MENENDEZ:

S. Res. 70. A resolution designating the last full week of July 2013 as "National Moth Week", recognizing the importance of moths in the United States, and recognizing the value of National Moth Week for promoting the conservation of moths and increasing the awareness, study, and appreciation of moths, their incredible biodiversity, and their importance to ecosystem health; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mr. SANDERS):

S. Res. 71. A resolution designating the week of March 4 through March 8, 2013, as "Military and Veterans Caregiver Week"; considered and agreed to.

By Mr. HARKIN (for himself and Mr. GRASSLEY):

S. Res. 72. A resolution to observe the contributions of the American Chiropractic Association and to recognize the 50th anniversary of the founding of the organization; considered and agreed to.

By Mr. BENNET (for himself, Mr. HATCH, Mr. MERKLEY, Mr. WYDEN, Mr. BOOZMAN, and Mrs. MURRAY):

S. Res. 73. A resolution designating March 11, 2013, as "World Plumbing Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Virginia (Mr.

KAINE) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 116

At the request of Mr. REED, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 169

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 210

At the request of Mr. HELLER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 269

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 269, a bill to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 294

At the request of Mr. TESTER, the name of the Senator from Louisiana

(Ms. LANDRIEU) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 323

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 338

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 370

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 427

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 445

At the request of Mr. FRANKEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 445, a bill to improve security at State and local courthouses.

S. 448

At the request of Mr. RUBIO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 448, a bill to allow seniors to file their Federal income tax on a new Form 1040SR.

S. 452

At the request of Mr. FRANKEN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 452, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 470

At the request of Mr. TESTER, the names of the Senator from North Dakota (Ms. HEITKAMP), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from North Carolina (Mr. BURR), the Senator from Alaska (Mr. BEGICH), and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 484

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 484, a bill to amend the Toxic Substances Control Act relating to lead-

based paint renovation and remodeling activities.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL of Colorado:

S. 503. A bill to establish the Sangre de Cristo National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, I rise today to introduce legislation recognizing one of Colorado's most historically significant regions—the San Luis Valley.

It is no exaggeration to say that the unique history and culture of the region we commonly call 'the Valley' is one of the richest in our state, region, and nation, particularly as an example of early Hispano and Latino settlement. As an avid student of history—like so many of my colleagues—I find that the more I learn and experience the stories, people, and places of the Valley, the more I want to learn.

First explored by Spanish Colonial expeditions in the 17th century, Hispano families from Northern New Mexico made many attempts at permanent settlement in this region, but weren't successful until the late 1840s, after the territory became part of Mexico. With the oldest town, San Luis, and the oldest water right, the People's Ditch, in Colorado, the San Luis Valley hosts some of the most intact Mexican territorial settlements in the Southwest. Many descendants of those original settlers continue to live in the region today.

But despite this incredibly rich history, millions of people visit Colorado every year who are not familiar with the San Luis Valley. The legislation I am introducing today would create the Sangre de Cristo National Historic Park, named for the stunning mountain range that forms the eastern border of the valley. The Sangre de Cristo National Historic Park would link together a series of historically significant sites throughout the valley—protecting and preserving them for future generations to experience and learn from.

Creating this park will help to tell the story of Colorado's earliest settlers.

Telling these stories and protecting these sites is important because of their intrinsic value to our history, culture and future generations. But they are also important to the economy as our state and country are emerging from the worst economy in a generation. The Sangre de Cristo National Historic Park could serve as an anchor for a regional tourism economy that can bring jobs to the entire San Luis Valley and Southern Colorado while recognizing and celebrating the Valley's rich and important history.

Over the last several years, I have held a series of town hall meetings in San Luis, La Jara and Alamosa to learn more about the recently created Sangre de Cristo National Heritage Area and to hear the views of the local communities. I heard a great deal of support for the National Historic Park concept, and today marks an important step forward in the process of creating this meaningful, if overdue, park.

I look forward to working with stakeholders, local communities and my colleagues to move this legislation forward.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 506. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Volunteer Emergency Services Recruitment and Retention Act of 2013. This bill fixes a long-standing problem with the tax code that impedes the ability of volunteer fire departments to recruit and retain both firefighter and emergency service personnel.

For years, local and State governments have provided their volunteer firefighters and EMS personnel with different forms of benefits including Length of Service Award Plans, commonly known as LOSAPs. These are pension-like benefits for volunteer emergency responders.

Unfortunately, the way the tax code handles LOSAPs hinders departments' abilities to administer the plans and makes it more difficult for volunteer emergency personnel to receive the benefits.

My bill would simplify the taxation of LOSAPs in two steps. First, it would allow LOSAPs to be elected as deferred compensation plans, and second, it would exempt them from the Employee Retirement Income Security Act of 1974. These two changes will improve access to LOSAP benefits for volunteer emergency responders, without increasing federal spending.

Today, an estimated 180,000 volunteer firefighters across 27 states participate

in some form of LOSAP. Many States that do not offer these benefits would be more likely to do so if the Federal tax code were simplified. This, in turn, would help volunteer fire departments to recruit more easily and retain personnel. These men and women, our local first responders, are the foundation of our emergency response capabilities.

These volunteers put their lives on the line to help protect our communities, and their spirit of selflessness and service should be rewarded. I am pleased to introduce this legislation with Senator SCHUMER, and I look forward to working with my colleagues to pass this bill through the Senate and into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 69—CALLING FOR THE PROTECTIONS OF RELIGIOUS MINORITY RIGHTS AND FREEDOMS IN THE ARAB WORLD

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 69

Whereas, on January 25, 2011, in Tahrir Square, Egyptian protestors found their voice when they successfully ended the 30-plus year rule of President Mubarak and began the work of creating a true democratic government, a government that supports and protects inalienable rights and freedoms, including the freedom of religion;

Whereas the fervor and spirit of these revolutions have taken wing in other Arab nations such as Tunisia, Libya, and Syria;

Whereas, reminiscent of the 1968 "Prague Spring" in the former Czechoslovakia, many have called this revolutionary period an "Arab Spring", where ordinary citizens have taken to the streets demanding an end to corruption, political cronyism, and government repression;

Whereas, in the midst of newly acquired freedoms, including those of speech, press, and assembly, it is extremely important that religious minorities in these countries be protected from violence and guaranteed the freedom to practice their religion and to express religious thought;

Whereas Article 18 of the Universal Declaration of Human Rights recognizes that "[e]veryone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance";

Whereas the freedom to worship by minority religious communities in Arab nations has come under repeated and deadly attack in recent months;

Whereas, on November 1, 2010, the deadliest ever recorded attack on Iraqi Christians occurred at the Sayidat al-Nejat Catholic Cathedral located in central Baghdad, where militants stormed the church and detonated 2 suicide vests filled with ball bearings, killing 58 and wounding 78 parishioners;

Whereas, on January 1, 2011, a suicide bomber blew himself up in front of the Saint George and Bishop Peter Church in Cairo, killing 21 Egyptian Coptic Christians, a Christian minority group that accounts for 9 percent of Egypt's population of 80,000,000;

Whereas the freedom to proselytize by minority religious communities in Arab nations has also come under repeated and deadly attack in recent months through so-called blasphemy laws that are punishable by death;

Whereas, on January 4, 2011, Governor Salman Tasser, who courageously sought to release Aasia Bibi, a Christian woman and mother of 5 who was sentenced to death under Pakistan's blasphemy laws, was gunned down by his own security guard because of his support for reforming the blasphemy laws;

Whereas, on March 2, 2011, Shahbaz Bhatti, Pakistan's only Christian cabinet member and passionate supporter of interfaith tolerance and repeal of Pakistan's blasphemy law, was assassinated by multiple gunmen, leaving his body and vehicle riddled with 80 bullets and anti-Christian pamphlets strewn over his body; and

Whereas, on February 21, 2013, Sherry Rehman, Pakistan's Ambassador to the United States, and a vocal proponent of repealing Pakistan's blasphemy law, was herself accused of blasphemy, and the Supreme Court of Pakistan ordered police in the central Pakistani city of Multan to investigate: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes, in this spirit of Arab Spring revolution, that religious minority freedoms and rights must be protected; and

(2) urges in the strongest terms that the United States Government lead the international effort to repeal existing blasphemy laws.

SENATE RESOLUTION 70—DESIGNATING THE LAST FULL WEEK OF JULY 2013 AS "NATIONAL MOTH WEEK", RECOGNIZING THE IMPORTANCE OF MOTHS IN THE UNITED STATES, AND RECOGNIZING THE VALUE OF NATIONAL MOTH WEEK FOR PROMOTING THE CONSERVATION OF MOTHS AND INCREASING THE AWARENESS, STUDY, AND APPRECIATION OF MOTHS, THEIR INCREDIBLE BIODIVERSITY, AND THEIR IMPORTANCE TO ECOSYSTEM HEALTH

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 70

Whereas moths are an incredibly diverse type of insect, with more than 12,000 species in the continental United States and Canada;

Whereas moths live everywhere and in every habitat, from inner cities to the most remote and wild places;

Whereas moths are important pollinators and are an essential part of the food web, providing food for a vast number of birds, bats, and other animals;

Whereas moths are indicators of a healthy environment, as habitats rich in moths are diverse in other insects and wildlife;

Whereas monitoring the diversity and distribution of moths can provide vital clues to changes in the environment;

Whereas knowledge about many moths and moth caterpillars is limited;

Whereas scientists believe that many moth species may be declining;

Whereas the lack of natural history information about many moth species provides an opportunity for an individual to potentially make a meaningful scientific contribution relating to moths;

Whereas National Moth Week, which was established in 2011 in East Brunswick, New Jersey by the Friends of the East Brunswick Environmental Commission, is a national and global collaboration of many individuals, environmental groups, and conservation organizations focusing much-needed attention on moths and their ecological, educational, and cultural significance;

Whereas participants National Moth Week events collect valuable information about moths and make that information available to naturalists, ecologists, and conservation scientists;

Whereas National Moth Week is intended to encourage everyone, especially citizen scientists, to help increase knowledge about moths through observation and study;

Whereas National Moth Week was celebrated from July 23 through July 29, 2012, in more than 300 participating locations in 49 States, Puerto Rico, the District of Columbia, and 28 countries;

Whereas National Moth Week is celebrated each summer during the last full week in July; and

Whereas the National Moth Week web site, www.nationalmothweek.org, is filled with information and resources relating to moths: Now, therefore, be it

Resolved, That the Senate—

(1) designates the last full week of July 2013 as "National Moth Week";

(2) recognizes the importance of moths in the United States and the value of National Moth Week for promoting the conservation of moths and increasing the awareness, study, and appreciation of moths, their incredible biodiversity, and their importance to ecosystem health;

(3) applauds National Moth Week and the efforts of participants to increase awareness about the important role of moths and build support for increasing the study, appreciation, and conservation of moths; and

(4) encourages the people of the United States to observe National Moth Week with appropriate activities.

SENATE RESOLUTION 71—DESIGNATING THE WEEK OF MARCH 4 THROUGH MARCH 8, 2013, AS "MILITARY AND VETERANS CAREGIVER WEEK"

Mr. BURR (for himself and Mr. SANDERS) submitted the following resolution; which was considered and agreed to:

S. RES. 71

Whereas more than 2,400,000 members of the Armed Forces have been deployed to Iraq and Afghanistan since October 2001, 6,640 have been killed in action, more than 50,000 have been wounded in action, and 1,715 have undergone an amputation for a battle-related injury;

Whereas the signature wounds of members of the Armed Forces who have served in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn are traumatic brain injury and post-traumatic stress disorder;

Whereas, between January 1, 2000, and August 20, 2012, 253,330 cases of traumatic brain injury were diagnosed among members of the Armed Forces, and approximately 6,500 cases were classified as severe or penetrating;

Whereas studies have shown that the prevalence of post-traumatic stress disorder among veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom ranges between 15 and 20 percent, and reports from the Department of Veterans Affairs show that 29 percent of veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom and sought health care during fiscal years 2002 through 2012 had post-traumatic stress disorder;

Whereas many of the members of the Armed Forces and veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom and suffered these injuries require assistance from a family caregiver to complete activities of daily living such as bathing, dressing, and feeding, or instrumental activities such as transportation, meal preparation, and health management;

Whereas as many as 1,000,000 spouses, parents, and children of veterans have served or are currently serving as family caregivers to veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom, according to a study of military caregivers conducted by the RAND Corporation;

Whereas section 1672 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 1071 note) introduced an expansion of medical care available to family caregivers, and the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163) facilitated a new program for access to health insurance, mental health services, caregiver training, and respite care by family caregivers of veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom;

Whereas the program provided under the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163) is limited to veterans enrolled in the Veterans Health Administration, who sustained a serious injury in the line of duty after September 11, 2001, and who require at least 6 months of personal care services because of an inability to perform activities of daily living or who require supervision due to neurological impairment; and

Whereas the primary caregivers of members of the Armed Forces and veterans injured in the line of duty make tremendous sacrifices of their own, saving the United States millions of dollars in health care and potential institutionalization costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 4 through March 8, 2013, as “Military and Veterans Caregiver Week”;

(2) honors caregivers of members of the Armed Forces and veterans for their service and sacrifice to the United States; and

(3) calls upon the people of the United States—

(A) to observe the week with appropriate activities and events; and

(B) to participate in activities that will show support to military families and the sacrifices endured by those families in service to the United States.

SENATE RESOLUTION 72—TO OBSERVE THE CONTRIBUTIONS OF THE AMERICAN CHIROPRACTIC ASSOCIATION AND TO RECOGNIZE THE 50TH ANNIVERSARY OF THE FOUNDING OF THE ORGANIZATION

Mr. HARKIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 72

Whereas the chiropractic profession is a holistic, wellness-oriented healing art founded in the United States;

Whereas doctors of chiropractic are licensed to serve as primary care, portal-of-entry healthcare providers in all 50 of the United States;

Whereas doctors of chiropractic have broad diagnostic skills and are trained to recommend therapeutic and rehabilitative exercises, as well as to provide nutritional, dietary, and lifestyle counseling, reaffirming their role as providers trained in wellness and prevention;

Whereas it is estimated that approximately 22,000,000 Americans annually seek care from a doctor of chiropractic for a range of health conditions;

Whereas due to the popularity of chiropractic care for the treating a range of spinal-related maladies including back and neck pain which are widespread throughout our society, the chiropractic profession serves as a critically important part of America's health delivery system;

Whereas Congress has recognized the value and contributions of the chiropractic profession by enacting several provisions of law aimed at integrating chiropractic care into the Department of Veterans Affairs and the Department of Defense health care system;

Whereas the American Chiropractic Association serves as the chiropractic profession's premier leadership and professional organization nationally;

Whereas the American Chiropractic Association has established a well-deserved reputation for upholding and promoting the highest ethical and professional standards for the practice of chiropractic care;

Whereas the American Chiropractic Association is committed to excellence in chiropractic education, including continuing education;

Whereas the American Chiropractic Association seeks to promote timely access to health care, including the promotion of wellness and disease prevention;

Whereas the American Chiropractic Association is a vocal advocate of evidence-based medicine and the delivery of effective health care services based on scientific research; and

Whereas 2013 is the 50th anniversary of the founding of the American Chiropractic Association: Now, therefore, be it

Resolved, That the Senate recognizes the many important contributions of the American Chiropractic Association to the welfare of both the chiropractic profession and our the health delivery system of the United States and recognizes the 50th Anniversary of the founding of the Association.

SENATE RESOLUTION 73—DESIGNATING MARCH 11, 2013, AS “WORLD PLUMBING DAY”

Mr. BENNET (for himself, Mr. HATCH, Mr. MERKLEY, Mr. WYDEN, Mr. BOOZ-

MAN, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 73

Whereas the plumbing industry plays an important role in safeguarding the public health of the people of the United States and the world;

Whereas 884,000,000 people around the world do not have access to safe drinking water;

Whereas 2,600,000,000 people around the world live without adequate sanitation facilities;

Whereas lack of sanitation is the leading cause of infection in the world;

Whereas, in the developing world, 24,000 children under the age of 5 die every day from preventable causes, such as diarrhea contracted from unclean water;

Whereas safe and efficient plumbing saves money and reduces future water supply costs and infrastructure costs;

Whereas the installation of modern plumbing systems must be accomplished in a specific and safe manner by trained professionals to prevent widespread disease, which can be crippling and deadly to a community;

Whereas the people of the United States rely on plumbing professionals to maintain, repair, and rebuild the aging water infrastructure of the United States;

Whereas Congress and plumbing professionals across the United States and the world are committed to safeguarding public health; and

Whereas the founding organization of World Plumbing Day, the World Plumbing Council, is currently chaired by GP Russ Chaney, a United States citizen: Now, therefore, be it

Resolved, That the Senate designates March 11, 2013, as “World Plumbing Day”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 7, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 7, 2013, at 10 a.m., to conduct a hearing entitled “Patterns of Abuse: Assessing Bank Secrecy Act Compliance and Enforcement.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 7, 2013, at 2:30 p.m., in room G50 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Cybersecurity Partnership Between the

Private Sector and Our Government: Protecting Our National and Economic Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 7, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 7, 2013, at 10 a.m., to hold a hearing entitled “U.S. Policy Toward North Korea.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 7, 2013, at 2:30 p.m., to conduct a hearing entitled “The Cybersecurity Partnership Between the Private Sector and Our Government: Protecting Our National and Economic Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 7, 2013, at 10 a.m., in SD-366 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 7, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERED TO BE PLACED ON THE CALENDAR—H.R. 933

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that H.R. 933, which was received from the House and is at the desk, be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MARCH 11, 2013

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that on Monday, March 11, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 9 and 17; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 112-275, appoints the following individuals to be members of the Commission to Eliminate Child Abuse and Neglect Fatalities: Amy Ayoub of Nevada, and Marilyn Zimmerman of Montana.

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 71, S. Res. 72, and Res. 73.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the resolutions en bloc.

Mr. WHITEHOUSE. I ask unanimous consent the resolutions by agreed to, the preambles be agreed to, and the motions to reconsider be laid on the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under “Submitted Resolutions.”)

MEASURE READ THE FIRST TIME—S. 505

Mr. WHITEHOUSE. I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 505) to prohibit the use of drones to kill citizens of the United States within the United States.

Mr. WHITEHOUSE. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read the second time on the next legislative day.

ORDERS FOR MONDAY, MARCH 11, 2013

Mr. WHITEHOUSE. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, March 11, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks the Senate be in a period of morning business until 5 o'clock p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. I am informed that at 5:30 p.m. on Monday there will be at least one rollcall vote on confirmation of the Taranto nomination. We hope to begin consideration of H.R. 933, the continuing appropriations bill received from the House.

ADJOURNMENT UNTIL MONDAY, MARCH 11, 2013, AT 2 P.M.

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 4:44 p.m., adjourned until Monday, March 11, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

SYLVIA MATHEWS BURWELL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE JACOB J. LEW, RESIGNED.

FEDERAL LABOR RELATIONS AUTHORITY

ERNEST W. DUBESTER, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 29, 2017. (RE-APPOINTMENT)

NATIONAL INSTITUTE OF BUILDING SCIENCES

TIMOTHY HYUNGROCK HAAHS, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014, VICE MORGAN EDWARDS, TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JOHN UNSWORTH, OF MASSACHUSETTS, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE JEAN B. ELSHTAIN, TERM EXPIRED.

ENVIRONMENTAL PROTECTION AGENCY

REGINA MCCARTHY, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE LISA PEREZ JACKSON, RESIGNED.

DEPARTMENT OF ENERGY

ERNEST J. MONIZ, OF MASSACHUSETTS, TO BE SECRETARY OF ENERGY, VICE STEVEN CHU.

CONFIRMATION

Executive nomination confirmed by the Senate March 7, 2013:

CENTRAL INTELLIGENCE AGENCY

JOHN OWEN BRENNAN, OF VIRGINIA, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

EXTENSIONS OF REMARKS

IN HONOR OF THE NATIVE DAUGHTERS OF THE GOLDEN WEST SANTA CRUZ PARLOR NO. 26

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. FARR. Mr. Speaker, I rise today to recognize the 125th Anniversary of the Native Daughters of the Golden West Santa Cruz Parlor No. 26 (NDGW).

For 125 years, Santa Cruz Parlor No. 26 has participated in the projects of the NDGW, some of which involve Civic Participation, California History and Landmarks including CA Lighthouses, Children's Foundation, Education and Scholarships, Mission Restoration, Pioneer Roster, Veterans Welfare, and the Native Daughters' Home.

In the early years, Santa Cruz Parlor No. 26 raised money for a "closed horse-drawn Carriage," as the county had no ambulance. By 1907 Santa Cruz Parlor was able to present an ambulance to Mayor Palmer and the members of the City Council. In 1939, a Wishing Well provided by the Santa Cruz Parlor and the Native Sons Parlor of Santa Cruz was dedicated with the funds going to help the NDGW Children's Foundation. These are only a few of the projects from the early years of the Parlor.

As time went on the activities and reputation of the Parlor attracted a number of eminent local women. Among these were Truella Lund, who was the first Santa Cruz female police officer, and Margaret Koch. Her articles helped in the restoration and preservation of local historical buildings, including an adobe building which is part of the Santa Cruz Mission State Historic Park. Hulda Hoover McLean, niece of President Herbert Hoover and a respected local politician in her own right, joined Santa Cruz Parlor in 1950 and was an active member for many years.

Santa Cruz Parlor No. 26 continues its mission through various community projects. Each year they contribute to the Walnut Avenue Women's Center in Santa Cruz and the Valley Christmas Project in Ben Lomond. Santa Cruz Parlor packs over 300 gift bags every year for the Veterans at the Palo Alto Hospital and the Veterans Center in Capitola. In addition to these contributions, Santa Cruz gives generous college scholarships to high school students throughout Santa Cruz County.

In addition to its own projects, Santa Cruz Parlor also joins its District Parlors located in San Juan Bautista, Salinas and Monterey for a yearly benefit for the Native Daughters Home, and a Mission Restoration lunch fund raiser. Last year's funds provided assistance for the restoration of some of the historic statues located in the chapel of Mission Santa Cruz. In the past, funds from our Mission Restoration lunches have helped the nearby mis-

sions of San Miguel, Carmel, San Antonio, and San Juan Bautista.

Mr. Speaker, I know my fellow members of the House will join me in congratulating the Native Daughters of the Golden West Santa Cruz Parlor No. 26 on their 125th anniversary. We thank them for the many activities that improve the community and promote our heritage, and wish them many more years of service.

TRIBUTE TO ANNA DEVRIES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievements of Anna DeVries of Des Moines for receiving a coveted Fulbright award to study and conduct research abroad this academic year.

The Fulbright Program is sponsored by the United States Department of State, Bureau of Education and Cultural Affairs. This program is known as America's flagship international exchange program. First established by Congress in 1946, the Fulbright Program has served the purpose of building mutual understanding between American citizens and the rest of the world. Appropriations from the United States Congress, participating foreign governments, and private sector contributions fund the Fulbright Program. The program has exchanged over a quarter of a million people in more than 155 countries, since its inception. Anna's host country for the 2012–2013 academic year is Indonesia.

To receive a Fulbright award is truly a great honor. Recipients of this award must demonstrate significant leadership potential in their chosen field and are selected on the basis of their academic or professional achievement. The experiences provided by this program ensure that tomorrow's leaders are both knowledgeable about the world and well-rounded.

Mr. Speaker, it is a profound honor to represent future leaders like Anna from the great state of Iowa in the United States Congress. I know my colleagues in the House will join me in congratulating her for receiving this prestigious award. I wish her the best of luck in her studies and future career.

IN MEMORY OF THEODORE "TED" TALBERT AND HIS LIFELONG COMMITMENT TO JOURNALISM IN THE GREATER DETROIT REGION

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to honor the life and work of Theodore Talbert, a renowned journalist, historian and proud Detroit. Known to the Greater Detroit community simply as Ted, his documentaries brought history to life and inspired future journalists and leaders alike.

Born and raised in Detroit, Ted displayed early signs of excellence, graduating from Northern High School in 1961 as his class valedictorian. Ted attended Mount San Antonio College in California and it was early in the 1970s when he began to fully explore his passion for journalism, creating the first of his documentaries.

Over the proceeding decades of his journalism career, Ted worked for several of the local television stations in Southeast Michigan, although most of his time was with local NBC affiliate WDIV. Throughout the course of his career, Ted produced more than twenty documentaries that highlighted every aspect of the community that he loved so dearly. In his films, he showcased the unique heritage of Detroit, from his documentaries on Joe Louis and the Tuskegee Airmen to his story on the African American officers of the Detroit Police Department in the 1800s. Many in the Southeast Michigan community credit Ted with providing a unique perspective on the social, economic and political issues that have shaped our region, offering insights that inspired the community into action.

In addition to his work as a journalist, Ted dedicated his time to guiding, shaping and molding the next generation of young journalists. Ted lectured at a number of colleges including the University of Missouri, as well as Wayne State University and Wayne County Community College, both of which are in Detroit. Through his lectures, he shared his passion and his experiences, in the hope of inspiring future generations to explore their history and to better understand the world in which they live.

In recognition of his outstanding journalistic work, Ted was presented with a number of awards over his life. These awards include four Emmys for his documentaries and a Meritorious Achievement Award from the Tuskegee Airmen. Additionally, Ted was presented an Achievement of Merit Award from the Ohio State University. And in acknowledgement of the depth of his impact on the community, Ted was inducted into the Michigan Journalism Hall of Fame in 2000. However, no award is greater than the testimonials

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

provided by countless leaders, community members and organizations across Greater Detroit, who agree that our region is stronger because of Ted's work.

Mr. Speaker, I ask my colleagues to join me today in celebrating the life of Ted Talbert, who had an undeniable impact on all of us in Southeast Michigan. Through his documentaries, we have been able to better understand the history of our community and how we can work together to build a bright and prosperous future for our region. His straightforward, yet complex, perspective and passion for his community, which he never hesitated to share, will be missed by all of us who grew up watching his films and news stories. I know Ted's life will be an inspiration to young journalists for many years to come and I hope his sister, Edna Bell, and his daughter, Jamile Skinner, know that all of us in the Greater Detroit region share in their loss.

TRIBUTE TO KATHERINE
ALBRECHT

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievements of Katherine Albrecht of Johnston for receiving a coveted Fulbright award to study and conduct research abroad this academic year.

The Fulbright Program is sponsored by the United States Department of State, Bureau of Education and Cultural Affairs. This program is known as America's flagship international exchange program. First established by Congress in 1946, the Fulbright Program has served the purpose of building mutual understanding between American citizens and the rest of the world. Appropriations from the United States Congress, participating foreign governments, and private sector contributions fund the Fulbright Program. The program has exchanged over a quarter of a million people in more than 155 countries, since its inception. Katherine's host country for the 2012–2013 academic year is Poland.

To receive a Fulbright award is truly a great honor. Recipients of this award must demonstrate significant leadership potential in their chosen field and are selected on the basis of their academic or professional achievement. The experiences provided by this program ensure that tomorrow's leaders are both knowledgeable about the world and well-rounded.

Mr. Speaker, it is a profound honor to represent future leaders like Katherine from the great state of Iowa in the United States Congress. I know my colleagues in the House will join me in congratulating her for receiving this prestigious award. I wish her the best of luck in her studies and future career.

IN RECOGNITION OF DR. LEWIS
DRUFFNER, THE JOSEPH
SAPORITO LIFETIME OF SERVICE
AWARD WINNER

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise to recognize Dr. Lewis Druffner and congratulate him on earning the Joseph Saporito Lifetime of Service Award Winner.

For his volunteer work and for decades of work as a legendary family physician in Avoca, Dr. Lewis Druffner is the Sunday Dispatch Joseph A. Saporito Lifetime of Service Award selection for 2012.

Dr. Druffner grew up in Avoca, graduated from Scranton Prep in 1951, The University of Scranton in 1955 and Jefferson Medical College in Philadelphia. He was the primary physician for three ships while serving with the U.S. Navy.

After his Navy hitch, he took over his father's family medical practice in Avoca, where Druffner is a legendary name in family medicine as Dr. Lewis Druffner and his father birthed generations of families in Avoca and surrounding towns. In a way, Dr. Druffner is different than past Saporito recipients in that he is being honored not just for volunteer work, but for his career as a family doctor which was, like his father's, as much about service to the community as it was work.

Dr. Druffner recently signed on to become a volunteer at the Care and Concern Health Clinic where he continues his lifetime work of helping patients as they recover from various ailments.

Dr. Druffner and his wife, Catherine, have six children: Elizabeth, of Avoca; Kathleen and Carl, both of Harrisburg; Michael, of Dayton, Ohio; Tommy, of Michigan; and Edward, of Downingtown. They also have five grandchildren.

TRIBUTE TO CHRISTOPHER
NEUBERT

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievements of Christopher Neubert of Des Moines for receiving a coveted Fulbright award to study and conduct research abroad this academic year.

The Fulbright Program is sponsored by the United States Department of State, Bureau of Education and Cultural Affairs. This program is known as America's flagship international exchange program. First established by Congress in 1946, the Fulbright Program has served the purpose of building mutual understanding between American citizens and the rest of the world. Appropriations from the United States Congress, participating foreign governments, and private sector contributions fund the Fulbright Program. The program has exchanged over a quarter of a million people

in more than 155 countries, since its inception. Christopher's host country for the 2012–2013 academic year is China.

To receive a Fulbright award is truly a great honor. Recipients of this award must demonstrate significant leadership potential in their chosen field and are selected on the basis of their academic or professional achievement. The experiences provided by this program ensure that tomorrow's leaders are both knowledgeable about the world and well-rounded.

Mr. Speaker, it is a profound honor to represent future leaders like Christopher from the great state of Iowa in the United States Congress. I know my colleagues in the House will join me in congratulating him for receiving this prestigious award. I wish him the best of luck in his studies and future career.

IN HONOR OF GRACE NAFTALY'S
100TH BIRTHDAY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to honor longtime Detroit-area resident and community advocate Grace Naftaly on the occasion of her 100th birthday. The Naftaly family is well known in the Detroit-area, and I've had the privilege of working with Grace's son Jerry, who served as the mayor of Oak Park for many years. Throughout her lifetime, Grace demonstrated a selfless dedication to the welfare of others, the community, and her family.

Grace was born on March 25, 1913 and arrived in the United States with her parents Mary and Emil Kahan through the Ellis Island and Statue of Liberty port. Grace and her husband Bill Naftaly were blessed with three children, Robert, Janice and Jerry, as well as six grandchildren and six great-grandchildren.

Even at the young age of 100, Grace is still an avid Detroit Red Wings, Tigers and Pistons fan. She also loves puzzle books and novels.

As I close, I would like to wish Grace health and happiness for many years to come. I can say with confidence that because of her selfless attitude and dedication to the community, the Detroit-area is a better place.

TRIBUTE TO GRAYSON THOMAS
HARVEY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Grayson T. Harvey of Crescent, IA for achieving the rank of an Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as

well as completing an Eagle Project to benefit the community. For his project, Grayson constructed an outdoor classroom for Crescent Elementary School. The work ethic Grayson has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Grayson and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

DONNA BYRNE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to proudly recognize the recipient of the Bucks County 2013 Women's History Month Award. Donna Byrne, a long-time resident of Bucks County Pennsylvania, exemplifies compassion and leadership to help women experiencing domestic violence.

Nearly 30 years ago, Donna Byrne discovered her deep commitment to empower women while volunteering at a battered women's shelter. There, she found her passion. The life-changing experience eventually led her to work for 'A Woman's Place'.

For 12 years, Donna Byrne pioneered the domestic violence prevention movement. Having established successful prevention awareness programs and community outreach efforts in local schools, she successfully garnered community support for women's issues.

Mr. Speaker, we honor Donna Byrne today because of her selfless courage and lifelong passion to help the lives of women in need. Although not often recognized for their contribution to the community, women like Donna Byrne are true heroines who make our community a stronger and safer place. As a committed advocate for women in Bucks County, Donna Byrne stands out as a clear choice to receive this award.

TRIBUTE TO DANIELLE
HAINDFIELD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Danielle Haindfield for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the

Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Danielle Haindfield is a shareholder attorney with Ahlers and Cooney, P.C. in Des Moines practicing primarily in education and construction law. Danielle is a proud Drake University alumnus where she graduated Magna Cum Laude with her B.A. and ultimately received her Juris Doctor degree with high honors. Through Ahlers and Cooney, Danielle participates in community outreach programs for Children and Families of Iowa, United Way of Central Iowa, Youth Emergency Services and Shelter, and staffing of Iowa Legal Aid intake program. Outside of work, Mrs. Haindfield is active in the Jordan Creek Elementary Parent Faculty Club and was selected to serve on the National School Boards Association Council of School Attorneys. Mrs. Haindfield is married to her husband Matthew, and together they have two daughters, Taylor and Brooke. In all facets of her life, Danielle is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Danielle in the United States Congress and it is with great pride that I recognize and applaud Mrs. Haindfield for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Danielle on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING THE SERVICE OF COLONEL
RODNEY WILLIAMS OF THE
MICHIGAN AIR NATIONAL GUARD
ON THE OCCASION OF HIS RETIREMENT

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to salute Colonel Rodney Williams of the Michigan Air National Guard as he retires after twenty-eight years of service to our Nation in the Armed Forces.

Colonel Williams' service began in 1984 when he joined the Army Reserve and later, in 1988, the Michigan Army National Guard. Over the next decade he would go on to obtain a Juris Doctorate from Cooley Law School and would hold the positions of Assistant Staff Judge Advocate for the 177th Military Police Brigade and aide-de-camp to Michigan's Adjutant General, Major General Gordon Stump. In 1994, Colonel Williams transferred to the Michigan Air National Guard and was assigned to the 127th Wing as Deputy Staff Judge Advocate at Selfridge Air National Guard Base. While serving the 127th, Colonel

Williams was committed to developing the unit's joint operational capabilities and was recognized by the North American Aerospace Defense Command for his work.

While posted at Selfridge, Colonel Williams was assigned as Director of the 127th Wing Mission Support Group where he continued his focus on developing his unit's readiness and coordination. Under his leadership, the 127th Mission Support Group achieved a ninety-four percent readiness rating while it was supporting missions for the Air Mobility Command's KC-135 operation mission and its F-16 flying mission. As part of his responsibilities, Colonel Williams oversaw support for more than 400 Airmen of his support group that were deployed in Operation Iraqi Freedom, Operation Enduring Freedom, Air Expeditionary Forces and Operation Noble Eagle. In 2008, Colonel Williams' Mission Support Group received a ninety-eight percent rating from a Unit Compliance Inspection.

In 2010, Colonel Williams was chosen to serve as Director of the Michigan National Guard Human Resource Office, HRO, overseeing over twenty-two hundred full time employees. While in this capacity, he led efforts to streamline and increase efficiency within HRO, which created savings for taxpayers. Colonel Williams also fostered increased collaboration between first responders and the Michigan National Guard in disaster planning which earned the State outstanding evaluations for its Vigilant Guard Exercise.

Throughout his career, Colonel Williams has focused not only on professional excellence, but on supporting efforts that have helped his countrymen as well. In 2005, while with the 127th Wing, Colonel Williams coordinated Michigan's assistance for two-hundred and fifty victims of Hurricane Katrina. Additionally, he has worked with the Detroit based Veterans Task Force on veterans employment issues. He has received numerous medals including the Meritorious Service Medal, the National Defense Service Medal and the Air Force Outstanding Unit Award.

Mr. Speaker, Colonel Rodney Williams' twenty-eight years of dedicated service to our men and women of the Armed Forces and to our Country are a testament to his character and I know that his leadership will be missed by the personnel with whom he served.

TRIBUTE TO SHANE GREENLEAF

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Shane Greenleaf for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction,

which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Shane Greenleaf is an Iowa native who grew up in Sioux City and is a University of Northern Iowa alumnus. At UNI, Shane met his wife Jennifer, and together they have two children, Maya and Braxten. Today, Shane is the Vice President of Commercial Banking at First American Bank where he manages a \$50 million loan portfolio. Shane's efforts in the last year have earned him and his organization numerous top lending awards. Outside of work, Shane is actively involved in leadership roles with Candeo and Big Brothers Big Sisters of Central Iowa. In both facets of his life, Mr. Greenleaf is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Shane in the United States Congress and it is with great pride that I recognize and applaud Mr. Greenleaf for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Shane on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN RECOGNITION OF CHARLES A.
ADONIZIO AS THE GREATER
PITTSSTON PERSON OF THE YEAR

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise to recognize the life and contributions of Mr. Charles A. Adonizio III who I congratulate on being recently named the Greater Pittston Person of the Year by the Pittston Dispatch.

Mr. Adonizio is the immediate past president of the Greater Pittston Chamber of Commerce. He was selected for Person of the Year for his work in bringing the Hometown Heroes Memorial from idea to reality on the lawn of the chamber. The memorial honors the soldiers and police officers who lost their lives in the line of duty, and another who was severely wounded, from the Greater Pittston area in the past decade.

Adonizio's roots in the Greater Pittston area run deep. He was born in Pittston, graduated from Pittston Area High School, and eventually took over the area family insurance company, Atlas Insurance Group in 1982, from his father, who founded it in 1938. He later added a separate company, Atlas Realty Inc., in 1988, and the two companies are headquartered in the Keystone section of Plains Township.

He married the former Karen Delaney of Hughestown and they have two children. Kristie Adonizio, 22, is student at Champlain College in Burlington, Vt., and Chad Adonizio, 21, a student at Drexel University in Philadelphia.

In 2004, both of Adonizio's businesses received the Small Business of the Year award

from the Greater Pittston Chamber of Commerce. He is president of the Greater Wilkes-Barre Association of Realtors, past director and president of the Greater Pittston YMCA and a founding director of Landmark Community Bank.

Please join me in congratulating Mr. Charles Adonizio III on his life and contributions and on being named the Greater Pittston Person of the Year by the Pittston Dispatch.

TRIBUTE TO MANNING DING

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievements of Manning Ding of Johnston for receiving a coveted Fulbright award to study and conduct research abroad this academic year.

The Fulbright Program is sponsored by the United States Department of State, Bureau of Education and Cultural Affairs. This program is known as America's flagship international exchange program. First established by Congress in 1946, the Fulbright Program has served the purpose of building mutual understanding between American citizens and the rest of the world. Appropriations from the United States Congress, participating foreign governments, and private sector contributions fund the Fulbright Program. The program has exchanged over a quarter of a million people in more than 155 countries, since its inception. Manning's host country for the 2012-2013 academic year is China.

To receive a Fulbright award is truly a great honor. Recipients of this award must demonstrate significant leadership potential in their chosen field and are selected on the basis of their academic or professional achievement. The experiences provided by this program ensure that tomorrow's leaders are both knowledgeable about the world and well-rounded.

Mr. Speaker, it is a profound honor to represent future leaders like Manning from the great state of Iowa in the United States Congress. I know my colleagues in the House will join me in congratulating her for receiving this prestigious award. I wish her the best of luck in her studies and future career.

RECOGNIZING THE ACCOMPLISHMENTS OF ELIZABETH "LIZ" JACKSON ON THE OCCASION OF HER NINETY-FIFTH BIRTHDAY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to honor Ms. Elizabeth Jackson and her lifelong commitment to pursuit of social justice, as she and many in the Greater Detroit area celebrate her ninety-fifth birthday. Known to many in the community simply as Liz, she is a proud Detroit resident that has spent decades serving her friends and neighbors.

Liz began her long career almost seventy years ago when she joined the Ford Motor Company at its River Rouge Aluminum Foundry. And like so many who share a passion for building a fairer and more just world, she became involved in her chapter of the United Auto Workers (UAW), Local 600. From the beginning of her involvement in the UAW, Liz was steadfast in her commitment to her brothers and sisters in labor. Over the first twenty years of her career, her peers elected her to a number of positions on the local board. In recognition of her leadership and dedication, Liz was among the first women appointed to the International UAW in 1966, where she worked with many UAW locals of Ford Motor Company employees. At the International UAW, Liz was an active member of the team making important decisions the national negotiations of fair contracts for Ford workers.

As was the case in her professional work, Liz mirrored those same principles and actions in her volunteer work. In her role as a community activist, Liz has utilized the oration, organizing and analytical thinking skills that she honed in her work with the UAW to serve and support many organizations that share her vision of a world where opportunity is equally accessible to all. Her civic activism includes a period as Vice President of the Michigan Black Caucus and she has been an active member of the Michigan Democratic Party and the Detroit Branch of the National Association for the Advancement of Colored People. In further service to her community, Liz was appointed to the Detroit Fire Commission.

Even after retiring from Ford in 1983, Liz continues to remain active in the fight to build a better future for Detroit and the nation. Just last year, Liz attended the 2012 Democratic National Convention as part of the Michigan delegation and cast her vote for re-nominating President Barack Obama. She describes her time at DNC as a moment in her life that she will always remember. Whether it was an issue to her colleagues at Ford Motor and the UAW or a matter of importance to her neighbors and friends in Detroit and beyond, Liz has displayed an unwavering zeal for making the American ideal of having a fair shot at success available to all. This has earned the recognition and respect of her neighbors and community leaders that often turn to Liz for advice on issues facing Greater Detroit residents.

Mr. Speaker, Liz Jackson's ninety-fifth birthday is yet another impressive milestone in the life of a woman that has been a trailblazer for women in organized labor and public service. Her dedication to the Greater Detroit region and her brothers and sisters in organized labor have undoubtedly been an inspiration for many that have sought to serve their communities. Liz has made such a profound impact on the community she calls home and I wish her continued success in all of her future endeavors.

March 7, 2013

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UNIVERSITY OF NEW MEXICO UNDERGRADUATE MOCK TRIAL TEAM CONGRATULATORY LETTER

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 2013

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to congratulate the Uni-

versity of New Mexico Undergraduate Mock Trial Teams.

After competing in Houston and Colorado Springs last year, the University of New Mexico Mock Trial Teams competed in a Regional Tournament in Dallas this February. At the Regional Tournament, the Mock Trial Team competed with fifteen other schools and performed exceptionally well.

I am very proud of both teams from UNM for their remarkable work at the Regional Tournament in Dallas. The University of New Mexico Mock Trial team is unique in that the

student group is self-coached. These students exemplify true dedication and hard work, and the high scores they received at the Regional Tournament in Dallas is an inspirational achievement. I am impressed by their accomplishments and believe they are deserving of the praise of their friends, family, and this Congress.

I congratulate these students on their hard work and diligence in competition this past season, and further commend them on their success at the Regional Tournament.